

Hanoi, November 24, 2020

DECREE

Detailing a number of articles and measures to implement the Law on Fire Prevention and Fighting and the Law Amending and Supplementing a Number of Articles of the Law on Fire Prevention and Fighting

Pursuant to the Law on Organization of the Government dated June 19, 2015; the Law amending and supplementing a number of articles of the Law on Organization of the Government and the Law on Organization of Local Administration dated November 22, 2019;

Pursuant to the Law on People's Public Security Forces dated November 20, 2018;

Pursuant to the Law on Fire Prevention and Fighting dated June 29, 2001 and the Law dated November 22, 2013 Amending and Supplementing a Number of Articles of the Law on Fire Prevention and Fighting;

At the proposal of the Minister of Public Security,

The Government promulgates the Decree detailing a number of articles and measures to implement the Law on Fire Prevention and Fighting and the Law amending and supplementing a number of articles of the Law on Fire Prevention and Fighting.

Chapter I
GENERAL PROVISIONS

Article 1. Scope of regulation

This Decree prescribes fire prevention and fighting activities, organization of fire prevention and fighting forces and equipment, trade in fire prevention and fighting services, funding for fire prevention and fighting activities and responsibilities of ministries, ministerial-level agencies, Government-attached agencies and People's Committees at all levels in fire prevention and fighting activities.

Article 2. Subjects of application

This Decree applies to agencies, organizations, households, and individuals working and living in the territory of the Socialist Republic of Vietnam.

Article 3. Appendices

Issued together with this Decree are the following appendices:

1. Appendix I: List of establishments subject to fire prevention and fighting management.
2. Appendix II: List of fire- and explosion-prone establishments.
3. Appendix III: List of establishments managed by the police agencies.
4. Appendix IV: List of establishments managed by the communal-level People's Committee.
5. Appendix V: List of projects, works and motor vehicles with fire prevention and fighting designs subject to examination and approval.
6. Appendix VI: List of fire prevention and fighting equipment.
7. Appendix VII: List of fire prevention and fighting equipment subject to pre-acceptance tests.
8. Appendix VIII: Specifications on signal pennants, signs, barricade tapes and armbands used in firefighting;
9. Appendix IX: Forms used in fire prevention and fighting.

Chapter II FIRE PREVENTION

Article 4. Establishments subject to fire prevention and fighting management

1. Establishments prescribed in Clause 3, Article 3 of the 2001 Law on Fire Prevention and Fighting, which are amended and supplemented under Clause 1, Article 1 of the 2013 Law amending and supplementing a number of articles of the Law on Fire Prevention and Fighting (hereinafter collectively referred to as the Law on Fire Prevention and Fighting) are defined as establishments subject to fire prevention and fighting management.

An agency or organization may possess one or more than one establishment. In a establishment, there may be multiple agencies and organizations co-operating.

2. The list of establishments subject to fire prevention and fighting

management is provided in Appendix I issued together with this Decree.

Article 5. Fire prevention and fighting safety conditions for establishments

1. Establishments on the list specified in Appendix III issued together with this Decree must satisfy the following fire prevention and fighting safety conditions:

a) Having internal rules, ban signs, signboards, instructional diagrams or boards on fire prevention and fighting and fire exits in accordance with technical regulations and standards on fire prevention and fighting or the regulations of the Ministry of Public Security;

b) Having intramural and specialized fire prevention and fighting forces corresponding to their type of establishments, which are trained in fire prevention and fighting skills and organized to be ready for firefighting, meeting on-site firefighting requirements in accordance with the law regulations, except for the cases specified at Point g, Clause 3, Article 31 hereof;

c) Having firefighting plans approved by competent authorities;

d) Electric, lightning arrester and anti-static electricity systems, electric equipment, flame- and heat-generating equipment, and the use of ignition and heat sources must ensure fire prevention and fighting safety in accordance with technical regulations and standards on fire prevention and fighting or the regulations of the Ministry of Public Security;

dd) Having traffic, water supply and communication systems in service of firefighting, management system of database on fire prevention and fighting and transmission of incident reports, fire alarming, fighting and stoppage system, smoke stoppage system, fire escape system, other fire prevention and fighting equipment and human rescue equipment with adequate quantity and good quality in accordance with technical regulations and standards on fire prevention or the regulations of the Ministry of Public Security;

e) Having design examination and approval certificates and documents (In cases where any) and the fire prevention and fighting police agency's written approval of fire prevention and fighting pre-acceptance test results for the projects and works on the list specified in Appendix V issued together with this Decree, except for defense establishments operating with military purposes and motor vehicles with special fire prevention and fighting safety requirements manufactured or converted by defense establishments exclusively for military activities.

2. Establishments on the list specified in Appendix IV to this Decree must satisfy the following fire prevention and fighting safety conditions:

a) The conditions specified at Points a, c and d, Clause 1 of this Article; In cases where the establishments are on the list specified in Appendix V of this Decree, they are required to have design approval certificates and documents (In cases where any) and the written approval of the fire prevention and fighting pre-acceptance test results;

b) Having traffic, water supply and communication systems in service of firefighting, fire alarming, fighting and stoppage system, smoke stoppage system, fire escape system, other fire prevention and fighting equipment and human rescue equipment with adequate quantity and good quality in accordance with technical regulations and standards on fire prevention or the regulations of the Ministry of Public Security;

c) Clearly defining and assigning responsibilities and tasks of fire prevention and fighting. Persons in charge of fire prevention and fighting must be trained and fostered in fire prevention and fighting skills in accordance with the provisions of Article 33 hereof.

3. Agencies and organizations operating in a establishment that have satisfied the fire prevention and fighting safety conditions specified in Clauses 1 and 2 of this Article must, within their scope of management, implement the following contents:

a) Satisfying the conditions specified at Point a, Clause 1 of this Article;

b) The use of electric equipment, fire- and heat-generating equipment, ignition and heat sources must ensure fire prevention and fighting safety;

c) Sending their employees to join the intramural fire prevention and fighting team;

d) Cooperating with the head of the establishment in implementing and maintaining the fire prevention and fighting safety conditions within their scope of management.

4. The fire prevention and fighting safety conditions specified in Clauses 1, 2 and 3 of this Article must be implemented by heads of agencies, organizations, or establishments before they are put into operation and maintained during their operation.

In cases where there are multiple agencies and organizations co-operating in an establishment, the head of the establishment shall be responsible for managing and maintaining the establishment's overall fire prevention and fighting safety

conditions.

5. Files on management and monitoring of fire prevention and fighting activities of the establishments on the list specified in Appendix III and Appendix IV issued together with this Decree shall be made and kept by the heads of the establishments. Composition of the files shall comply with regulations of the Ministry of Public Security.

Article 6. Fire prevention and fighting safety conditions for residential areas

1. Residential areas mean places of residence of individuals or households located on villages, hamlets, ethnic minority villages, residential groups or other equivalent population units (collectively referred to as villages). A village is defined as a residential area subject to fire prevention and fighting management.

2. Residential areas must satisfy the following fire prevention and fighting safety conditions:

a) Having internal rules on fire prevention and fighting, on the use of electricity, flame and flammables and explosives in accordance with technical regulations and standards on fire prevention or the regulations of the Ministry of Public Security;

b) Having traffic system and water sources in service of firefighting, preventive solutions against fire spread, fire prevention and fighting equipment with adequate quantity and good quality in accordance with technical regulations and standards on fire prevention or the regulations of the Ministry of Public Security;

c) Having firefighting plans approved by competent authorities.

d) Having civil guard forces trained in fire prevention and fighting skills and organized to be ready for firefighting, meeting on-site firefighting requirements.

3. The fire prevention and fighting safety conditions specified in Clause 2 of this Article must be implemented and maintained by the chairpersons of the commune-level People's Committees during their operation.

Article 7. Fire prevention and fighting safety conditions for households

1. Households must satisfy the fire prevention and fighting safety conditions specified in Clause 1, Article 17 of the Law on Fire Prevention and Fighting.

2. Households living in association with production and business must satisfy the following fire prevention and fighting safety conditions:

a) Conditions specified in Clause 1 of this Article;

b) Having internal rules on fire prevention and fighting, on the use of electricity, flame and flammables and explosives in accordance with technical regulations and standards on fire prevention or the regulations of the Ministry of Public Security;

c) Having solutions to escape in case of fire and prevent the spread of fire and smoke between the living area and the production and business area.

3. The fire prevention and fighting safety conditions specified in Clauses 1 and 2 of this Article must be implemented and maintained by the owners of households during their operation.

4. Households specified in Clause 2 of this Article that have been granted an enterprise registration certificate must satisfy the fire prevention and fighting safety conditions corresponding to their type of establishments specified in Article 5 hereof.

Article 8. Fire prevention and fighting safety conditions for motor vehicles

1. Land-road motor vehicles of four or more seats must satisfy the tested operating conditions; the arrangement of supplies and commodities onboard the vehicles must ensure fire prevention and fighting safety.

Land-road motor vehicles of more than 09 seats, inland waterway vehicles, railway vehicles must satisfy the following conditions:

a) Having internal rules, ban signs, signboards, and instructional boards in accordance with technical regulations and standards on fire prevention or the regulations of the Ministry of Public Security;

b) The power and fuel systems, the arrangement of supplies and commodities onboard the vehicles must ensure fire prevention and fighting safety;

c) Having firefighting equipment suitable to the operational characteristics and properties of the vehicles with the adequate quantity and good quality in accordance with technical regulations and standards on fire prevention or the regulations of the Ministry of Public Security;

d) Having regulations, assigning fire prevention and fighting tasks and organizing the firefighting readiness to meet the on-site firefighting requirements.

2. Motor vehicles with special fire prevention and fighting safety requirements specified in Section 21, Appendix V to this Decree must ensure and maintain the following conditions on safe fire prevention and fighting:

a) The conditions specified in Clause 1 of this Article;

b) Having design examination and approval certificates and documents (In cases where any) and the fire prevention and fighting police agency's written approval of fire prevention and fighting pre-acceptance test results, except for motor vehicles with special fire prevention and fighting safety requirements manufactured or converted by defense establishments exclusively for military activities;

c) Having firefighting plans approved by the owners of the vehicles.

3. Motor vehicles carrying fire- and explosion-prone substances and commodities on roads, inland waterways, and railways must have permits for the transportation thereof, which are granted by the fire prevention and fighting police agencies in accordance with the law provisions on transportation of dangerous commodities on roads, inland waterways, and railways (except for the cases falling under the competence of the Ministry of National Defense) and must satisfy and maintain the following fire prevention and fighting safety conditions:

a) Conditions specified in Clause 1 of this Article;

b) The vehicle's engine must be isolated from the cargo compartment by a non-combustible material or a buffer chamber (compartment) in accordance with the law provisions;

c) The exhaust pipe of the engine must be shielded to ensure fire and explosion safety;

d) The floor and structure of the cargo compartment and other areas of the vehicle located in the fire- and explosion-prone zones must be made of non-combustible substances;

dd) Technical safety and environmental protection conditions in accordance with the law provisions;

e) Grounding is required when road vehicles transport flammable and combustible liquids;

g) Road motor vehicles must have warning signs of fire or explosion hazards (Form No. PC01) on their windcreens; railway vehicles must have warning signs of fire or explosion hazards (Form No. PC01) on both sides of the vehicles during the transport;

h) Inland waterway vehicles must be flagged with "B" signaling pennants during the day and must have red signal lights during the transportation at night. Specifications and standards of the pennants and signal lights shall comply with the regulations of the Ministry of Transport.

4. Conditions for vehicle operators and persons working on vehicles

transporting passengers and fire- and explosion-prone commodities:

a) The vehicle operators must obtain driving licenses in accordance with the law on road traffic, inland waterways and railways;

b) The operators, the person working on motor vehicles transporting passengers with more than 29 seats and motor vehicles transporting fire- and explosion-prone vehicles must be trained and fostered in fire prevention and fighting skills in accordance with the provisions of Article 33 hereof.

Article 9. Transportation of fire- and explosion-prone commodities and the grant of permits for the transportation thereof

1. Dossiers of application and procedures for the grant of permits to transport fire- and explosion-prone commodities of categories 1, 2, 3, 4 and 9 by road motor vehicles or on inland waterways shall comply with the provisions of the Government's Decree No. 42/2020/ND-CP dated April 08, 2020 on the List of dangerous commodities and the transportation of dangerous commodities by road motor vehicles and on inland waterways (hereinafter referred to as Decree No. 42/2020/ND-CP).

2. Dossier of application for a permit to transport fire- and explosion-prone commodities on railways:

a) An application form for the permit to transport fire- and explosion-prone commodities (Form No. PC02)

b) An authenticated copy (or a copy enclosed with the original for comparison) of the enterprise registration certificate of the organization or individual applying for the permit to transport fire- and explosion-prone commodities, which clearly show that the organization or individual are licensed to trade or transport dangerous commodities;

c) A list of lists, volumes and routes of transportation of the fire- and explosion-prone commodities (departure and arrival stations); a list of members of the cargo escort for the fire- and explosion-prone commodities;

d) A copy certified by the enterprise of the transportation contract or the written agreement on railway carriage of fire- and explosion-prone commodities between the charterer and the railway transport enterprise;

dd) Plans to prevent and respond to incidents during the transportation of fire- and explosion-prone commodities, signed and stamped for certification by the organization or individual applying for the permit to transport fire- and explosion-prone commodities;

e) Plans to clean the vehicles and ensure the requirements of environmental

protection after the transportation is completed in accordance with the current law provisions on environmental protection.

3. Agencies, organizations and individuals shall submit 01 set of the dossiers specified in Clause 2 of this Article to the competent authorities in one of the following forms:

- a) Directly at the Single-window section of the competent authorities;
- b) Online at the public service portals of the competent authorities (documents and papers on the list of state secrets shall comply with the law provisions on protection of state secrets);
- c) Via public postal services, or via postal services provided by enterprises or individuals, or by authorizing other units in accordance with the law provisions.

4. The dossier-receiving officers shall check the composition and validity of the dossiers and comply with the following provisions:

- a) In cases where the application dossiers are complete and valid in accordance with Clause 2 of this Article, they shall receive the dossiers and fill information on written receipt for settlement of fire prevention and fighting administrative procedures (Form No. PC03);
- b) In cases where the application dossiers are incomplete or invalid in accordance with Clause 2 of this Article, the completion of the application dossiers shall be instructed, and the information shall be filled on the instruction form of supplementing application dossiers for settlement of fire prevention and fighting administrative procedures (Form No. PC04).

5. Notification of dossier processing results:

- a) In cases where the application dossiers are submitted directly to the Single-window section of the competent authorities, the dossier-receiving officers must directly hand over 01 copy of the written receipt for settlement of fire prevention and fighting administrative procedures, or the instruction form of supplementing application dossiers for settlement of fire prevention and fighting administrative procedures to the dossier-submitters and keep 01 copy;
- b) In cases where the application dossiers are submitted via the public service portals of the competent authorities, the dossier-receiving officers shall send via email or phone message the notifications about the receipt, or the instructions for supplementing the application dossiers to the agencies, organizations and individuals that have submitted the dossiers;
- c) In cases where the application dossiers are submitted via public postal services, or via postal services provided by enterprises or individuals, or submitted

by authorized units in accordance with the law provisions, the dossier-receiving officers must hand over 01 copy of the written receipt for settlement of fire prevention and fighting administrative procedures, or the instruction form of supplementing application dossiers for settlement of fire prevention and fighting administrative procedures to the agencies, organizations or individuals that have submitted the dossiers, and keep 01 copy.

6. Persons authorized by agencies or organizations to submit the application dossiers must have letters of recommendation or letters of authorization and produce their valid ID cards, citizenship identity cards or passports.

7. Within 05 working days since the complete and valid application dossiers are received, the competent authorities shall have to inspect the fire prevention and fighting safety of the vehicles considering the conditions prescribed in Clause 3, Article 8 hereof and grant the permits to transport fire- and explosion-prone commodities (Form No. PC05) and signs of fire and explosion hazards for the vehicles (Form No. PC01). In cases where the application for the grant of such permits is refused, written replies clearly stating the reasons must be issued.

8. Competence to grant permits to transport fire- and explosion-prone commodities on roads, inland waterways, or railways:

a) The Fire and Rescue Police Offices under the Provincial-level Police Departments shall grant the permits to transport fire- and explosion-prone commodities for vehicles of agencies, organizations or individuals with their headquarters located, or for vehicles operating, in the localities of which the police offices are assigned the management of fire prevention and fighting;

b) District-level police sub-departments shall grant permits to transport fire- and explosion-prone commodities for vehicles of agencies, organizations or individuals with their headquarters located, or for vehicles operating, in the localities managed by them which are not under the competence of the Fire and Rescue Police Offices under the Provincial-level Police Department, as well as in the cases where they are authorized by the Fire and Rescue Police Offices under the Provincial-level Police Departments.

9. Permits to transport fire- and explosion-prone commodities are valid nationwide and can only be used once for vehicles under voyage charter contracts; can be valid for no more than 24 months for vehicles that carry fire- and explosion-prone commodities following the transportation plans or contracts, but not exceeding the remaining validity of the Certificates of technical safety and environmental protection pre-acceptance test (for road motor vehicles), Certificates of technical safety and environmental protection (for inland waterway vehicles), Certificates of quality, technical safety and environments protection (for railway

vehicles).

10. The transportation of fire- and explosion-prone commodities by road motor vehicles, on inland waterways or railways shall comply with the provisions of Decree No. 42/2020/ND-CP and Decree No. 65/2018/ND-CP dated May 12, 2018 of the Government detailing the implementation of a number of articles of the Railway Law.

Article 10. Fire prevention and fighting requirements in the planning or adjustment of projects on construction of urban centers, residential areas, industrial parks, industrial clusters, export processing zones, hi-tech parks, and other functional zones in accordance with the Law on Planning

In planning or adjusting projects on construction of urban centers, residential areas, industrial parks, industrial clusters, export processing zones, hi-tech parks and other functional zones in accordance with the Law on Planning, the following contents shall be ensured:

1. Locations for construction of works or work clusters, the arrangement of land lots and building blocks must ensure prevention of fire spreads and minimize adverse impacts of heat, smoke, dust, and toxic gas generated by fires on surrounding residential areas and works.
2. Systems of roads and spaces must be large and strong enough for the operation of fire engines.
3. Firefighting water supply, electricity supply and communication systems must be ready to serve firefighting and fire alarming activities.
4. The arrangement of locations for fire prevention and fighting police units must follow the provisions of technical regulations and standards on construction planning.
5. Projects must contain estimated funds for fire prevention and fighting activities.

Article 11. Fire prevention and fighting requirements in the elaboration of projects and designs for construction or renovation of works or change of their use purposes

In the elaboration of projects and designs for construction, renovation, or change of the use purposes of works or works' items (hereinafter collectively referred to as works), the regulations, technical regulations and standards on fire prevention and fighting shall be ensured with the following contents:

1. Locations for construction must ensure fire prevention and fighting safety distance from surrounding works.

2. Fire-resistance ratings of the works conform to the operational scale and characteristics of works; there must be solutions to prevent fires and fire spread between items of each work and between one work and another.

3. Manufacturing technologies, electricity, lightning arrester, anti-static electricity, and anti-explosion systems of the works and the arrangement of technical systems, equipment and supplies must satisfy the fire prevention and fighting safety requirements.

4. Fire exits and passages, lighting equipment, exit instructions and signs; smoke ventilation; and human rescue equipment must ensure fast and safe escape.

5. Traffic system and parking lots to serve the operation of fire engines must be large and strong enough; firefighting water supply systems must satisfy the firefighting requirements.

6. Fire alarming and firefighting systems, and other firefighting equipment must ensure their adequate quantity, and their installation positions and technical specifications must be suitable to operational characteristics and properties of the works.

Article 12. Fire prevention and fighting funds in investment and construction

1. Fire prevention and fighting funds in investment and construction cover funding amounts for fire prevention and fighting project items specified in Articles 10 and 11 hereof and other funding amounts for the elaboration of fire prevention and fighting projects and designs, examination and approval, test run, inspection, construction, and pre-acceptance test.

2. Fire prevention and fighting funds in investment and construction shall be arranged right in the stage of elaborating investment projects and work designs.

Article 13. Fire prevention and fighting designs, examination and approval thereof

1. Construction planning projects, designs for construction, renovation, or change of the use purposes of projects and works, designs of motor vehicles with special requirements on fire prevention and fighting safety, which are newly manufactured or converted with funds from any investment sources, must comply with fire prevention and fighting regulations, standards, and technical regulations. The elaboration of planning projects, construction designs for projects and works, and designs for motor vehicles specified in Appendix V issued together with this Decree shall be carried out by legally qualified units with their fire prevention and fighting designs examined and approved.

2. The examination and approval of fire prevention and fighting designs means the competent authorities examining and comparing solutions and contents in the designs of the projects, works or motor vehicles with special fire prevention and fighting safety requirements with Vietnamese technical regulations, standards and law provisions related to fire prevention and fighting, or with foreign standards or international standards on fire prevention and fighting which are allowed to apply in Vietnam in accordance with the lawful order and procedures.

The results of examination and approval of fire prevention and fighting designs shall serve as one of the bases for considering and approving the planning projects, approving the projects, examining and approving construction designs, and granting construction permits.

3. Subjects of fire prevention and fighting design examination and approval:

a) Projects on construction planning or adjustment of urban centers, economic zones, industrial zones, industrial clusters, export processing zones, hi-tech zones and other functional zones in accordance with the Law on Planning;

b) Projects and works specified in Appendix V issued together with this Decree, which are constructed, renovated or changed in use purposes affecting one of their fire prevention and fighting safety requirements specified at Point b, Clause 5 of this Article;

c) Motor vehicles with special fire prevention and fighting safety requirements specified in Section 21, Appendix V issued together with this Decree, which are newly manufactured or converted affecting one of their fire prevention and fighting safety requirements specified at Point c, Clause 5 of this Article.

4. Dossiers of fire prevention and fighting design examination and approval

a) For construction planning projects: The written request for examination of and comments on fire prevention and fighting solutions of the project-elaborating agency or organization (Form No. PC06); documents and detailed planning drawings of 1:2000 scale for industrial zones of more than 20 hectares, and of 1:500 scale for other cases, demonstrating the contents of requirements on fire prevention and fighting solutions prescribed Clauses 1, 2, 3 and 4, Article 10 hereof.

b) For approval of construction locations prior to design of independent fire- and explosion-prone works specified in Sections 15 and 16, Appendix V issued together with this Decree (except for internal petrol stations and gas-using establishments): The investor's written request for approval of fire prevention and fighting for the construction location (Form No. PC06), enclosed with a lawful letter of authorization if another unit is authorized by the investor to perform the

task; the certificate of land use rights or documents clearly stating the legal land use rights for the project or work; drawings and documents clearly expressing the current terrain conditions of the land lot related to fire prevention and fighting such as the fire-resistance rating of the to-be constructed work, the distance from the work to surrounding works, the wind direction, the work's elevation.

c) For basic designs of projects and works: The investor's written request for examination of and comments on fire prevention and fighting solutions (Form No. PC06), enclosed with a lawful letter of authorization if another unit is authorized by the investor to perform the task; the decision approving construction investment policy for projects using public investment capital; the written approval of the construction investment policy (if any) or the investment registration certificate (if any) or the certificate of land use rights or the document clearly stating the legal land use rights for the projects funded by other capital sources; the certificate of eligibility for trading in fire prevention and fighting services of the fire prevention and fighting design consultancy unit; the basic design drawings and written explanations, demonstrating the contents of requirements on fire prevention and fighting solutions prescribed in Article 11 hereof.

d) For technical designs or construction drawing designs of projects and works: The investor's written request for examination and approval of fire prevention and fighting designs (Form No. PC06), enclosed with a lawful letter of authorization if another unit is authorized by the investor to perform the task; written comments on the basic fire prevention and fighting design of fire police units (if any); the written approval of the construction investment policy (if any) or the investment registration certificate (if any) or the certificate of land use rights or the document clearly stating the legal land use rights for the projects funded by other capital sources; the certificate of eligibility for trading in fire prevention and fighting services of the fire prevention and fighting design consultancy unit; the total estimate for construction of the work; the drawings and written explanations of the technical design or construction drawing design, demonstrating the contents of requirements on fire prevention and fighting prescribed in Article 11 hereof; copies of the design examination and approval certificate, certified documents on examination and approval of the fire prevention and fighting designs and drawings (for design dossiers on renovation or adjustment of the works and projects); documents on construction design examination of the specialized construction agency (if any);

dd) For the technical designs of motor vehicles with special fire prevention and fighting safety requirements: The written request for examination and approval of fire prevention and fighting design of the vehicle' investor or owner (Form No. PC06), enclosed with a lawful letter of authorization if another unit is authorized

by the investor or the vehicle's owner to perform the task; the certificate of eligibility for trading in fire prevention and fighting services of the fire prevention and fighting design consultancy unit; the total investment estimate for the vehicles; drawings and written explanations of the technical design, demonstrating the contents of requirements on fire prevention and fighting safety solutions prescribed at Points b and c, Clause 1, Points b, c, d and e, Clause 3, Article 8 hereof.

e) Documents and certificates included in the dossiers are the originals, authenticated copies, or copies, photocopies enclosed with the originals for the dossier-receiving officers to compare. The design drawings and written explanations must be certified by the investor or the vehicle's owner. If the dossiers are in foreign languages, they must be translated to Vietnamese and the investor or the vehicle's owner shall be responsible for such translation.

5. Contents of the fire prevention and fighting design examination and approval:

a) For planning projects, it is necessary to consider and compare the conformity of the projects with the provisions of Clauses 1, 2, 3 and 4, Article 10 hereof;

b) For projects and works, it is necessary to consider and compare the conformity of their designs with current regulations, regarding the following contents: List of fire prevention and fighting technical regulations and standards, technical documents, technical instructions and technologies applied in the designs; roads for fire engines, fire prevention and fighting safe distance from the surrounding works; water supply system for firefighting; fire-resistance ratings, fire- and explosion-prone levels and arrangement of the works' functions related to fire prevention and fighting; solutions to prevent fires and fire spread; smoke ventilation solutions; fire escape solutions; human rescue and assistance solutions; lightning arrester and anti-static plans; power supply solutions for fire prevention and fighting systems and other technical systems related to fire prevention and fighting; fire alarming and firefighting system, and firefighting equipment of the works;

c) For motor vehicles with special fire prevention and fighting safety requirements: Solutions to ensure fire prevention and fighting safety with regard to fire- and explosion-prone operational characteristics and properties of the vehicles; conditions for preventing fires and fire spread, for escape and human rescue upon fire; solutions to ensure fire prevention and fighting safety for power system, fuel system and engines; fire alarming and firefighting system, and other firefighting equipment; systems and equipment to detect and repair leakage of fire- and explosion-prone gases and liquids;

d) For works that have been tested, accepted, and put into use in accordance with law provisions, when the fire prevention and fighting systems and equipment are newly installed or renovated, only the fire prevention and fighting designs for the newly installed or renovated fire prevention and fighting equipment and systems of the works shall be examined and approved.

6. Agencies, organizations and individuals shall submit 01 set of the dossiers specified in Clause 4 of this Article to the competent authorities prescribed in Clause 12 of this Article in one of the following forms:

- a) Directly at the Single-window section of the competent authorities;
- b) Online at the public service portals of the competent authorities (documents and papers on the list of state secrets shall comply with the law provisions on protection of state secrets);
- c) Via public postal services, or via postal services provided by enterprises or individuals, or by authorizing others in accordance with the law provisions.

7. The dossier-receiving officers shall check the composition and validity of the dossiers and comply with the following provisions:

a) In cases where the application dossiers are complete and valid in accordance with Clause 4 of this Article, they shall receive the dossiers and fill information on written receipt for settlement of fire prevention and fighting administrative procedures (Form No. PC03);

b) In cases where the application dossiers are incomplete or invalid in accordance with Clause 4 of this Article, the completion of the application dossiers in accordance with regulations shall be instructed, and the information shall be filled on the instruction form of supplementing application dossiers for settlement of fire prevention and fighting administrative procedures (Form No. PC04).

8. Notification of dossier processing results:

a) In cases where the application dossiers are submitted directly to the Single-window section of the competent authorities, the dossier-receiving officers must directly hand over 01 copy of the written receipt for settlement of fire prevention and fighting administrative procedures, or the instruction form of supplementing application dossiers for settlement of fire prevention and fighting administrative procedures to the dossier-submitters and keep 01 copy;

b) In cases where the application dossiers are submitted via the public service portals of the competent authorities, the dossier-receiving officers shall send via email or phone message the notifications about the receipt, or the instructions for supplementing the application dossiers to the agencies,

organizations and individuals that have submitted the dossiers;

c) In cases where the application dossiers are submitted via public postal services, or via postal services provided by enterprises or individuals, or submitted by authorized units in accordance with the law provisions, the dossier-receiving officers must hand over 01 copy of the written receipt for settlement of fire prevention and fighting administrative procedures, or the instruction form of supplementing application dossiers for settlement of fire prevention and fighting administrative procedures to the agencies, organizations or individuals that have submitted the dossiers, and keep 01 copy.

d) In case the application dossiers are ineligible (the projects or works are not subject to examination and approval for their fire safety and firefighting designs as specified in Appendix V issued together with this Decree or are not within the competence to examine and approve the fire safety and firefighting designs specified in Clause 12 of this Article), written replies about the rejection of the dossiers shall be made to the agencies, organizations or individuals within the time limits specified in Clause 10 of this Article. The competent authorities shall reply to agencies, organizations or individuals in the forms corresponding to the forms in which the agencies, organizations or individuals have submitted their dossiers.

9. Persons authorized by agencies or organizations to submit the application dossiers must have letters of recommendation or letters of authorization and produce their valid ID cards, citizenship identity cards or passports.

10. Time limits for examining and approving fire prevention and fighting designs

The time limits for examining and approving fire prevention and fighting designs shall be counted since the complete and valid dossiers are received, specifically as follows:

- a) For construction planning projects: No more than 05 working days;
- b) For construction location approval of works: No more than 05 working days;
- c) For basic designs: No more than 10 working days for national important projects and group-A projects; no more than 05 working days for other projects;
- d) For technical designs or construction drawing designs: No more than 15 working days for national important and group-A projects or works; no more than 10 working days for other projects and works.
- dd) For technical designs of motor vehicles with special fire prevention and

fighting safety requirements: No more than 10 working days.

11. Results of the fire prevention and fighting design examination and approval:

a) For construction planning projects: The fire prevention and fighting police agencies shall give written comments on fire prevention and fighting solutions;

b) For application dossiers for construction location approval: The fire prevention and fighting police agencies shall send written replies about the construction location approval;

c) For the basic designs: The fire prevention and fighting police agencies shall give written comments on fire prevention and fighting solutions;

d) For technical designs or construction drawing designs, technical designs of motor vehicles with special fire prevention and fighting safety requirements: The fire prevention and fighting police agencies shall issue the fire prevention and fighting design examination and approval certificates (Form No. PC07), stamp the fire prevention and fighting design approval seal (Form No. PC08) into the written explanations, the examined and approved drawings and then return them to the investors and owners of the vehicles. The investors and owners of the vehicles shall submit photocopies (digital files) or copies of the dossiers already stamped with examination and approval seal to the fire prevention and fighting police agencies to keep as archives in accordance with the law provisions before receiving the fire prevention and fighting design examination and approval certificates;

In cases where the technical designs or construction drawing designs for the renovation or change of the works' use purposes, or the conversion of motor vehicles with special fire prevention and firefighting safety requirements: The fire prevention and fighting police agencies shall issue the fire prevention and fighting design examination and approval documents (Form No. PC09), stamp the fire prevention and fighting design approval seal (Form No. PC08) into the written explanations, the examined and approved drawings and then return them to the investors and owners of the vehicles. The investors and owners of the vehicles shall submit photocopies (digital files) or copies of the dossiers already stamped with examination and approval seal to the fire prevention and fighting police agencies to keep as archives in accordance with the law provisions before receiving the fire prevention and fighting design examination and approval documents;

dd) If the fire prevention and fighting police agencies fail to return the results specified at Points a, b, c and d of this Clause, they must reply in writing,

clearly stating the reasons and then return the dossiers to the investors and owners of the vehicles within the time limits specified in Clause 10 of this Article.

12. Competence to examine and approve fire prevention and fighting designs:

a) The Police Department of Fire and Rescue shall examine and approve fire prevention and fighting designs of: Projects and works regardless of investment capital sources that meet the classification criteria of national important or group-A projects and works in accordance with the law provisions on public investment (except for construction investment projects and works funded by the State budget with the provincial-level authorities as investors); works with a height of more than 100 meters; construction works located in 02 or more provinces or municipalities; waterway vehicles of a length of 50 m or more transporting passengers, flammable liquids, flammable gases, explosives, fire- or explosion-prone chemicals; investment projects on construction of works proposed by the Fire and Rescue Police Offices under the Provincial-level Police Departments, except for defense establishments operating for military purposes and motor vehicles with special fire prevention and fighting safety requirements manufactured or converted by the defense establishments exclusively for military activities;

b) The Fire and Rescue Police Offices under the Provincial-level Police Departments shall examine and approve the fire prevention and fighting designs of: Planning projects for urban center, economic zones, industrial zones, industrial clusters, export processing zones, high-tech zones and other functional zones in accordance with the Law on Planning in their respective localities; projects and works not falling under the jurisdiction of the Police Department of Fire and Rescue in the localities managed by them, and in the cases where they are authorized by the Police Department of Fire and Rescue; motor vehicles with special fire prevention and fighting safety requirements in the localities managed by them, which do not fall under the jurisdiction of the Police Department of Fire and Rescue, and in the cases where they are authorized the Police Department of Fire and Rescue, except for defense establishments operating for military purposes and motor vehicles with special fire prevention and fighting safety requirements manufactured or converted by the defense establishments exclusively for military activities;

13. Projects and works not on the list specified in Appendix V issued together with this Decree, when they are constructed, renovated, or changed in use purposes, must be designed to satisfy fire prevention and fighting requirements in accordance with fire prevention and fighting technical regulations and standards.

14. Fees for fire prevention and fighting design examination and approval

shall be involved in the total investment of the projects, works and motor vehicles.

Article 14. Responsibilities of the investors, owners of the motor vehicles, project consultancy and construction supervision units, design consultancy units, construction contractors, planning project-approving agencies, construction investment project-approving agencies, construction permit-granting agencies and fire prevention and fighting police in investment and construction

1. Responsibilities of the investors or owners of the motor vehicles:

a) To elaborate designing projects in accordance with Article 11 hereof and the approved planning projects. They shall be allowed to start the construction only if the fire prevention and fighting designs in the designing dossiers of the works or motor vehicles with special fire prevention and fighting safety requirement on the list specified in Appendix V issued together with this Decree are approved by the competent fire prevention and fighting police agencies;

b) To organize, inspect and supervise the construction in accordance with the approved fire prevention and fighting designs. In the course of construction, if there are any change or adjustment to the fire prevention and fighting designs and equipment affecting one of the contents specified at Point b or c, Clause 5, Article 13 hereof, additional designs shall be made to ensure the fire prevention and fighting technical regulations and standards, and those changes and adjustments must be subject to re-examination and approval before the construction;

c) To organize pre-acceptance tests of fire prevention and fighting for projects, works, or motor vehicles with special fire prevention and fighting safety requirements on the list specified in Appendix V issued together with this Decree;

d) To ensure fire prevention and fighting safety for works throughout the process of construction until the pre-acceptance test, handover and putting into operation.

dd) To provide design examination and approval dossiers, fire prevention and fighting pre-acceptance test dossiers of the works or motor vehicles to the managing and operating units when such works or motor vehicles are put into operation in order to be produced upon request of the competent authorities;

e) To produce design examination and approval dossiers, fire prevention and fighting pre-acceptance test dossiers of the works or motor vehicles upon request of the competent authorities.

2. Responsibilities of project consultancy and construction supervision units:

a) To be answerable to the laws and the investors for the materialization of

fire prevention and fighting contents in accordance with the law provisions on project consultancy and construction supervision activities under the contracts signed between the consultancy units and the investors.

b) To participate in the pre-acceptance tests.

3. Responsibilities of design consultancy units:

a) To design in accordance with the fire prevention and fighting requirements; to be accountable for the quality of their designing products;

b) To perform author supervision throughout the work construction and installation;

4. Responsibilities of construction contractors:

a) To carry out construction strictly in accordance with the approved fire prevention and fighting designs;

b) To ensure fire prevention and fighting safety within their scope of management throughout the process of construction until handover of the works;

c) To compile construction completion dossiers; to prepare documents and conditions for pre-acceptance tests and to participate in the pre-acceptance tests of the works.

5. Responsibilities of project-approving agencies, construction investment project-approving agencies, and construction permit-granting agencies:

a) The agencies approving the planning projects or investment projects on construction of projects and works on the list specified in Appendix V issued together with this Decree shall only approve the projects or works when the written replies on the examination and approval of their fire prevention and fighting designs from the fire prevention and fighting police agencies prescribed at Clause 11, Article 13 hereof.

b) The construction permit-granting agencies shall, before granting permits, request the investors to produce fire prevention and fighting design examination and approval certificates and documents (if any) and the drawings stamped with examination and approval seal of the fire prevention and fighting police agencies, for projects and works on the list specified in Appendix V to this Decree.

6. Responsibilities of the fire prevention and fighting police agencies:

a) To consider and reply on construction locations for the works specified in Sections 15 and 16, Appendix V issued together with this Decree (except for internal petrol stations and gas-using establishments), fire prevention and fighting solutions for planning project dossiers and basic design dossiers specified in

Appendix V issued together with this Decree;

b) To examine and approve fire prevention and fighting designs for dossiers of technical designs or construction drawing designs of projects, works, or motor vehicles with special fire prevention and fighting safety requirements on the list specified in Appendix V issued together with this Decree;

c) To inspect the pre-acceptance tests of fire prevention and fighting for projects, works, or motor vehicles with special fire prevention and fighting safety requirements on the list specified in Appendix V issued together with this Decree;

d) To inspect fire prevention and fighting safety in the course of construction for works on the list specified in Appendix V issued together with this Decree.

Article 15. Fire prevention and fighting pre-acceptance tests, and inspection thereof

1. Projects, works, or motor vehicles with special fire prevention and fighting safety requirements, whose fire prevention and fighting designs have been approved, shall be subject to fire prevention and fighting pre-acceptance tests organized by the investors or owners of the motors. The investors or owners of the motors shall request the fire prevention and fighting police agencies which have carried out the examination and approval of their designs to inspect the results of the fire prevention and fighting pre-acceptance tests before putting the works or motor vehicles into use.

Fire prevention and fighting pre-acceptance tests include pre-acceptance tests of every part, every stage, every item, every system, and handover pre-acceptance test; particularly, parts of works or motor vehicles with special fire prevention and fighting safety requirements, which are hidden during construction, shall be tested before proceeding to subsequent stages. The investors shall decide on the pre-acceptance tests of each part of the works in cases where the areas subject to the pre-acceptance tests satisfy all conditions for independent operation and ensure fire prevention and fighting safety, and the results of such pre-acceptance tests must be inspected and approved in writing by the fire prevention and fighting police agencies before the parts are put into use.

2. Fire prevention and fighting pre-acceptance test dossiers:

a) A copy of the fire prevention and fighting design examination and approval certificate or document stamped with the examination and approval seal by the fire prevention and fighting police agency;

b) A copy of the certificate of inspection of fire prevention and fighting equipment;

c) Written records of test runs and pre-acceptance tests of every part and overall pre-acceptance tests of the fire prevention and fighting system;

d) Drawings of construction completion of the fire prevention and fighting system and items related to fire prevention and fighting in conformity with the approved design dossier;

dd) Documents and instructions on operation and maintenance of fire prevention and fighting equipment and other systems related to fire prevention and fighting of the work or motor vehicle;

e) Documents on the pre-acceptance tests of completed items and systems related to fire prevention and fighting.

g) Copies of the certificates of eligibility for trading in fire prevention and fighting services of the consultancy and supervision unit (if any), the construction contractor or the units installing the fire prevention and fighting systems;

The above documents shall be certified by the investors, owners of the motor vehicles, consultancy and supervision units, and construction contractors. Documents made in foreign languages shall be translated into Vietnamese.

3. The fire prevention and fighting police agencies shall inspect the fire prevention and fighting pre-acceptance tests of the investors or owners of the motor vehicles considering the following contents:

a) Inspecting the contents and legality of the fire prevention and fighting pre-acceptance test dossiers specified in Clause 2 of this Article prepared by the investors or owners of the motor vehicles;

b) Inspecting the conformity of pre-acceptance test results of the investors or owners of the motor vehicles with the designs examined and approved by the fire prevention and fighting police agencies before;

c) Inspecting and testing the actual operation probability of fire prevention and fighting means, equipment and systems related to fire prevention and fighting of the works or motor vehicles in order to compare them with the pre-acceptance test results of the investors or owners of the motor vehicles. The inspection must be recorded in writing (Form No. PC 10).

4. Agencies, organizations and individuals shall submit 01 set of the dossiers specified in Clause 2 of this Article enclosed with reports of the investors or owners of the motor vehicles on the results of construction, inspection, examination, test run, and pre-acceptance of fire prevention and fighting systems, equipment and solutions as well as written requests for inspecting fire prevention and fighting pre-acceptance test results (Form No. PC11) to the fire prevention and

fighting police agencies which have carried out the examination and approval of their designs in one of the following forms:

- a) Directly at the Single-window section of the competent authorities;
- b) Online at the public service portals of the competent authorities (documents and papers on the list of state secrets shall comply with the law provisions on protection of state secrets);
- c) Via public postal services, or via postal services provided by enterprises or individuals, or by authorizing other units in accordance with the law provisions.

The time limit for submitting application dossiers is at least 10 working days, for national important and group-A projects and works, or at least 07 working days, for other works and motor vehicles with special fire prevention and fighting safety requirements, before the date when the pre-acceptance tests are proposed to be organized by the investors or owners of the vehicles.

5. The dossier-receiving officers shall check the composition and validity of the dossiers and comply with the following provisions:

- a) In cases where the application dossiers are complete and valid in accordance with the regulations, they shall receive the dossiers and fill information on 02 copies of the written receipt for settlement of fire prevention and fighting administrative procedures (Form No. PC03);

- b) In cases where the application dossiers are incomplete or invalid in accordance with the regulations, the completion of the application dossiers shall be instructed, and the information shall be filled on 02 copies of the instruction form of supplementing application dossiers for settlement of fire prevention and fighting administrative procedures (Form No. PC04).

6. Notification of dossier processing results:

- a) In cases where the application dossiers are submitted directly to the Single-window section of the competent authorities, the dossier-receiving officers must directly hand over 01 copy of the written receipt for settlement of fire prevention and fighting administrative procedures, or the instruction form of supplementing application dossiers for settlement of fire prevention and fighting administrative procedures to the dossier-submitters and keep 01 copy;

- b) In cases where the application dossiers are submitted via the public service portals of the competent authorities, the dossier-receiving officers shall send via email or phone message the notifications about the receipt, or the instructions for supplementing the application dossiers to the agencies, organizations and individuals that have submitted the dossiers;

c) In cases where the application dossiers are submitted via public postal services, or via postal services provided by enterprises or individuals, or submitted by authorized units in accordance with the law provisions, the dossier-receiving officers must hand over 01 copy of the written receipt for settlement of fire prevention and fighting administrative procedures, or the instruction form of supplementing application dossiers for settlement of fire prevention and fighting administrative procedures to the agencies, organizations or individuals that have submitted the dossiers, and keep 01 copy.

7. Persons authorized by agencies or organizations to submit the application dossiers must have letters of recommendation or letters of authorization and produce their valid ID cards, citizenship identity cards or passports.

8. Within 10 working days, for national important and group-A projects and works, or 07 working days, for other works and motor vehicles with special fire prevention and fighting safety requirements since the complete application dossiers specified in Clause 4 of this Article are received, the fire prevention and fighting police agencies which have carried out the examination and approval of the designs shall be responsible for inspecting the pre-acceptance tests and making records on the results thereof (Form No. PC 10). Within 07 working days since the records on inspection of pre-acceptance test results are made, the fire prevention and fighting police agencies shall consider and issue written approval of the fire prevention and fighting pre-acceptance test results (Form No. PC 12) and then return the received pre-acceptance test dossiers to the investors or owners of the vehicles. In cases where the pre-acceptance test results are not approved, written replies clearly stating the reasons must be issued.

9. The written approval of the fire prevention and fighting pre-acceptance test results serve as one of the bases the competent authorities to allow the works or motor vehicles with special fire prevention and fighting safety requirements to be put into use.

Article 16. Inspection of fire prevention and fighting

1. Subjects of inspection:

a) Establishments subject to fire prevention and fighting management;

b) Residential areas, households, forests, motor vehicles, technical infrastructure related to fire prevention and fighting of urban centers, economic zones, industrial zones, industrial clusters, export processing zones, and hi-tech zones;

c) Works in the course of construction on the list specified in Appendix V issued together with this Decree, except for defense establishments operating for

military purposes;

d) Establishments trading in fire prevention and fighting services.

2. Inspection contents:

a) The fire prevention and fighting safety conditions of establishments, residential areas, households, motor vehicles specified at Articles 5, 6, 7 and 8 hereof;

b) The forest fire prevention and fighting safety conditions specified in the Government's Decree No. 156/2018/ND-CP dated November 16, 2018, detailing the implementation of a number of articles of the Law on Forestry;

c) The fire prevention and fighting safety conditions for the works in the course of construction: Fire prevention and fighting design examination and approval certificates or documents for the works on the list specified in Appendix V issued together with this Decree; internal rules on fire prevention and fighting, signboards for escape; regulations on the responsibility for ensuring fire prevention and fighting safety of the investors and construction units within their competence; responsibilities and duties of the persons assigned to perform the tasks of fire prevention and fighting; the use of electricity systems, electric equipment, fire- and heat-generating equipment, ignition, heat sources; the equipment of initial fire-fighting means and equipment suitable to the properties and characteristics of the construction works;

d) The implementation of fire prevention and fighting responsibilities of heads of agencies or organizations, investors, construction contractors, owners of the motor vehicles, owners of households and forests in accordance with regulations;

dd) Conditions for establishments trading in fire prevention and fighting services specified in Article 41 hereof.

3. The fire prevention and fighting safety inspections shall be carried out regularly, periodically, or irregularly as follows:

a) Heads of establishments, owners of the motor vehicles with special fire prevention and fighting safety requirements, owners of households and forests shall organize regular inspections of fire prevention and fighting safety within the scope of their management;

b) Heads of the establishments on the list specified in Appendix III issued together with this Decree shall organize regular inspections of fire prevention and fighting safety; every 6 months, to they shall send reports on the inspection results to the directly managing police agencies and take accountabilities to the laws for

the inspection results;

c) Chairpersons of commune-level People's Committees shall direct and organize inspections of fire prevention and fighting safety once a year; organize irregular inspection when detecting the cases specified at Points a and b, Clause 1, Article 17 hereof or violations against the regulations on fire prevention and fighting safety which may cause fires and explosion, or serving the security and order maintenance following directive documents of competent authorities for establishments on the list specified in Appendix IV issued together with this Decree and residential areas under their scope of management;

d) Chairpersons of district-level or higher level People's Committees shall direct and organize the irregular inspections serving the security and order maintenance following directive documents of competent authorities for the subjects specified at Points a and b, Clause 1 of this Article within their scope of management;

dd) The police agencies shall inspect the fire prevention and fighting safety every 6 months for the establishments on the list specified in Appendix II issued together with this Decree; once a year for technical infrastructure related to fire prevention and fighting of urban centers, economic zones, industrial parks, industrial clusters, export processing zones, hi-tech zones and motor vehicles with special fire prevention and fighting safety requirements, and other establishments on the list specified in Appendix III issued together with this Decree; organize irregular inspections when detecting the cases specified in Clause 1, Article 17 hereof or violations against the regulations on fire prevention and fighting safety which may cause fires and explosion, or serving the security and order maintenance following directive documents of competent authorities within their scope of management; once a year during the construction process of the works on the list specified in Appendix V issued together with this Decree.

4. The inspections of establishments trading in fire prevention and fighting services shall be carried out regularly, periodically, or irregularly as follows:

After the establishments are granted certificates of eligibility for trading in fire prevention and fighting services, the competent police agencies specified in Clause 12, Article 45 hereof shall carry out the inspections once a year to determine the maintenance of the conditions for trading in fire prevention and fighting services of the establishments; irregular inspections when there are signs of violating the conditions for establishments trading in fire prevention and fighting services specified in Article 41 hereof, or taking advantage of fire prevention and fighting activities to infringe security and social order which have been handled by the competent authorities. Upon detecting the violations, they

shall make written records (Form No. PC 10) and propose the competent authorities to sign the revocation decisions (Form No. PC35).

5. Procedures of inspection:

a) For inspection of fire prevention and fighting safety:

The agencies or persons with inspection competence specified at Points c and dd, Clause 3 hereof, before carry out the periodical inspections, must notify the subjects of the inspections 03 working days in advance of the time, contents and members of the inspection teams. When organizing the inspections of fire prevention and fighting safety at the establishments managed by their subordinates, they must notify the subordinates directly managing such establishments. In case of necessity, the subordinates directly managing such establishments shall be requested to join the inspection teams and provide documents and situations related to the fire prevention and fighting of the establishments to be inspected. The inspection results shall be notified to subordinates directly managing the establishments;

The agencies or persons with inspection competence specified at Points c, d and dd, Clause 3 hereof must clearly notify the reasons to the subjects to be inspected when carrying out irregular inspections. Officers and soldiers of the People's Public Security Forces, when carrying out irregular inspections, must produce letters of recommendation from the agencies directly managing them;

The subjects to be inspected must fully prepare the fire safety and firefighting safety contents which have been notified in advance by the inspection teams and arrange competent and responsible persons to work with the agencies or persons with inspection competence.

b) For the inspection of establishments trading in fire safety and firefighting services specified in Clause 4 of this Article:

The police agencies that have issued the certificates of eligibility for trading in fire prevention and fighting services, before carrying out the periodic inspections, must notify the subjects to be inspected 03 working days in advance of the time, contents and members of the inspection teams;

The agencies or persons with inspection competence must clearly notify the reasons to the subjects to be inspected when carrying out irregular inspections. Officers and soldiers of the People's Public Security Forces, when carrying out irregular inspections, must produce letters of recommendation from the agencies directly managing them;

The subjects to be inspected must fully prepare the inspection contents of

conditions for establishments trading in fire prevention and fighting services which have been notified in advance by the inspection teams and arrange competent and responsible persons to work with the agencies or persons with inspection competence.

c) The periodical and irregular inspections by the competent authorities or persons specified at Points c, d and dd, Clause 3 and Clause 4 of this Article must be recorded in writing (Form No. PC 10). In cases where the subjects to be inspected do not sign the records, they must be certified by two witnesses or the local authorities.

Article 17. Suspension and termination of operations of establishments, motor vehicles, households and individuals that fail to ensure fire prevention and fighting safety

1. Cases of operation suspension:

a) There appear ignition or heat sources in the fire- or explosion-prone environment, or there appear a fire- or explosion-prone environment when a source of ignition or heat exists (hereinafter referred to as direct risk of fire or explosion occurrence);

b) Serious violations against regulations on fire prevention and fighting, for which the competent authorities have sent documents requiring remedial measures but they are not taken, including: Illegally storing and using fire- and explosion-prone commodities; manufacturing, trading, distributing, extracting and loading fire- and explosion-prone commodities without permits or not at the places in accordance with the law provisions; disabling the exits for fire escape and fire spread prevention, which can cause severe damages to people and properties when a fire or explosion occurs;

c) Committing particularly serious violations against regulations on fire prevention and fighting:

Renovating or changing in the use purposes of the establishments, the items of the establishments, or converting motor vehicles with special fire prevention and fighting safety requirements specified in Appendix V issued together with this Decree, affecting one of the fire prevention and fighting safety conditions specified at Points b and c, Clause 5, Article 13 hereof without the written approval of fire prevention and fighting designs from the competent police agencies;

Putting works, items of the works, motor vehicles with special fire prevention and fighting safety requirements specified in Appendix V issued together with this Decree into operation and use without the written approval of fire prevention and fighting pre-acceptance test results from the competent police

agencies.

2. The operation suspension shall be limited to the smallest scope and on the principle that operation will be suspended only within the scope where the direct risk of fire or explosion occurs or the violation against regulations on fire prevention and fighting is committed.

3. The suspension duration shall be determined based on the conditions and capability to eliminate the direct risk of fire or explosion or the capability to address the violations related to fire prevention and fighting but must not exceed 30 days.

4. The operations of establishments, motor vehicles with special fire prevention and fighting safety requirements, households, or individuals, which are suspended under Clause 1 of this Article, shall be terminated if the suspension duration has expired but the violations have not been addressed or cannot be addressed. The partial or full operations of establishments, motor vehicles, households or individuals shall be terminated.

5. An operation suspension or termination decisions shall be issued in writing; the suspension decisions may be made verbally in the cases specified at Point a, Clause 1 of this Article but later shall be immediately made in writing.

6. The order and procedures for operation suspension:

a) Upon detecting cases of operation suspension as prescribed in Clause 1 of this Article, the on-duty persons shall request the organizations or individuals to suspend their operations or terminate the violations and comply with the following order:

Making a written record identifying the direct risk of fire or explosion or violations against the regulations on fire prevention and fighting;

Issuing a decision, or report to the competent person to issue the decision on operation suspension;

b) The decision on operation suspension must be made in writing (Form No. PC 13). In case of urgency, the suspension decisions may be made verbally but later shall be immediately made in writing. When issuing a verbal decision on operation suspension, they shall clearly state their full names, titles, working units, the scope and activities to be suspended;

The persons issuing the decision on operation suspension shall be responsible for monitoring the performance of remedial measures and the elimination of the direct risk of fire and explosion.

7. Procedures for operation termination:

a) When the suspension duration has expired, the competent persons that have issued the decisions on operation suspension shall inspect the suspended establishments, motor vehicles, households, and individuals and consider their capability to eliminate the direct risk of fire or explosion or to address the violations related to fire prevention and fighting. The inspections must be recorded in writing (Form No. PC 10);

b) After the inspections, if the direct risk of fire or explosion has not been eliminated or the violations have not been addressed or cannot be addressed, the competent persons that have issued the decisions on operation suspension shall consider and issue decisions on terminating the operations of establishments, motor vehicles, households, and individuals (Form No. PC 14).

8. Competence to suspend or suspend operations:

a) The Minister of Public Security shall decide on the partial or full suspension or termination of operations of establishments, motor vehicles, households or individuals nationwide, except for defense establishments operating for military purposes and motor vehicles with special fire prevention and fighting safety requirements manufactured or converted by defense establishments exclusively for military activities;

b) Chairpersons of the commune-level People's Committees shall decide on the partial or full suspension or termination of operations of establishments, motor vehicles, households or individuals falling under their respective management. Chairpersons of the district-level or higher-level People's Committee are competent to decide on the partial or full suspension or termination of operations of establishments, motor vehicles, households, or individuals in the cases subject to inspection specified at Point d, Clause 3, Article 16 hereof;

c) The Director of the Police Department of Fire and Rescue, directors of provincial-level Police Departments, heads of provincial-level Fire and Rescue Police Office, chiefs of the district-level or commune-level police stations shall, within their competence, decide on the partial or full suspension or termination of operations of establishments, motor vehicles, households or individuals falling under their respective management, except for defense establishments operating for military purposes and motor vehicles with special fire prevention and fighting safety requirements manufactured or converted by defense establishments exclusively for military activities;

d) Public security officers and soldiers are competent to suspend the operations in the cases specified at Point a, Clause 1 of this Article and immediately after the suspension shall report the suspension to the competent persons directly managing them specified at Point c of this Clause for issuance of

suspension decisions.

9. The operation suspension or termination decisions must be handed over to the subjects whose operations are suspended or terminated, the upper levels directly managing such subjects (if any), the People's Committees of the communes or districts where the subjects with suspended or terminated operations base their headquarters or reside; in cases where the operations to be suspended or terminated are related to many subjects, the decisions must be handed over to each subject.

10. Measures to secure the implementation of operation suspension or termination decisions:

a) Heads of establishments, agencies, organizations, operators or owners of the motor vehicles, heads of households, or individuals, upon receipt of operation suspension or termination decisions, shall immediately abide by them and take measures to eliminate as soon as possible the direct risk of fire or explosion or address the violations against regulations on fire prevention and fighting;

b) The competent authorities issuing operation suspension or termination decisions shall officially announce on their websites and media of the suspension or termination of operations of the establishments, motor vehicles, households or individuals who fail to ensure fire prevention and fighting safety until their operations are resumed. The contents to be officially announced include violating organizations or individuals, the violations, and the forms of handling.

Article 18. Restoration of operations of establishments, motor vehicles, households and individuals

1. The persons competent to decide on operation suspension or termination shall be competent to decide on the operation restoration. In cases where the competent persons who have verbally decided the suspension and have not issued such suspension decision in writing but later the direct risk of fire or explosion was eliminated or the violation of fire prevention and fighting regulations was completely addressed, may verbally decide on the operation restoration.

2. During the operation suspension or when the operation suspension has expired, if the direct risk of fire or explosion is eliminated or the violation of fire prevention and fighting regulations is addressed, heads of establishments, owners of motor vehicles, owners of households or individuals shall file a petition for operation restoration (using the Form No. PC15) with a competent person who previously issued the suspension decision for consideration and decision.

3. Establishments, motor vehicles, households or individuals that have been terminated from operation, but later fully meet the fire prevention and fighting

safety conditions and wish to restore their operation, heads of establishments, owners of motor vehicles, owners of households or individuals shall send a petition for operation restoration (using the Form No. PC15) to a competent person who previously issued the suspension decision for consideration and decision.

4. Agencies, organizations and individuals shall submit 01 petition to a competent person's agency as prescribed in Clause 8 of Article 17 hereof according to one of the following modes:

a) Submitting in person at the single-window section of the competent agency;

b) Submitting online at the public service portal of the competent agency (with regard to documents and papers on the list of state secrets, the submission shall comply with the law on protection of state secrets);

c) Submitting via the public postal services or through hiring services of enterprises and individuals or by authorization in accordance with law provisions.

5. Notification of handling results:

a) In cases of submitting dossiers in person at the single-window section of a competent agency, the receiving officer shall directly hand over 01 receipt of handling administrative procedures on fire prevention and fighting (using the Form No. PC03) to the applicant and keep 01 copy of such receipt;

b) In cases of submitting dossiers via the public service portal of a competent agency, the receiving officer shall send a notification via email or phone message about the receipt or instructions for supplementing the dossiers to the applicants;

c) In cases of submitting dossiers via the public postal services or through hiring services of an enterprise or individual or by authorization in accordance with law provisions, the receiving officer shall send 01 receipt for handling administrative procedures on fire prevention and fighting to the applicants and keep 01 copy of such receipt.

6. The persons who are assigned by agencies or organizations to submit a petition shall present a recommendation letter or a power of attorney, and a valid identity card or passport.

7. Within a period of 07 working days from the date of receiving a petition for the operation restoration, the person who previously issued the decision on operation suspension or termination shall inspect and make a record of inspecting the results of eliminating the direct risks of fire or explosion as well as addressing the violation of fire prevention and fighting regulations or conditions for fire

prevention and fighting safety (using the Form No. PC10), consider and decide on the operation restoration (using the Form No. PC16). In cases of refusal to issue a decision on the operation restoration, a written reply shall be sent to the agencies, organizations or individuals by a corresponding mode.

8. A decision on the operation restoration shall be sent to the entities subject to operation suspension or termination, their superiors (if any), and the commune- or district-level People's Committees of localities where the head offices of entities subject to operation suspension or termination are located or where the entities reside, concurrently be posted on the websites or media.

Chapter III

FIREFIGHTING

Article 19. Firefighting plans

1. Firefighting plans include:

- a) Firefighting plans of establishments (using the Form No. PC17);
- b) Firefighting plans of public security agencies (using the Form No. PC18).

2. A firefighting plan must satisfy the following principal requirements and contents:

- a) Stating the nature and characteristics of fire, explosion and toxicity hazards, and other conditions related to firefighting activities;
- b) Envisioning the most complicated fire circumstance and a number of other typical fire circumstances which may occur, the possibility of fire development at different degrees;
- c) Planning the mobilization and use of forces and equipment, organization of command, technical measures or tactics for firefighting and activities serving firefighting suitable to each stage of each circumstance;
- d) A firefighting plan must be timely supplemented, revised and re-approved by a competent agency when there are major changes in the scale, nature and characteristics of fire, explosion and toxicity hazards, and other conditions related to firefighting activities.

3. Responsibility to make firefighting plans and coordination in making firefighting plans:

a) Chairpersons of the commune-level People's Committees, heads of establishments subject to fire prevention and fighting management, owners of motor vehicles with special requirements on ensuring fire prevention and fighting safety shall be responsible for making firefighting plans of establishments applicable to residential areas, establishments and equipment using on-site forces and equipment under their management (using the Form No. PC17);

b) Heads of district-level public security agencies shall be responsible for making firefighting plans of police agencies applicable to establishments included in the list as specified in Appendix II issued together with this Decree, and residential areas at high risks of fire and explosion located in the localities in which they are responsible for performing fire prevention and fighting tasks (using the Form No. PC18);

c) Heads of Fire Prevention, Fighting, and Rescue Police Divisions of provincial-level Public Security Departments shall be responsible for making firefighting plans of public security agencies applicable to the remaining establishments included in the list as specified in Appendix II issued together with this Decree, and firefighting plans requiring the mobilization of police or army forces, agencies and organizations based in the localities, and provincial or municipal public security forces (using the Form PC No. 18).

Upon making firefighting plans, police agencies must inform the heads of establishments and chairpersons of commune-level People's Committees at the localities with residential areas at high risks of fire and explosion 03 working days in advance, about the time to make plans and requirements necessary for making plans.

Chairpersons of commune-level People's Committees at the localities with residential areas at high risks of fire and explosion, heads of establishments specified in Appendix II issued together with this Decree shall be responsible for providing necessary documents and information related to the formulation of firefighting plans at the request of police agencies, arranging participants and ensuring conditions for making firefighting plans.

4. A dossier of request for approving establishments' firefighting plans, applicable to the establishments specified in Appendix III issued together with this Decree, shall comprise:

a) A petition for approving the firefighting plans of establishments (using the Form No. PC19);

b) Two copies of the firefighting plans of establishments that have been signed and sealed (if any) by the persons responsible for making plans.

5. Agencies, organizations and individuals shall submit 01 set of dossiers as specified in Clause 4 of this Article to a competent agency according to one of the following modes:

a) Submitting in person at the single-window section of the competent agency;

b) Submitting online at the public service portal of the competent agency (with regard to documents and papers included in the list of state secrets, the submission shall comply with the law on protection of state secrets);

c) Submitting via the public postal services, or through hiring services of enterprises or individuals, or by authorization in accordance with law provisions.

6. The officer receiving a dossier shall be responsible for examining the composition and validity of the dossier and comply with the following regulations:

a) In cases of a complete and valid dossier as prescribed in Clause 4 of this Article, the receiving officer shall receive the dossier and write information into the receipt of handling administrative procedures on fire prevention and fighting (using the Form No. PC03);

b) In cases of an incomplete and invalid dossier as prescribed in Clause 4 of this Article, the receiving officer shall instruct the applicant to complete the dossier as prescribed and write information into the instruction sheet for supplementing the dossier of request for handling administrative procedures on fire prevention and fighting (using the Form No. PC04).

7. Notification of dossier-handling results:

a) In cases of submitting dossiers in person at the single-window section of a competent agency, the receiving officer shall directly hand over 01 receipt of handling administrative procedures on fire prevention and fighting or 01 instruction sheet for supplementing the dossier of request for handling administrative procedures on fire prevention and fighting to the applicant, and keep 01 copy of such receipt or instruction sheet;

b) In cases of submitting dossiers via the public service portal of a competent agency, the receiving officer shall send a notification via email or phone message about the receipt or instructions for supplementing the dossiers to the applicants;

c) In cases of submitting dossiers via the public postal services or through hiring services of an enterprise or individual or by authorization in accordance with law provisions, the receiving officer shall send 01 receipt for handling administrative procedures on fire prevention and fighting or 01 instruction sheet

for supplementing the dossier of request for handling administrative procedures on fire prevention and fighting to the applicants, and keep 01 copy of such receipt or instruction sheet.

8. The persons who are assigned by agencies or organizations to submit the dossiers shall present a recommendation letter or a power of attorney, and a valid citizen's identity card, identity card or passport.

9. Management of firefighting plans:

a) Firefighting plans of establishments shall be managed at the establishments, residential areas or in motor vehicles with special requirements on ensuring fire prevention and fighting safety;

b) Firefighting plans of police agencies shall be managed at the police agencies that have directly made the plans. Agencies and organizations with forces and equipment participating in the plans may copy, send and disseminate the contents related to their tasks.

10. Responsibility to organize drills of firefighting plans:

a) Chairpersons of commune-level People's Committees, heads of establishments, owners of motor vehicles with special requirements on ensuring fire prevention and fighting safety shall ensure necessary conditions and organize drills of the firefighting plans of establishments, residential areas or equipment under their management;

b) Police agencies shall organize drills of the firefighting plans of police agencies at the request of the persons competent to approve such plans;

c) Forces and equipment included in the firefighting plans must fully participate in drills upon being mobilized;

d) The persons responsible for organizing drills of the firefighting plans shall send the plans, report the drill results to directly managing police agencies, and shall be answerable to law about the results of firefighting plan drills.

11. Police agencies shall be responsible for guiding and inspecting the formulation, drill, management and use of firefighting plans.

Article 20. Responsibility to report on fires, fight fires and participate in firefighting

1. Any person who detects a fire shall by all equipment report it to people around and to one or all of the following units:

a) Civil guard teams or grassroots or specialized firefighting teams at places where the fire occurs;

b) The nearest firefighting police agency or the nearest public security agency;

c) The local administration at localities where the fire occurs.

2. The agencies or units specified in Clause 1 of this Article, upon receiving a report on a fire occurring in the area under their respective management scope shall quickly rush to the area, organize the firefighting and at the same time notify other necessary agencies thereof for firefighting assistance.

3. The agencies or units specified in Clause 1 of this Article, upon receiving a report on a fire occurring in the area beyond their respective management scope, shall quickly notify the agencies or units in charge of the localities where the fire occurs to perform firefighting tasks, and at the same time report to their directly managing superiors to consider and decide on mobilization of forces and equipment for firefighting upon request.

4. Any person who is present at the place where a fire occurs shall seek ways to rescue people, prevent the fire spread and stop the fire; firefighting participants shall abide by the orders of the firefighting commander.

5. The public security, army and civil guard forces and health, power and water supply, urban sanitation, transport and other concerned agencies have the duty to fight fires and participate in firefighting as prescribed in Clauses 2, 3 and 4, Article 33 of the Law on Fire Prevention and Fighting.

Article 21. Firefighting commanders

1. The firefighting commander in the People's Public Security force must be the person with the highest rank of the firefighting police unit present at the place where a fire occurs.

2. In cases where the firefighting police force has not yet come to the place where a fire occurs while the fire is spreading from one establishment to another or from an establishment to a residential area or vice versa, the firefighting commanders of the establishment and the residential area on fire shall coordinate with each other in commanding the firefighting.

3. In cases where a motor vehicle gets on fire in the area of an establishment, a village or a forest while the firefighting police force has not yet arrived, the vehicle firefighting commander shall coordinate with the person having the responsibility to command firefighting in the establishment, village or forest in commanding the firefighting.

4. When the person with the highest rank of the People's Public Security force arrives at the place where a fire occurs, the firefighting commander defined

in Clause 2, Article 37 of the Law on Fire Prevention and Fighting shall join the firefighting command and submit to the assignment by the firefighting commander of the People's Public Security force.

Article 22. Firefighting commanding and directing tasks

1. Fire-fighting commanding tasks:

a) Mobilizing forces, equipment, properties, water sources, substances and materials for firefighting;

b) Identifying the firefighting areas, work out and apply technical measures and tactics for firefighting;

c) Setting out requirements on assurance of traffic and order;

d) Organizing firefighting logistics, firefighting services and health care;

dd) Organizing communication in service of firefighting;

e) Organizing political and ideological work in firefighting;

g) Organizing briefings on the fires;

h) Deciding on termination of firefighting activities;

i) Coordinating in organizing the protection of the fire scene;

k) Holding a review meeting to draw experiences from the fire;

l) Proposing other requirements for firefighting.

2. The firefighting-directing tasks shall be applied to the cases specified in Article 39 of the Law on Fire Prevention and Fighting. The fire-fighting directors' tasks are to organize and direct activities of ensuring safe and effective firefighting and remedy of fire consequences.

3. When the firefighting police force has not arrived yet, heads of agencies or organizations and chairpersons of People's Committees of commune or higher level shall perform the tasks defined in Clauses 1 and 2 of this Article. When the firefighting police force arrives, the commander of the firefighting police unit shall perform the tasks defined in Clause 1 of this Article; heads of agencies or organizations, chairpersons of People's Committees of commune or higher level shall participate in commanding the firefighting and perform the firefighting-directing tasks defined in Clause 2 of this Article.

Article 23. Competence and procedures for mobilizing forces, equipment and properties for firefighting

1. The competence to mobilize forces, equipment and properties for firefighting is specified as follows:

a) Heads of agencies, organizations and chairpersons of commune-level People's Committees are competent to mobilize forces, equipment and properties of agencies, organizations, households and individuals under their management scope; in cases where it is necessary to mobilize forces, equipment and properties beyond their management scope, they shall report it to the persons with mobilizing competence for decision;

b) Heads of provincial-level Police Divisions of Fire Prevention, Fighting and Rescue, and heads of district-level People's Public Security agencies are competent to mobilize forces, equipment and properties of the fire prevention and fighting forces under their management scope. After mobilizing, they shall notify the persons competent to manage such forces, equipment and properties. In cases where it is necessary to mobilize forces, equipment and properties beyond their management scope, they shall report it to the persons with mobilizing competence for decision;

c) Chairpersons of district-level People's Committees are competent to mobilize forces, equipment and properties of agencies and organizations under their management scope. In cases where it is necessary to mobilize forces, equipment and properties beyond their management scope, they shall report it to the persons with mobilizing competence for decision;

d) Directors of provincial-level Public Security Departments are competent to mobilize forces, equipment and properties of the Public Security forces under their management scope. In cases where it is necessary to mobilize forces, equipment and properties beyond their management scope, they shall report it to the persons with mobilizing competence for decision;

dd) Director of the Fire Prevention, Fighting and Rescue Police Department is competent to mobilize forces, equipment and properties of the fire prevention and fighting forces nationwide. In cases where it is necessary to mobilize forces, equipment and properties beyond their management scope, they shall report it to the persons with mobilizing competence for decision. After mobilizing, the director shall notify the persons competent to manage such forces, equipment and properties;

e) Chairpersons of provincial-level People's Committees are competent to mobilize forces, equipment and properties of agencies, organizations, households and individuals under their management scope and military forces based in the provinces. After mobilizing, they shall notify the persons competent to manage such forces, equipment and properties;

g) The Minister of Public Security is competent to mobilize forces, equipment and properties of agencies, organizations, households and individuals nationwide. After mobilizing, the Minister shall notify the persons competent to manage such forces, equipment and properties.

2. Procedures for mobilizing forces, equipment and properties for firefighting:

a) The mobilization of forces, equipment and properties for firefighting must be presented by mobilization orders of forces, equipment, and properties for firefighting (using the Form No. PC20); In an emergency, the mobilization orders may be verbally issued, but then such orders must be issued in writing no later than 03 working days. The persons who verbally issue a mobilization order must clearly state their full name, position and office, and at the same time clearly state the bases for mobilization and requirements on the people, equipment, properties to be mobilized, and time and place of gathering;

b) In cases where it is necessary to mobilize forces, equipment and properties of agencies, organizations or individuals beyond their management scope, if the firefighting commanders have reported the proposal to the persons with mobilization competence and obtained their approval, they are entitled to mobilize forces, equipment and properties of such agencies, organizations or individuals for firefighting, but then they must advise the persons with mobilization competence to issue mobilization decisions in writing.

Article 24. Mobilization of priority vehicles, personnel and equipment of the army, international organizations, foreign organizations and individuals in Vietnam for firefighting

1. Personnel and equipment of the army, when not being on emergency duty, may all be mobilized for firefighting and serving firefighting. The army unit commanders, upon receiving the orders on mobilization of forces and equipment for firefighting and serving firefighting, shall immediately abide by the orders or report them to their competent superiors for organization of implementation.

2. Vehicles of the following types may not be mobilized for firefighting and serving firefighting:

- a) Military vehicles and police vehicles on emergency duty;
- b) Ambulances performing first-aid tasks;
- c) Dyke maintenance vehicles, vehicles performing other tasks to remedy natural disasters or emergency situations as prescribed by law;
- d) Police-led motorcades;

dd) Funeral vehicles;

e) Other priority vehicles as prescribed by law provisions.

3. Personnel and equipment of international organizations and foreign organizations or individuals in Vietnam may be mobilized for firefighting and serving firefighting, except for those enjoying privileges and immunities as prescribed by law provisions and international treaties to which Vietnam is a member.

Article 25. Priority and assurance of priority rights for persons and equipment mobilized for firefighting and participation in firefighting

1. Vehicles, vessels, aircraft and other means of transport of the firefighting police force, when being used for firefighting and serving firefighting, are entitled to use the priority signals, the right of way and other priorities as prescribed by law provisions.

Road motor vehicles and inland waterway means of agencies, organizations and individuals, which are mobilized for firefighting, are entitled to enjoy the priority rights prescribed at Point b, Clause 2, Article 36 of the Law on Fire Prevention and Fighting and are given priority to cross bridges, get onboard ferries and exempt from toll charges.

2. When the person mobilized for firefighting produce mobilization orders or announce mobilization requests of the persons with mobilization competence (in case of verbal mobilization orders), vehicle owners or operators or concerned responsible persons shall immediately allow them to go as soon as possible.

Article 26. Urgent circumstances where the competence to decide on demolition and dismantlement of houses, works and obstacles and the removal of property upon firefighting can be exercised

Firefighting commanders of the firefighting police force may exercise the competence to demolish or dismantle houses, works and obstacles and remove properties defined at Point d, Clause 1, Article 38 of the Law on Fire Prevention and Fighting in the following urgent circumstances:

1. People are being trapped in the fire or the fire is directly threatening the lives of many people.

2. The fire is likely to directly lead to an explosion or a hazard; adversely affects the environment or causes serious consequences in human lives and properties, or causes negative impacts on politics and foreign affairs unless measures are taken to promptly stop it;

3. Houses, works and obstacles hinder the deployment of firefighting while there are no other alternatives to achieve higher efficiency in firefighting.

Article 27. Return and compensation for damage of equipment and properties mobilized for firefighting

Equipment and properties of agencies, organizations, households or individuals which are mobilized for firefighting and serving firefighting shall be returned after the completion of firefighting. In cases where the mobilized equipment or properties suffer losses; houses or works are demolished as prescribed at Points c and d, Clause 1, Article 38 of the Law on Fire Prevention and Fighting, compensations shall be paid in accordance with law.

Article 28. Firefighting at offices of diplomatic missions, consulates, representative offices of international organizations and residences of members of these agencies

1. The firefighting force of Vietnam may enter the offices of the following agencies for firefighting when so requested or consented by their heads or authorized persons:

- a) Offices of diplomatic missions;
- b) Offices of consulates of the countries that have concluded with Vietnam consular agreements which allows the firefighting force of Vietnam to enter for firefighting when so requested or consented by the heads or authorized persons of those agencies;
- c) Offices of representative missions of international organizations within the United Nations system;
- d) Offices of representative missions of inter-governmental international organizations outside the United Nations system, associations of international organizations, if the treaties signed between Vietnam and these organizations allow the firefighting force of Vietnam to enter for firefighting when so requested or consented by the heads or authorized persons of those agencies.

2. The firefighting force of Vietnam may enter offices of consulates and representative missions of international organizations other than those defined in Clause 1 of this Article, for firefighting without the request or consent of the heads or authorized persons of those agencies.

3. The firefighting force of Vietnam may enter residences of the following persons for firefighting when so requested or consented by those persons:

a) Residences of diplomats and their family members who are not Vietnamese citizens; administrative or technical staffs and their family members who are neither Vietnamese citizens nor residents in Vietnam;

b) Residences of consular staffs who are neither Vietnamese citizens nor residents in Vietnam, if the consular agreements between Vietnam and the countries that have appointed such consular staffs provide that the firefighting force of Vietnam is allowed to enter for firefighting when so requested or consented by those persons.

4. The firefighting force of Vietnam may enter residences of members of consulates and representative missions of international organizations other than those defined in Clause 3 of this Article for firefighting without the request or consent of those members.

Article 29. Signal pennants, signs and barricade tapes used in firefighting

1. The signal pennants, signs and barricade tapes used in firefighting include:

- a) The firefighting signal pennants, the firefighting command flag;
- b) The firefighting commander armband;
- c) Signs and barricade tapes to demarcate firefighting zones;
- d) No access signs for firefighting zones.

2. The specifications of signal pennants, signs and barricade tapes used in firefighting are prescribed in Appendix VIII issued together with this Decree.

Chapter IV

FIRE PREVENTION AND FIGHTING FORCES

Article 30. Establishment, management and assurance of operation conditions of civil guard forces

1. Commune-level police shall be responsible for advising chairpersons of People's Committees at the same level to establish civil guard teams based on the proposal of village chiefs and shall directly direct the operation of such civil guard teams. Chairpersons of commune-level People's Committees shall be responsible for deciding on the establishment, promulgating the operation regulations,

allocating funds, workplace and equipment and ensuring conditions to maintain the operation of civil guard teams.

2. Organization of civil guard forces:

a) A civil guard team may have from 10 to 20 members, including the team leader and one deputy; if a civil guard team have from 20 to 30 members, it may include one more deputy. A civil guard team can be divided into civil guard groups; a civil guard group may have from 05 to 09 members, including the group leader and one deputy;

b) Chairpersons of commune-level People's Committees shall issue decisions on appointment of team leaders and deputies of civil guard teams, or group leaders and deputies of civil guard groups.

3. Members of civil group teams shall be those who are regularly present at the residence.

4. Public Security agencies shall be responsible for directing, inspecting and providing professional guidance on fire prevention and fighting skills for civil guard forces.

Article 31. Establishment, management and assurance of operation conditions of grassroots and specialized fire prevention and fighting forces

1. Heads of establishments and heads of infrastructure business agencies or units in industrial parks, industrial clusters, export processing zones or hi-tech parks shall be responsible for establishing and directly maintaining the operation of grassroots fire prevention and fighting teams on a full-time or part-time basis. Heads of agencies and organizations specified in Clause 3, Article 44 of the Law on Fire Prevention and Fighting shall be responsible for establishing and directly maintaining the operation of specialized fire prevention and fighting teams on a full-time or part-time basis.

2. Heads of agencies or organizations directly managing establishments shall be responsible for deciding on the establishment, promulgating the operation regulations, ensuring fund resources, equipment and other necessary conditions, and maintaining the operation of grassroots or specialized fire prevention and fighting teams.

3. Organization of grassroots or specialized fire prevention and fighting forces:

a) In cases where an establishment has less than 10 people working on a regular basis, all the people working at such establishment are members of the

grassroots or specialized fire prevention and fighting team and are commanded and directed by the head of the establishment;

b) In cases where an establishment has from 10 to 50 people working on a regular basis, the grassroots or specialized fire prevention and fighting team shall have at least 10 people, including 01 team leader;

c) In cases where an establishment has from 50 to 100 people working on a regular basis, the grassroots or specialized fire prevention and fighting team shall have at least 15 people, including 01 team leader and 01 deputy;

d) In cases where an establishment has more than 100 people working on a regular basis, the grassroots or specialized fire prevention and fighting team shall have at least 25 people, including 01 team leader and 02 deputies;

dd) In cases where an establishment with various independent workshops and departments has more than 100 people working on a regular basis, each department or workshop shall have 01 grassroots or specialized fire prevention and fighting team; a fire prevention and fighting team shall have at least 05 people, including 01 team leader;

e) In cases where an establishment is equipped with motor firefighting vehicles, the grassroots or specialized fire prevention and fighting teams shall ensure the number of permanent people according to the number of motor firefighting vehicles;

g) With regard to transformer stations that operate in an automatic manner, have automatic fire prevention and fighting system linked with, displaying and warning fire hazards to the governing agencies, and having a database management system for fire prevention and fighting and incident information transmission to Fire Prevention and Fighting agencies, they are not required to establish and maintain grassroots fire prevention and fighting forces. Agencies and organizations directly operating and managing transformer stations shall maintain and ensure safety conditions for fire prevention and fighting for the transformer stations under their management scope.

4. Public Security agencies shall be responsible for directing, inspecting and providing professional guidance on fire prevention and fighting to grassroots or specialized fire prevention and fighting forces.

Article 32. Voluntary fire prevention and fighting

1. Individuals who volunteer to participate in fire prevention and fighting activities shall register with commune-level People's Committees of the localities where they reside or the agencies or organizations where they work. The

commune-level People's Committees, agencies and organizations shall accept and make their lists to be sent to the public security agencies managing the areas.

Organizations that volunteer to participate in fire prevention and fighting activities shall register with the public security agencies managing the areas.

2. When registering their voluntary participation in fire prevention and fighting activities, organizations and individuals shall perform their tasks and submit to the direction of the leaders or deputy leaders of civil guard teams, or grassroots fire prevention and fighting teams or other competent persons as prescribed.

3. Regimes and policies for individuals volunteering to participate in fire prevention and fighting activities shall be applied as members of civil guard teams or grassroots fire prevention and fighting teams.

Article 33. Professional training and fostering in fire prevention and fighting

1. The following entities shall be trained and fostered in fire prevention and fighting

a) Persons holding the title of firefighting commander specified in Clause 2, Article 37 of the Law on Fire Prevention and Fighting;

b) Members of civil guard teams and grassroots fire prevention and fighting teams;

c) Members of specialized fire prevention and fighting teams;

d) People working in the environment at risk of fire or explosion or frequently in contact with goods at risk of fire and explosion;

dd) Operators and persons who work on motor vehicles transporting passengers with more than 29 seats, and motor vehicles transporting goods at risk of fire and explosion;

e) Persons in charge of fire prevention and fighting at establishments included in the list specified in Appendix IV issued together with this Decree;

g) Members of forest fire prevention and fighting teams and units.

2. The contents of professional training and fostering in fire prevention and fighting

a) Legal knowledge and fire prevention and fighting knowledge as suitable to each type of team;

b) Methods of disseminating and building the movement “all people participating in fire prevention and fighting”;

c) Fire prevention measures; firefighting measures, tactics and techniques;

d) Firefighting plan-making and drilling methods;

dd) Fire prevention and fighting equipment-maintaining and using methods.

e) Fire prevention and fighting safety-inspecting methods

3. Time period for training and fostering in fire prevention and fighting

a) The time period for training and fostering in fire prevention and fighting for the first time shall be from 16 to 24 hours for the entities specified at Points a, b, d, dd, e and g, Clause 1 of this Article and from 32 to 48 hours for the entities specified at Point c, Clause 1 of this Article;

b) The time period for retraining to be granted a certificate of training in fire prevention and fighting after this certificate expires shall be at least 16 hours for the entities specified at Points a, b, d, dd, e and g, Clause 1 of this Article and 32 hours for the entities specified at Point c, Clause 1 of this Article;

c) The time period of annually additional fostering in fire safety and firefighting shall be at least 8 hours for the entities specified at Points a, b, d, dd, e and g, Clause 1 of this Article and at least 16 hours for the entities specified at Point c, Clause 1 of this Article.

4. Responsibility to organize professional training and fostering in fire prevention and fighting:

a) Chairpersons of People's Committees at all levels, heads of agencies, organizations and establishments shall be responsible for organizing training and fostering in fire prevention and fighting for the entities under their management scope;

b) Agencies, organizations, establishments or individuals wishing to be trained and fostered in fire prevention and fighting shall send their requests to public security agencies or establishments in charge of training and guiding fire prevention and fighting activities that have been certified to meet business conditions of fire prevention and fighting services to be trained. Agencies, organizations, establishments or individuals participating in training shall be responsible for the funding for the training.

5. Dossiers of request for a certificate of training in fire prevention and fighting:

a) With regard to establishments in charge of fire prevention and fighting that organize the training: A written request for examination and issuance of training certificates (using the Form No. PC21); training plans, programs and contents; a profile list of the persons who have been trained;

b) With regard to agencies, organizations or establishments that request public security agencies or establishments in charge of training and guiding fire prevention and fighting to organize the training: A written request for training, examination, and issuance of training certificates (using the Form No. PC22); a profile list of the persons who have registered to train;

c) With regard to individuals wishing to be trained and granted a certificate of training in fire prevention and fighting: A written request for training, examination and issuance of training certificates (using the Form No. PC23).

6. Dossiers of request for the renewal of fire prevention and fighting training certificate in case of damage shall include a written request for the renewal or re-issuance of a training certificate (using the Form No. PC24) and a certificate of professional training in fire prevention and fighting that was previously issued.

7. Dossiers of request for the re-issuance of a training certificate of fire prevention and fighting in case of loss: A written request for the re-issuance of a training certificate (using the Form No. PC24).

8. Agencies, organizations and individuals shall submit 01 set of dossier to the competent agencies specified in Clause 13 of this Article according to one of the following modes:

a) Submitting in person at the single-window section of a competent agency;

b) Submitting online at the public service portal of a competent agency (with regard to documents and papers included in the list of state secrets, the submission shall comply with the law on protection of state secrets);

c) Submitting via the public postal services or through hiring services of enterprises, individuals or by authorization as prescribed by law provisions.

9. The dossier-receiving officer shall be responsible for checking the composition and validity of the dossier and comply with the following provisions:

a) In cases of a complete and valid dossier as prescribed, the dossier-receiving officer shall receive such dossier and write information into the receipt of handling administrative procedures on fire prevention and fighting (using the Form No. PC03);

b) In cases of an incomplete and invalid dossier as prescribed, the dossier-receiving officer shall instruct the applicant on completing the dossier as



prescribed and write information into the instruction sheet on supplementing the dossier of request for handling administrative procedures on fire prevention and fighting (using the Form No. PC04).

10. Notification of dossier handling results:

a) In cases of submitting in person at the single-window section of a competent agency, the dossier-receiving officer shall directly hand over 01 receipt of handling administrative procedures on fire prevention and fighting or an instruction sheet on supplementing the dossier of request for handling administrative procedures on fire prevention and fighting to the applicant and keep 01 copy of such receipt or instruction sheet;

b) In cases of submitting via the public service portal of a competent agency, the dossier-receiving officer shall send a notification via email or phone message about the receipt or instructions for supplementing the dossier to the applicants;

c) In cases of submitting via the public postal services, through hiring services from an enterprise or individual or by authorization as prescribed by law provisions, the dossier-receiving officer shall send 01 receipt of handling administrative procedures on fire prevention and fighting or 01 instruction sheet on supplementing the dossier of request for handling administrative procedures on fire prevention and fighting to the applicants and keep 01 copy of such receipt or instruction sheet.

11. The persons who are assigned by agencies or organizations to submit the dossiers shall present a recommendation letter or a power of attorney, and a valid citizen's identity card, identity card or passport.

12. Time limit for handling procedures for training, examination, issuance, renewal and re-issuance of training certificates of fire prevention and fighting:

a) With regard to establishments in charge of training and guiding fire prevention and fighting that organize the training: Within a period of 05 working days from the date of receiving a complete and valid dossier, public security agencies shall be responsible for testing and evaluating the participants' training results;

b) With regard to agencies, organizations, establishments and individuals that request public security agencies to organize the training:

In cases where the number of people registering for the training is 20 or more people: Within a period of 05 working days from the date of receiving a complete and valid dossier, public security agencies shall organize the training, examination and evaluation of the participants' training results;

In cases where the number of people registering for the training is less than 20 people: public security agencies shall gather participants; When the number is sufficient, they shall announce the time and place of the training, examination and evaluation of the training results;

c) Within a period of 05 working days from the date on which the examination results are satisfactory, competent public security agencies shall issue a certificate of training in fire prevention and fighting (using the Form No. 02 issued together with the Government' Decree No. 83/2017/ND-CP dated July 18, 2017, providing for the rescue work of fire prevention and fighting forces) for individuals completing the professional training program. In cases of refusal to issue a certificate, they shall send a written reply to the applicant and clearly state the reasons;

d) Time limit for the renewal or re-issuance of a training certificate of fire prevention and fighting is 05 working days from the date of receiving a complete and valid dossier. In cases of refusal to renew or re-issue a certificate, they shall send a written reply to the applicant and clearly state the reasons.

13. Certificates of training in fire prevention and fighting shall be issued by the Department of Fire Prevention, Fighting and Rescue, Divisions of Fire Prevention, Fighting and Rescue of provincial-level Public Security forces, district-level Public Security forces and shall be valid for use nationwide for a period of 05 years from the date of issuance. At the end of this period, the training must be re-trained to receive a new certificate.

Article 34. Regimes and policies for participants in firefighting and members of civil guard teams, grassroots or specialized fire prevention and fighting teams

1. Persons dispatched or mobilized to directly participate in firefighting and serve firefighting under the mobilization orders of competent persons are entitled to the following regimes:

a) A monetary allowance equal to 0.3 day's region-based minimum wage, if the firefighting lasts for less than 02 hours;

b) A monetary allowance equal to 0.45 day's region-based minimum wage, if the firefighting lasts between 02 and under 04 hours;

c) A monetary allowance equal to 0.6 day's region-based minimum wage for every 4 hours of firefighting, if the firefighting lasts 04 hours or longer or for many days in a row. If they participate in firefighting at night from 10:00 p.m. to 06:00 a.m., the allowance levels will double those of the above amounts;

d) If due to accidents they suffer injuries, they do not have to pay their medical examination and treatment costs; if they suffer working capacity decrease as concluded by a medical examination council, they are entitled to allowances depending on the extent of their working capacity decrease; if they die, they are entitled to survivor allowances and funeral costs. These benefits shall be paid by social insurance and health insurance organizations under regulations; if such persons have not yet joined social insurance and health insurance, these benefits shall be paid by the local budgets or their managing agencies or organizations;

dd) Those who suffer injuries which fall in one of the cases prescribed in the Ordinance on Preferential Treatment of Persons with Meritorious Service to the Revolution shall be considered for enjoying policies applicable to war invalids or similar policies;

e) Those who die in one of the cases prescribed in the Ordinance on Preferential Treatment of Persons with Meritorious Service to the Revolution shall be considered for recognition to be martyrs.

2. Chairpersons of provincial or municipal-level People's Committees shall submit to the same-level People's Councils to decide on the monthly regular allowance levels for the titles of team leaders and deputies of civil guard teams; The allowance level is determined based on the actual conditions of each locality but not lower than 15% of the regional minimum wage.

3. Part-time heads and deputy heads of grassroots or specialized fire prevention and fighting teams, in addition to their wages and allowances (if any), are entitled to regular allowances paid by their managing agencies or organizations. Based on the practical conditions, the heads of such agencies or organizations decide on allowance levels for each title, which must not be lower than 0.2 of the regional minimum wage.

4. Members of civil guard teams participating in fire prevention and fighting training are entitled to a daily allowance equal to 0.6 day's region-based minimum wage; members of the grassroots or specialized fire prevention and fighting teams participating in fire prevention and fighting training do not have to go to work but still receive their salaries and other allowances (if any) in addition to a daily allowance equal to 0.3 day's region-based minimum wage.

5. Those defined in Clause 4 of this Article, if meeting accidents and suffering health damage or loss of life while participating in fire prevention and fighting training, are entitled to social insurance benefits, survivor allowances and funeral costs; if they have not yet participated in compulsory social insurance, these benefits shall be paid from local budgets or by their managing agencies or organizations.

Article 35. Mobilization of civil guard forces and grassroots or specialized fire prevention and fighting forces to participate in fire prevention and fighting activities

1. The competence to mobilize civil guard forces and grassroots or specialized fire prevention and fighting forces to participate in fire prevention and fighting activities is prescribed as follows:

a) Chairpersons of People's Committees of all levels and heads of agencies and organizations are competent to mobilize civil guard teams and grassroots or specialized fire prevention and fighting teams under their management scope;

b) Directors of provincial-level public security departments, heads of provincial-level public security divisions of fire prevention and fighting, rescue and salvage, heads of district-level public security stations may mobilize civil guard forces, fire prevention and fighting forces under their management scope;

c) The Director of the Fire Prevention and Fighting, Rescue and Salvage Police Department is competent to mobilize civil guard forces and grassroots or specialized fire prevention and fighting forces nationwide.

2. Upon receipt of decisions on mobilization for fire prevention and fighting activities, the persons competent to manage the civil guard forces or grassroots or specialized fire prevention and fighting forces shall abide by these decisions.

3. Procedures for mobilizing civil guard forces, grassroots or specialized fire prevention and fighting forces to participate in fire prevention and fighting activities:

a) Civil guard teams, grassroots or specialized fire prevention and fighting teams, upon mobilization to participate in propaganda, rally, parade, sports related to fire prevention and fighting, firefighting plan drills; or to participate in eliminating the risks of fire and explosion; addressing the consequences of the fire and other fire prevention and fighting activities, must comply with the request of the competent persons;

b) The mobilization of civil guard forces, grassroots or specialized fire prevention and fighting forces to participate in fire prevention and fighting activities must be conducted by mobilization orders of means and properties to participate in the fire prevention and fighting activities (using the Form No. PC20); in an emergency case, it may be verbally mobilized, but no later than a period of 03 working days, a written order must be issued. When mobilizing verbally, the dispatchers must clearly state their full name, title, agency, address, contact phone number and requirement on the number of people to be mobilized, time and place, and contents of activities;

c) The mobilization orders shall be sent to the persons obliged to execute and keep records.

Article 36. Regimes and policies applicable to officers, noncommissioned officers and soldiers of the firefighting police force

Officers, non-commissioned officers and soldiers of the firefighting police force are, in addition to the regimes and policies prescribed for officers, non-commissioned officers and soldiers of the People's Police, entitled to high food rations and allowances during training and firefighting; and benefits for specially heavy, dangerous or hazardous jobs as prescribed law provisions.

Chapter V

FIRE PREVENTION AND FIGHTING EQUIPMENT

Article 37. Fire prevention and fighting equipment

1. Fire prevention and fighting equipment includes motor vehicles, equipment, machinery, tools, chemicals and supporting instruments exclusively used for fire prevention and fighting and human and property rescue, which are prescribed in Appendix VI issued together with this Decree.

2. Motor vehicles for firefighting of the firefighting police force are specified in Section 1 of Appendix VI issued together with this Decree.

3. Locally made or imported fire prevention and fighting equipment must satisfy the following requirements:

a) Ensuring the technical specifications designed for fire prevention and fighting;

b) Conforming to Vietnamese standards and technical regulations or foreign or international standards permitted for application in Vietnam.

Article 38. Inspection of fire prevention and fighting equipment

1. Inspection of fire prevention and fighting equipment refers to an activity according to the process conducted by competent agencies and organizations to inspect, evaluate and certify the conformity of fire prevention and fighting equipment with requirements defined in standards and technical regulations or requirements on ensuring safety for fire prevention and fighting under the guidance of the Ministry of Public Security.

2. Fire prevention and fighting equipment in the list specified in Appendix VII issued together with this Decree, newly manufactured, domestically assembled or converted, or imported before being put into circulation, must be inspected and granted with certificates of inspection of fire prevention and fighting equipment.

3. Contents of inspection:

a) Inspecting the types and designs of fire prevention and fighting equipment;

b) Verifying technical specifications related to equipment quality.

4. Methods of inspection:

a) Inspecting the quantity, origin, manufacturing time, serial number and other specifications of the equipment;

b) Inspecting types and designs of the equipment;

c) Examining, testing, experimenting and evaluating the quality of fire prevention and fighting equipment samples.

Equipment samples for inspection are randomly taken according to the sampling method specified in relevant standards and technical regulations. In cases where there are no standards and technical regulations on inspection, testing, experimentation and assessment of the quality of fire prevention and fighting equipment samples, the inspection shall comply with foreign or international regulations and standards permitted to be applied in Vietnam. The inspection results of foreign agencies or organizations licensed by the competent agencies of the host country are permitted to use, serving the consideration and issuance of inspection certificates;

d) Evaluating the results and making a record of fire prevention and fighting equipment inspection (using the Form No. PC25).

5. Dossiers of request for inspecting and granting certificates of fire prevention and fighting equipment inspection:

a) A dossier of request for inspecting and granting certificates of fire prevention and fighting equipment inspection include: A written request for inspecting and granting certificates of fire prevention and fighting equipment inspection (using the Form No. PC26) of the units directly manufacturing, assembling or converting domestically or importing such equipment; certificates of origin or release of equipment; certificates of equipment quality (if any); technical documents of the equipment requested for inspection;

b) A dossier of request for inspecting fire prevention and fighting equipment include: A written request for inspecting fire prevention and fighting equipment (using the Form No. PC26) of the units directly manufacturing, assembling or converting domestically or importing such equipment; certificates of origin or release of equipment; certificates of equipment quality (if any); technical documents of the equipment requested for inspection;

c) A dossier of request for granting certificates of fire prevention and fighting equipment inspection include: A written request for granting certificates of fire prevention and fighting equipment inspection (using the Form No. PC27); records of fire prevention and fighting equipment inspection of fire prevention and fighting technical inspection and examination consultancy service establishments; records of equipment sampling for inspection (using the Form No. PC28); certificates of origin or release of equipment; certificates of equipment quality (if any); technical documents of the equipment requested for inspection;

d) Documents and papers in the dossier are the originals or notarized or authenticated copies or copies or photocopies enclosed with the originals for the dossier-receiving officer to compare. In cases where the dossier is in a foreign language, a Vietnamese translation is required and the agencies, organizations or individuals requesting the inspection shall be answerable about the content of such translation.

6. Agencies and organizations shall submit 01 set of dossiers specified in Clause 5 of this Article to competent public security agencies specified in Clause 11 of this Article according to one of the following modes:

- a) Submitting in person at the single-window section of a competent agency;
- b) Submitting online at the public service portal of a competent agency (with regard to documents and papers included in the list of state secrets, the submission shall comply with the law on protection of state secrets);
- c) Submitting via the public postal services or through hiring services of enterprises, individuals or by authorization as prescribed by law provisions.

7. The dossier-receiving officer shall be responsible for checking the composition and validity of the dossier and comply with the following provisions:

- a) In cases of a complete and valid dossier as prescribed in Clause 5 of this Article, the dossier-receiving officer shall receive such dossier and write information into the receipt of handling administrative procedures on fire prevention and fighting (using the Form No. PC03);

b) In cases of an incomplete and invalid dossier as prescribed in Clause 5 of this Article, the dossier-receiving officer shall instruct the applicant on completing the dossier as prescribed and write information into the instruction sheet on supplementing the dossier of request for handling administrative procedures on fire prevention and fighting (using the Form No. PC04).

8. Notification of dossier handling results:

a) In cases of submitting in person at the single-window section of a competent agency, the dossier-receiving officer shall directly hand over 01 receipt of handling administrative procedures on fire prevention and fighting or a instruction sheet on supplementing the dossier of request for handling administrative procedures on fire prevention and fighting to the applicant and keep 01 copy of such receipt or instruction sheet;

b) In cases of submitting via the public service portal of a competent agency, the dossier-receiving officer shall send a notification via email or phone message about the receipt or instructions for supplementing the dossier to the applicants;

c) In cases of submitting via the public postal services, through hiring services from an enterprise or individual or by authorization as prescribed by law provisions, the dossier-receiving officer shall send 01 receipt of handling administrative procedures on fire prevention and fighting or 01 instruction sheet on supplementing the dossier of request for handling administrative procedures on fire prevention and fighting to the applicants and keep 01 copy of such receipt or instruction sheet.

11. The persons who are assigned by agencies or organizations to submit the dossiers shall present a recommendation letter or a power of attorney, and a valid citizen's identity card, identity card or passport.

10. Time limit for handling dossiers:

a) In cases where agencies or organizations request public security agencies to directly inspect and grant certificates of fire prevention and fighting equipment inspection:

Within a period of 02 working days from the date of receiving a complete and valid dossier as prescribed at Point a, Clause 5 of this Article, the public security agencies receiving the dossier must notify the applicants of the probabilistic sampling organization to carry out the inspection; after taking the sample, they shall make a record on equipment sampling for inspection (using the Form No. PC28). Within a period of 03 working days from the date on which the inspection results are available together with the inspection records, the public security agencies must notify the inspection results and grant a certificate of fire

prevention and fighting equipment inspection; in case of refusal to grant the certificate of fire prevention and fighting equipment inspection, they shall send a written reply to the applicants, clearly stating the reasons;

b) In cases where fire prevention and fighting equipment are examined and inspected by fire prevention and fighting technical inspection and examination consultancy service establishments, and public security agencies are requested to grant certificates of fire prevention and fighting equipment inspection:

Within a period of 05 working days from the date of receiving a dossier of request for granting certificates of fire prevention and fighting equipment inspection specified at Point c, Clause 5 of this Article, the public security agencies shall consider and evaluate the inspection results, and grant a certificate of fire prevention and fighting equipment inspection; in case of refusal to grant the certificate of fire prevention and fighting equipment inspection, they shall send a written reply to the applicants, clearly stating the reasons;

c) Each fire prevention and fighting equipment shall only be inspected once, issued with a certificate of fire prevention and fighting equipment inspection (using the Form No. PC29), and affixed with inspection stamps. Within a period of 03 working days from the date of obtaining a certificate of fire prevention and fighting equipment inspection, the inspecting unit shall cooperate with the public security agencies in granting a certificate of fire prevention and fighting equipment, affixing stamps of inspection on the equipment according to the granted certificate of fire prevention and fighting equipment inspection.

11. Competence to inspect and grant certificates of fire prevention and fighting equipment inspection:

a) The Police Department of Fire Prevention, Fighting and Rescue shall inspect and grant inspection certificates for the fire prevention and fighting equipment specified in Appendix VII issued together with this Decree;

b) Provincial-level Police Divisions of Fire Prevention, Fighting and Rescue shall grant inspection certificates for the fire prevention and fighting equipment specified in sections 2, 3, 6, 7 and 8, Appendix VII issued together with this Decree of agencies and organizations with headquarters located in the localities under their management, and types of fire prevention and fighting equipment authorized by the Police Department of Fire Prevention, Fighting and Rescue;

c) Units affiliated to the public security agencies that are qualified and permitted by the Ministry of Public Security to conduct verification; Fire prevention and fighting technical inspection and examination consultancy service establishments recognized to be eligible for business in fire prevention and fighting

services, are entitled to receive dossiers of request for inspection, take samples, examine and inspect techniques, and make inspection records of fire prevention and fighting equipment (using the Form No. PC25) for the fire prevention and fighting equipment that have been licensed for inspection on the list specified in Appendix VII issued together with this Decree. After obtaining the inspection results, they must notify in writing together with the inspection records so that the units requesting inspection may send dossiers of request for granting certificates of fire prevention and fighting equipment inspection as specified at Point c, Clause 5 of this Article to the competent public security agencies for consideration and granting of fire prevention and fighting equipment inspection certificates.

Article 39. Furnishing of the firefighting police force

The fire prevention and fighting police forces shall be furnished with fire prevention and fighting equipment and other equipment which are sufficient, good in quality, synchronous and modern to meet the fire prevention and fighting and human rescue requirements in all circumstances and in all fields as suitable to the state budget capability.

Article 40. Management and use of fire prevention and fighting equipment

1. Fire prevention and fighting equipment shall be managed, maintained and repaired in accordance with regulations and be ready for firefighting. Motor firefighting vehicles and vessels shall also be used for the following purposes:

- a) Participation in the maintenance of political security;
- b) Participation in the maintenance of social order and safety;
- c) Rescue of victims; urgent handling of accidents;
- d) Combat against natural disasters and remedy of natural disaster consequences.

2. The Minister of Public Security or authorized persons, and chairpersons of provincial-level People's Committee are competent to mobilize motor firefighting vehicles within the scope of their management for the purposes prescribed in Clause 1 of this Article.

3. The Director of the Fire Prevention and Fighting, Rescue Police Department; directors of provincial-level Public Security Departments, heads of fire prevention and fighting, rescue police divisions of provincial-level Public Security Departments, heads of district-level Public Security agencies are competent to mobilize motor firefighting vehicles within the scope of their

respective management for the purposes prescribed at Points b, c and d, Clause 1 of this Article.

4. Heads of agencies and organizations are competent to mobilize within the scope of their respective management motor firefighting vehicles and vessels for the purposes prescribed at Points c and d, Clause 1 of this Article.

Chapter VI

FIRE PREVENTION AND FIGHTING SERVICE BUSINESS

Article 41. Conditions on establishments dealing in fire prevention and fighting services

1. Establishments dealing in fire prevention and fighting services (hereinafter referred to as business establishments) include: Enterprises; cooperatives and unions of cooperatives; branches and establishments affiliated to enterprises, cooperatives and unions of cooperatives; non-business units of agencies and organizations; business households.

2. Heads or legal representatives of the business establishments specified in Clause 1 of this Article shall obtain a diploma or certificate in fire prevention and fighting training and be a person named at one of the following documents: enterprise registration certificates; investment registration certificates; registration certificates of branches or units affiliated to enterprises; registration certificates of cooperatives and unions of cooperatives; registration certificates of branches or business locations of cooperatives and unions of cooperatives; operation licenses issued by competent state management agencies; business household registration certificates; documents related to the establishment and permission of operation together with written notice of tax identification numbers for non-business units.

In cases where heads or legal representatives of business establishments are foreigners who obtain a diploma or certificate in fire prevention and fighting training or a practice certificate in fire prevention and fighting issued by foreign agencies or organizations, consular legalization documents shall be required.

3. Having physical foundations, means and equipment to ensure fire prevention and fighting service business activities:

a) With regard to establishments dealing in design consultancy, appraisal consultancy, supervision consultancy related to fire prevention and fighting: There are operation locations; means and equipment to ensure the performance of fire

prevention and fighting design consultancy, appraisal consultancy, supervision consultancy;

b) With regard to establishments dealing in technical inspection and examination consultancy related to fire prevention and fighting: There are laboratories and testing equipment with quality recognized by competent agencies;

c) With regard to establishments dealing in consultancy on fire prevention and fighting technology transfer; fire prevention and fighting training and instruction: There are means and equipment to ensure the performance of consultancy on technological transfer; equipment for training, and locations for organization of training in and instruction on fire prevention and fighting operations.

d) With regard to establishments dealing in construction and installation of fire prevention and fighting systems: There are means, equipment and machinery to ensure the construction and installation of fire prevention and fighting systems;

dd) With regard to establishments dealing in manufacturing and assembling fire prevention and fighting means and equipment: There are operation locations; workshops, means and equipment to ensure production, assembly and testing of means and equipment for fire prevention and fighting.

4. Establishments dealing in design consultancy, appraisal consultancy and supervision consultancy on fire prevention and fighting, in addition to the provisions in Clauses 2 and 3 of this Article, shall have at least 02 employees who have a practice certificate of fire prevention and fighting consultancy suitable for the field of consultancy according to the provisions of Points b and d, Clause 3, Article 43 of this Decree; in which at least 01 employee holds the title of presiding over fire prevention and fighting design, appraisal and supervision.

5. Establishments dealing in technical inspection and examination consultancy in fire prevention and fighting, in addition to the provisions in Clauses 2 and 3 of this Article, shall have at least 02 employees who have a practice certificate as specified at Point c, Clause 3, Article 43 of this Decree.

6. Establishments dealing in consultancy on fire prevention and fighting technology transfer; fire prevention and fighting training and instruction, in addition to the provisions in Clauses 2 and 3 of this Article, shall have at least 01 employee who obtains a university or higher degree in fire prevention and fighting or a university or higher degree in another discipline relevant to their business line, and a certificate of fire prevention and fighting training.

7. Establishments dealing in construction and installation of fire prevention and fighting systems, in addition to the provisions in Clauses 2 and 3 of this

Article, shall have at least 01 construction commander who obtains a practice certificate in commanding fire prevention and fighting construction according to the provisions of Point dd, Clause 3, Article 43 of this Decree.

8. Establishments dealing in production and assembly of fire prevention and fighting means and equipment, in addition to the provisions in Clauses 2 and 3 of this Article, shall have at least 01 employee who obtains a university or higher degree in fire prevention and fighting or a university or higher degree in another discipline relevant to their business line, a certificate in fire prevention and fighting training.

9. Establishments dealing in fire prevention and fighting equipment and supplies shall satisfy the provisions in Clauses 2 and 3 of this Article.

10. Employees defined in Clauses 4, 5, 6, 7 and 8 of this Article shall directly participate in the service business activities of such establishments.

Employees who have used their diplomas and certificates to ensure an establishment's eligibility for fire prevention and fighting service business shall not use such diplomas and certificates to ensure another establishment's eligibility for fire prevention and fighting service business.

Article 42. Conditions on individuals providing fire prevention and fighting services

Individuals may provide fire prevention and fighting services when they satisfy the following conditions:

1. Having certificates of practice of fire prevention and fighting relevant to their business line.
2. Working for an establishment dealing in fire prevention and fighting services.

Article 43. Fire prevention and fighting diplomas and certificates and conditions for the granting of fire prevention and fighting certificates

1. Diplomas in fire prevention and fighting include:
 - a) Doctoral degree in fire prevention and fighting;
 - b) Master's degree and equivalent degree in fire prevention and fighting;
 - c) Bachelor's degree and equivalent degree in fire prevention and fighting;
 - d) College degree in fire prevention and fighting;
 - dd) Intermediate degree in fire prevention and fighting.
2. Certificates of fire prevention and fighting:

a) Certificate of training in fire prevention and fighting knowledge;

b) Certificate of fire prevention and fighting consultancy practice: certificate of fire prevention and fighting design consultancy practice; certificate of fire prevention and fighting appraisal consultancy practice; certificate of fire prevention and fighting supervision consultancy practice; certificate of fire prevention and fighting technical inspection and examination consultancy practice; certificate of commanding fire prevention and fighting construction practice.

3. Conditions for granting fire prevention and fighting certificates:

a) Individuals eligible for a certificate of fire prevention and fighting training must undergo training in fire prevention and fighting.

Certificates of fire prevention and fighting training shall be issued by educational institutions with the function of training in fire prevention and fighting and are valid for use nationwide;

b) Individuals eligible for a certificate of fire prevention and fighting design consultancy or appraisal consultancy practice must satisfy the following requirements:

Having a college or higher degree in fire prevention and fighting or a university or higher degree in another discipline relevant to the business line and a certificate of fire prevention and fighting training;

Having participated in fire prevention and fighting design consultancy or appraisal consultancy for at least 03 projects and works that have been issued with a certificate of fire prevention and fighting design approval by fire prevention and fighting police agencies.

c) Individuals eligible for a practice certificate of technical inspection and examination consultancy in fire prevention and fighting must satisfy the following requirements:

Having a college or higher degree in fire prevention and fighting or a university or higher degree in another discipline relevant to the business line and a certificate of fire prevention and fighting training;

d) Individuals eligible for a certificate of fire prevention and fighting supervision consultancy practice must satisfy the following requirements:

Having an intermediate or higher degree in fire prevention and fighting or an intermediate or higher degree in another discipline relevant to the business line and a certificate of fire prevention and fighting training;

Having participated in the construction supervision of at least 03 projects and works that have obtained a written approval for the fire prevention and fighting acceptance results by fire prevention and fighting agencies;

Having a certificate of professional training in construction supervision.

dd) Individuals eligible for a certificate of commanding fire prevention and fighting construction must satisfy the following requirements:

Having an intermediate or higher degree in fire prevention and fighting or an intermediate or higher degree in another discipline relevant to the business line and a certificate of fire prevention and fighting training;

Having participated in the construction and installation of fire prevention and fighting systems for at least 03 projects and works that have obtained a written approval for the fire prevention and fighting acceptance results.

4. Individuals in charge of design, appraisal and supervision in fire prevention and fighting must satisfy the following conditions:

a) Having a practice certificate of fire prevention and fighting consultancy as prescribed at Point b, Clause 2 of this Article in accordance with their title;

b) Having at least 03 years of experience relevant to the business line and having conducted fire prevention and fighting design consultancy, appraisal consultancy, and supervision consultancy for at least 03 works that have obtained a design appraisal and a written approval for fire prevention and fighting acceptance results by fire prevention and fighting police agencies.

5. The appropriate disciplines specified in Article 41 and this Article include the codes of training disciplines: Architecture and planning; construction; construction management (except for construction industry code); architectural technology, engineering and construction works; mechanical engineering technology; engineering technology of electricity and electronics and telecommunications; oil and gas technology and exploitation; mechanical engineering and machinery machining (except for printing engineering code); engineering of electricity and electronics and telecommunications (except for biomedical engineering code) as prescribed by the Ministry of Education and Training.

Article 44. Certificate of practice of fire prevention and fighting consultancy

1. A dossier of request for the Certificate of practice of fire prevention and fighting consultancy shall comprise:

a) A written request for the issuance of the Certificate of practice of fire

prevention and fighting consultancy (Form No. PC30);

b) A written declaration of professional experience in fire prevention and fighting (Form No. PC31);

c) Diplomas and certificates pertaining to the request for the issuance of the Certificate of practice of fire prevention and fighting consultancy;

d) 02 color photos with dimensions 3x4 cm of the individual requesting for the issuance of the Certificate of practice of fire prevention and fighting consultancy.

2. A dossier of request for the renewal of the Certificate of practice of fire prevention and fighting consultancy for cases adding new consultancy practices shall include documents specified in Clause 1 of this Article and the Certificate of practice of fire prevention and fighting consultancy having been previously issued.

3. A dossier of request for the renewal of the Certificate of practice of fire prevention and fighting consultancy for cases where the Certificate of practice of fire prevention and fighting consultancy expires or is damaged shall include documents specified at Point a and Point d, Clause 1 of this Article and the Certificate of practice of fire prevention and fighting consultancy having been previously issued.

4. A dossier of request for the re-issuance of the Certificate of practice of fire prevention and fighting consultancy for cases where the Certificate of practice of fire prevention and fighting consultancy is lost shall include documents specified at Point a and Point d, Clause 1 of this Article and the Notice of loss with verification of the Police agency where the Certificate of practice of fire prevention and fighting consultancy is lost.

5. Documents included in the dossier of request for the issuance, renewal, re-issuance of the Certificate of practice of fire prevention and fighting consultancy sent to the Police agency must be the original copies, or the certified copies, or the copies or photocopies enclosed with the original copies for comparison and verification.

6. Individuals might submit 01 dossier to the competent agency specified in Clause 11 of this Article by any of the following methods:

a) In-person submission at the Single-window section of the competent agency;

b) Online submission via the Public service portal of the competent agency (for documents on this lists of State secrets, the procedures must be conducted in accordance with law provisions on the protection of State secrets);

c) Submission via the public postal service, via services of businesses or individuals or through authorization in accordance with law provisions;

7. When receiving a dossier, officers in charge must be responsible for examining the content and the validity of such dossier and complying with the following provisions:

a) For cases where the dossier is complete and valid, the officer shall receive such dossier and fill information in the Receipt for settling administrative procedures on fire prevention and fighting (Form No. PC03);

b) For cases where the dossier is incomplete and invalid in accordance with law provisions, the officer shall provide guidance for completing the dossier and fill information in the Written Instruction for supplementing dossier requesting for the settlement of administrative procedures on fire prevention and fighting (Form No. PC04).

8. Notification of dossier handling results:

a) For cases where the dossier is submitted in person at the Single-window section of the competent agency, the officer receiving such dossier must transfer in person 01 copy of the Receipt for settling administrative procedures on fire prevention and fighting or the Written Instruction for supplementing dossier requesting for the settlement of administrative procedures on fire prevention and fighting to the person submitting the dossier and keep in record 01 copy;

b) For cases where the dossier is submitted via the Public service portal of the competent agency, the officer receiving such dossier must send notification on the dossier receipt or on the instruction for supplementing dossier via email or phone text message to the agency, organization, or individual submitting the dossier;

c) For cases where the dossier is via the public postal service, via services of businesses or individuals or through authorization in accordance with law provisions, the officer receiving such dossier must send 01 copy of the Receipt for settling administrative procedures on fire prevention and fighting or the Written Instruction for supplementing dossier requesting for the settlement of administrative procedures on fire prevention and fighting to the person submitting the dossier and keep in record 01 copy.

9. Persons who come to submit the dossier in person must have a letter of recommendation or a letter of authorization, and present their valid Personal Identification Card or Passport.

10. Within 07 working days from the date on which a complete and valid

dossier is received, the competent agency shall be responsible for considering the issuance, renewal, or re-issuance of the Certificate of practice of fire prevention and fighting consultancy (Form No. PC32). In cases of not issuing the Certificate of practice of fire prevention and fighting consultancy, such agency must send a written response which clearly states the reasons.

11. Competency in issuing, renewing, re-issuing the Certificate of practice of fire prevention and fighting consultancy shall be:

The Police Department of Fire Prevention and Fighting and Rescue shall issue, renew, re-issue Certificates of practice of fire prevention and fighting consultancy for individuals nationwide.

12. The Certificate of practice of fire prevention and fighting consultancy shall be valid for nationwide use.

Article 45. Certificate of eligibility for commercial provision of fire prevention and fighting services

1. A dossier of request for the Certificate of eligibility for commercial provision of fire prevention and fighting services shall include:

a) A written request for the issuance of the Certificate of eligibility for commercial provision of fire prevention and fighting services (Form No. PC33);

b) Diplomas or Certificates of training in fire prevention and fighting granted to the head, legal representative of the establishment;

c) A list of employees who are granted with the Certificate of practice of fire prevention and fighting consultancy relevant to the establishment's fire prevention and fighting services; enclosed with copies of the certificates and recruitment decisions or labor contracts of such employees;

d) Documents proving physical foundations and equipment to ensure business activities: Certificate of ownership or lease of the site of operation; list of means and equipment for business activities; Certificate of Laboratory quality accreditation and Calibration evaluation of tested equipment issued by a competent authority in cases of applying for the issuance of Certificate of eligibility for inspection consultancy and technical survey consultancy services on fire prevention and fighting.

2. A dossier of request for the renewal of the Certificate of eligibility for commercial provision of fire prevention and fighting services in cases where there are changes in the establishment's head, legal representative shall include documents specified at Point a and Point b Clause 1 of this Article and the Certificate of eligibility for commercial provision of fire prevention and fighting

services having been previously issued.

3. A dossier of request for the renewal of the Certificate of eligibility for commercial provision of fire prevention and fighting services for cases where there are changes in the establishment's venue, changes or supplement in the fire prevention and fighting services shall include documents specified at Point a, Point c and Point d Clause 1 of this Article and the Certificate of eligibility for commercial provision of fire prevention and fighting services having been previously issued.

4. A dossier of request for the renewal of the Certificate of eligibility for commercial provision of fire prevention and fighting services for cases where the Certificate of eligibility for commercial provision of fire prevention and fighting services is damaged or where there are changes in the establishment's name shall include documents specified at Point a Clause 1 of this Article and the Certificate of eligibility for commercial provision of fire prevention and fighting services having been previously issued.

5. A dossier of request for the re-issuance of the Certificate of eligibility for commercial provision of fire prevention and fighting services for cases where the Certificate of eligibility for commercial provision of fire prevention and fighting services is lost shall include documents specified at Point a Clause 1 of this Article and the Notice of loss with verification of the Police agency where the Certificate of eligibility for commercial provision of fire prevention and fighting services is lost.

6. Documents included in the dossier of request for the issuance, renewal, re-issuance of the Certificate of eligibility for commercial provision of fire prevention and fighting services sent to the Police agency must be the original copies, or the certified copies, or the copies or photocopies enclosed with the original copies for comparison and verification.

7. Agencies, organizations, individuals might submit 01 set of dossier to the competent agency specified in Clause 12 of this Article by any of the following methods:

a) In-person submission at the Single-window section of the competent agency;

b) Online submission via the Public service portal of the competent agency (for documents on this lists of State secrets, the procedures must be conducted in accordance with law provisions on the protection of State secrets);

c) Submission via the public postal service, via services of businesses or individuals or through authorization in accordance with law provisions;

8. When receiving a dossier, officers in charge must be responsible for examining the content and the validity of such dossier and complying with the following provisions:

a) For cases where the dossier is complete and valid, the officer shall receive such dossier and fill information in the Receipt for settling administrative procedures on fire prevention and fighting (Form No. PC03);

b) For cases where the dossier is incomplete and invalid in accordance with law provisions, the officer shall provide guidance for completing the dossier and fill information in the Written Instruction for supplementing dossier requesting for the settlement of administrative procedures on fire prevention and fighting (Form No. PC04).

9. Notification of dossier handling results:

a) For cases where the dossier is submitted in person at the Single-window section of the competent agency, the officer receiving such dossier must transfer in person 01 copy of the Receipt for settling administrative procedures on fire prevention and fighting or the Written Instruction for supplementing dossier requesting for the settlement of administrative procedures on fire prevention and fighting to the person submitting the dossier and keep in record 01 copy;

b) For cases where the dossier is submitted via the Public service portal of the competent agency, the officer receiving such dossier must send notification on the dossier receipt or on the instruction for supplementing dossier via email or phone text message to the agency, organization, or individual submitting the dossier;

c) For cases where the dossier is via the public postal service, via services of businesses or individuals or through authorization in accordance with law provisions, the officer receiving such dossier must send 01 copy of the Receipt for settling administrative procedures on fire prevention and fighting or the Written Instruction for supplementing dossier requesting for the settlement of administrative procedures on fire prevention and fighting to the person submitting the dossier and keep in record 01 copy.

10. Persons who come to submit the dossier in person must have a letter of recommendation or a letter of authorization, and present their valid Personal Identification Card or Passport.

11. Within 07 working days from the date on which a complete and valid dossier is received, the competent agency shall be responsible for considering the issuance, renewal, or re-issuance of the Certificate of eligibility for commercial provision of fire prevention and fighting services for such establishment (Form No.

PC34). In cases of not issuing the Certificate of eligibility for commercial provision of fire prevention and fighting services, such agency must send a written response which clearly states the reasons.

12. Competency in issuing, renewing, re-issuing the Certificate of eligibility for commercial provision of fire prevention and fighting services shall be:

a) The Police Department of Fire Prevention and Fighting and Rescue shall be responsible for the issuance, renewal, re-issuance of the Certificate of eligibility for commercial provision of fire prevention and fighting services for establishments providing inspection consultancy and technical survey consultancy services for fire prevention and fighting, establishments manufacturing and assembling fire prevention and fighting means and equipment; establishments providing fire prevention and fighting services and being established under the ministerial-level decision; establishments providing fire prevention and fighting services with foreign investment capital;

b) The Police Division of Fire Prevention and Fighting and Rescue under the Provincial-level Police Department shall be responsible for the issuance, renewal, re-issuance of the Certificate of eligibility for commercial provision of fire prevention and fighting services for establishments providing fire prevention and fighting services in their area of management, except for establishments under the jurisdiction of the Police Department of Fire Prevention and Fighting and Rescue.

13. Establishments shall only be allowed to conduct fire prevention and fighting services after being granted Certificate of eligibility for commercial provision of fire prevention and fighting services by the Police agency.

Article 46. Management, use and revocation of Certificate of eligibility for commercial provision of fire prevention and fighting services

1. Heads and legal representatives of establishments providing fire prevention and fighting services shall be responsible for managing Certificates of eligibility for commercial provision of fire prevention and fighting services and performing the following tasks:

a) When the establishment is dissolved or goes bankrupt in accordance with law provisions or no longer provide fire prevention and fighting services, their certificates of eligibility for commercial provision of fire prevention and fighting services must be submitted to the Police agency which has granted them for revocation;

b) In case of operation termination, the establishment must send a written notice of the reason for and the duration of termination to the Police agency which has granted them;

c) In cases where the Certificate of eligibility for commercial provision of fire prevention and fighting services is lost or damaged, the establishment changes its name, head, or legal representative, change or supplement fire prevention and fighting services, the establishment must conduct procedures for the renewal or re-issuance of the Certificate;

d) The Certificate of eligibility for commercial provision of fire prevention and fighting services must be presented for the Police agencies and competent agencies upon request.

2. The Certificate of eligibility for commercial provision of fire prevention and fighting services shall be revoked when the establishment fails to satisfy conditions for providing fire prevention and fighting services after being granted the Certificate of eligibility for commercial provision of fire prevention and fighting services. The revocation of such certificate shall be conducted in accordance with provisions under Clause 4, Article 16 of this Decree. After revocation, the Police agency must send a written notice to the enterprise registration agency or the competent agency allowing the business establishments to operate.

Chapter VII

FUNDS FOR FIRE PREVENTION AND FIGHTING ACTIVITIES

Article 47. Use of financial sources for fire prevention and fighting activities

1. Financial sources for fire prevention and fighting activities shall be allocated for the following contents:

a) Investment in the operation, physical foundations, means and equipment for fire prevention and fighting of the firefighting police force;

b) Support for the operation of the civil guard, grassroots and specialized fire prevention and fighting forces;

c) Support for public information work and building of mass movements for fire prevention and fighting;

d) Support for commendation in fire prevention and fighting activities;

dd) Support for other fire prevention and fighting activities.

2. Financial sources for fire prevention and fighting activities shall be managed and used in accordance with law provisions.



Article 48. Funds for fire prevention and fighting

1. Funds for fire prevention and fighting activities of the firefighting police force, state agencies, the armed forces and other state budget beneficiaries at the central and local levels shall be allocated from the state budget in accordance with the current state budget decentralization and other legal budget sources in accordance with law provisions.

Annually, the Ministry of Public Security shall work out plans for the allocation of the budget for fire prevention and fighting activities and assign the Police Department of Fire Prevention and Fighting and Rescue to implement; People's Committees at all levels shall work out budget plans to ensure the fire prevention and fighting activities in their localities.

2. Agencies and organizations not benefiting from the State budget, households, individuals and foreign organizations based in the Vietnamese territory shall themselves ensure funds for fire prevention and fighting activities in accordance with law provisions.

3. State budget funds for the operation of the firefighting police force shall be allocated for the following contents:

- a) Regular operations of the firefighting police force;
- b) Equipment, renewal and modernization of fire prevention and fighting equipment and physical and technical foundations; scientific and technological research related to fire prevention and fighting in accordance with law provisions.

4. Funds for fire prevention and fighting activities of People's Committees of different levels shall be used for the following contents:

- a) Support for the construction, renovation and repair of the headquarters, procurement, equipment, maintenance, repair, renovation, and modernization of fire prevention and fighting means and technical facilities for the firefighting police forces located in their localities;
- b) Regular activities of the civil guard force; regular allowances for heads and deputy heads of civil guard teams;
- c) Procurement of protective equipment and fire prevention and fighting equipment for the civil guard force and the grassroots fire prevention and fighting forces of the State budget beneficiaries.

Article 49. Encouragement of investment in fire prevention and fighting activities

1. The State shall encourage and create favorable conditions for domestic

agencies, organizations and individuals, overseas Vietnamese and foreign organizations and individuals and international organizations to invest in, and provide financial assistance for, the following activities:

- a) Fire prevention and fighting activities;
- b) Procurement of fire prevention and fighting equipment;
- c) Training in fire prevention and fighting knowledge;
- d) Application of scientific and technological achievements to fire prevention and fighting activities.
- dd) Building and developing infrastructure, techniques for fire prevention and fighting.

2. The State shall encourage the research and domestic production and assembly, and export of fire prevention and fighting equipment.

3. Agencies, organizations and individuals manufacturing and assembling domestic fire prevention and fighting equipment, exporting and importing fire prevention and fighting equipment shall be entitled to preferential tax policies in accordance with the State regulations.

Chapter VIII

RESPONSIBILITIES OF MINISTRIES, MINISTERIAL-LEVEL AGENCIES, GOVERNMENTAL AGENCIES AND PEOPLE'S COMMITTEES OF ALL LEVELS IN FIRE PREVENTION AND FIGHTING ACTIVITIES

Article 50. Responsibilities of ministries, ministerial-level agencies and governmental agencies

1. Ministries, ministerial-level agencies and governmental agencies, within the ambit of their respective tasks and powers, shall perform the following tasks:

- a) To promulgate legal documents and regulations on fire prevention and fighting within the scope of their respective management and competence;
- b) To organize the dissemination of and education about law and knowledge on fire prevention and fighting; to direct the building and maintenance of mass movements for fire prevention and fighting;
- c) To direct the allocation of funds for fire prevention and fighting activities and procurement of fire prevention and fighting equipment;



d) To direct the organization of firefighting and remedy of fire consequences;

dd) To arrange forces for the performance of fire prevention and fighting tasks; to make statistics and reports on fire prevention and fighting to the Government and the Ministry of Public Security.

2. The Ministry of Education and Training shall assume the prime responsibility for, and coordinate with the Ministry of Public Security and relevant ministries, branches and units in, elaborating contents, duration and regulations on the integration of knowledge and skills on fire prevention and fighting and rescue into the subject curriculum and educational activities in the general education program, extracurricular activities suitable to each educational and training level.

3. The Ministry of Information and Communications shall assume the prime responsibility for, and coordinate with the Ministry of Public Security and relevant agencies in, enhancing the communication, propagation, dissemination and education of law, guidance on fire prevention knowledge and skills on fire prevention and fighting and rescue.

4. The Ministry of Construction shall assume the prime responsibility for, and coordinate with the Ministry of Public Security and relevant ministries and branches in, reviewing and adjusting the construction plannings, urban plannings and plannings under its management in association with infrastructure plannings on fire prevention and fighting in order to ensure the appropriateness with practical situations; studying, amending and developing standards and technical standards related to fire prevention and fighting for specific types of construction works, which currently have no standards and technical standards to apply.

5. The Ministry of Finance shall assume the prime responsibility for, and allocate recurrent expenditure budgets to, ministries and central agencies for fire prevention and fighting in accordance with provisions of the Law on State Budget and its guiding documents.

6. The Ministry of Planning and Investment shall assume the prime responsibility for, and coordinate with the Ministry of Finance, the Ministry of Public Security and relevant ministries and branches in, synthesizing the five-year and annual investment and development plans in the field of fire prevention and fighting of ministries, branches and localities into the State's five-year and annual socio-economic development plans to ensure socio-economic development in parallel with defense-security consolidation; appraise capital sources and the ability to balance capitals of investment projects in building facilities, manufacturing and purchasing equipment for fire prevention and fighting in accordance with provisions in the Law on Public Investment; synthesize and

submit to the Government, the National Assembly for approval.

7. The Ministry of Foreign Affairs shall assume the prime responsibility for, and coordinate with the Ministry of Public Security in, the work of fire prevention and fighting at offices of diplomatic missions, consular offices, representative offices of international organizations, and housing of members of such agencies; posting information on international organizations, foreign organizations and individuals in Vietnam that enjoy preferential privileges and exemption from participation in firefighting; notifying the Ministry of Public Security of headquarters of consular offices of the countries that have signed the consular agreement with Vietnam, headquarters of representative offices of international organizations under the United Nations system, headquarters of representative offices of international inter-governmental organizations outside the United Nations system, associations of international organizations - where the fire prevention and fighting forces of Vietnam are only allowed to enter for fire prevention upon request or consent of the heads or the authorized persons of such agencies; notifying the Ministry of Public Security of the housings of consular officers who are not Vietnamese citizens or permanent residents in Vietnam, where the Vietnam's fire prevention and fighting forces are allowed to enter for firefighting upon the request or consent of such persons, in accordance with the consular agreement signed between Vietnam and the sending states.

8. The Ministry of Labor, War Invalids and Social Affairs shall provide detailed guidance on the regimes applicable to persons mobilized and sent to directly suppress fires and support the work of fire prevention and fighting in accordance with the summons and mobilization orders of competent persons in cases where such persons are injured in accidents which reduces their working capacity in accordance with the conclusion of Medical Assessment Council, or injured in one of the cases specified in the Ordinance on Preferential Treatment of Persons with Merit to the Revolution, or dead in one of the cases specified in the Ordinance on Favoring People with Meritorious Services to the Revolution; the regimes for member of members of civil defense teams, grassroots and specialized fire prevention and fighting teams when participating in professional trainings on fire prevention and fighting; the regimes for members of civil defense teams, grassroots and specialized fire prevention and fighting teams when participating in professional trainings on fire prevention and fighting, who suffer from accidents, health loss or death after reaching a consensus with the Ministry of Public Security and the Ministry of Finance.

9. The Ministry of Agriculture and Rural Development shall assume the prime responsibility for, and coordinate with the Ministry of Public Security, the Ministry of Defense, ministries, branches, localities and relevant agencies in

formulating the effective implementation of options and plans to mobilize forces to participate in forest fire prevention and fighting.

Article 51. Responsibilities of the Ministry of Public Security

The Ministry of Public Security shall perform the unified state management of fire prevention and fighting nationwide and perform the following tasks:

1. To propose, and organize the implementation of, fire prevention and fighting strategies, master plans and plans nationwide.

2. To propose the promulgation of, or to promulgate legal documents and standards on fire prevention and fighting; to prescribe the decentralization of management of fire prevention and fighting, the decentralization of training and issuing certificates of training in fire prevention and fighting operations in the People's Public Security Force; to prescribe regulations on content and time duration for training in fire prevention and fighting knowledge; to provide guidance on inspection, trainings in inspection and verification skills for fire prevention and fighting designs.

3. To guide and direct the dissemination of and education about law and knowledge on fire prevention and fighting, and the building of mass movements for fire prevention and fighting.

4. To carry out fire prevention and fighting management for motor vehicles and facilities under their scope of management; to conduct examination and inspection on fire prevention and fighting; to settle complaints and denunciations related to fire prevention and fighting within their competence.

5. To conduct fire prevention and fighting appraisals and pre-acceptance tests of projects, construction works, motor vehicles and vessels with special requirements on fire prevention and fighting safety and prescribe the implementation of these contents in the People's Public Security Forces; to conduct inspection, verification and certification of suitability for fire prevention and fighting equipment and means; to prescribe regulations, to conduct management, printing, and issuance of inspection stamps for fire prevention and fighting means.

6. To investigate and handle fires and handle violations of regulations on fire prevention and fighting.

7. To provide regulation, guidance and direction on receiving and handling of fire alarm notice, commanding firefighting, organizing the standby force for firefighting and implementing firefighting activities, developing and practicing firefighting plans in accordance with law regulations.

8. To formulate, and organize the implementation of, investment projects on

procurement of fire prevention and fighting equipment for the firefighting police force; to promulgate and organize the implementation of regulations on quota and standards for equipment, management, maintenance and use of fire prevention and fighting means.

9. To build the firefighting police force, to organize the training of fire prevention and fighting officers.

10. To organize the research into, dissemination and application of, scientific and technological advances in the field of fire prevention and fighting.

11. To carry out state statistics on fire prevention and fighting.

12. To organize the information system to serve the management, command and administration of fire prevention and fighting activities.

13. To inspect fire and explosion insurance activities in association with fire prevention and fighting activities.

14. To report to the Government on accession to international organizations, conclusion of, or accession to treaties on fire prevention and fighting activities; to carry out international activities related to fire prevention and fighting in accordance with its competence.

Article 52. Responsibilities of People's Committees at all levels

1. People's Committees of provincial and district levels shall, within the scope of their respective tasks and powers, perform the function of state management of fire prevention and fighting in their localities and have the following specific tasks:

a) To promulgate regulations on fire prevention and fighting in their localities;

b) To direct, inspect and organize the implementation of laws and regulations on fire prevention and fighting in localities; to handle administrative violations of regulations on fire prevention and fighting in accordance with their competence;

c) To guide and direct the dissemination of and education about law and knowledge on fire prevention and fighting to people, to build mass movements for fire prevention and fighting;

d) To allocate budget funds for fire prevention and fighting activities and procurement of fire prevention and fighting equipment;

dd) To ensure conditions for notice on fire alarms, roads and water sources for firefighting;

e) To plan locations, to propose land allocation and construction of barracks for the firefighting police force;

g) To direct the making and drilling of firefighting plans which require the mobilization and participation of various forces and means;

h) To direct the organization of firefighting and remedy of fire consequences;

i) To make statistics and reports on fire prevention and fighting to the superior People's Committees, the Government and the Ministry of Public Security.

2. Commune-level People's Committees shall, within the ambit of their tasks and powers, perform the state management of fire prevention and fighting in localities and have the following specific tasks:

a) To direct, inspect and organize the implementation of laws and regulations on fire prevention and fighting in their localities; to conduct safety check on fire prevention and fighting for residential areas, households, household businesses and establishments under their scope of management; to handle violations on fire prevention and fighting within their competence;

b) To organize the dissemination of and education about law and knowledge on fire prevention and fighting; to build mass movements for fire prevention and fighting;

c) To organize the management of civil guard teams in villages;

d) To allocate funds for fire prevention and fighting activities; to equip civil guard teams with fire prevention and fighting equipment in accordance with law regulations;

dd) To direct the making and drilling of firefighting plans;

e) To organize firefighting and remedy of fire consequences;

g) To make statistics and reports on fire prevention and fighting to district-level People's Committees.

Chapter IX

IMPLEMENTATION PROVISIONS

Article 53. Effect

1. This Decree shall take effect from January 10, 2021 and shall replace the Government's Decree No. 79/2014/ND-CP dated July 31, 2014 detailing a number of articles of the Law on Fire Prevention and Fighting and the Law Amending and Supplementing a Number of Articles of the Law on Fire Prevention and Fighting (hereinafter referred to as the Decree No. 79/2014/ND-CP).

2. When legal documents referred to in this Decree are amended, supplemented or replaced, the content referenced in this Decree shall accordingly be adjusted and shall comply with the amended, supplemented or replaced legal documents.

3. Handlings of administrative violations through the Public service portal:

a) In cases where the Public service portal of the competent agency has not met the conditions for carrying out administrative procedures by electronic means, the submission of dossiers and notification of dossier handling results shall be conducted in person at the Single-window section of the competent agency or via the public postal service, via services of businesses or individuals or through authorization in accordance with law provisions;

b) When the Public service portal of the competent agency has satisfied the conditions for conducting administrative procedures by electronic means, online submission of dossiers and notification of dossier handling results shall be conducted in accordance with provisions of the Government's Decree No. 45/2020/ND-CP dated April 08, 2020 on the implementation of administrative procedures by electronic means.

4. Transitional provisions:

a) For projects and construction works on the list specified in Appendix IV, motor vehicles with special requirements for fire prevention and fighting safety as specified in Clause 2, Article 10 of the Decree No. 79/2014/ND-CP which have been granted an approval certificate for fire prevention and fighting design but are not subject to the provisions in Appendix V to this Decree, the construction and pre-acceptance test on fire prevention and fighting for them shall still be conducted in accordance with provisions in Article 14 and Article 15 of this Decree;

b) For projects and construction works not on the list specified in Appendix IV to the Decree No. 79/2014/ND-CP, which have been appraised and granted construction certificate by a construction management agency or which have been constructed, if they are the subjects specified in Appendix V to this Decree, the investor shall continue construction, pre-acceptance test and take responsibility for ensuring fire safety for such projects;

c) For an establishment's firefighting plan which has been developed in accordance with Form No. PC 11 issued together with the Circular No. 66/2014/TT-BCA dated December 16, 2014 of the Ministry of Public Security detailing the implementation of a number of articles of Decree No. 79/2014/ND-CP (hereinafter referred to the Circular No. 66/2014/TT-BCA) and which has been approved by competent agencies, if there is no change in nature, in the hazardous characteristics of fire, explosion, toxicity and in the conditions related to the firefighting operation, such plan shall continue to be used and shall not be subject to re-elaboration and re-approval;

d) Agencies, organizations and individuals that have received dossiers of request for the following procedures before this Decree takes effect shall continue to comply with Decree No. 79/2014/ND-CP: the issuance of the License to transport goods with fire and explosion hazards; approval of designs, inspection of test results for fire prevention and fighting; approval of firefighting plans; issuance of the Certificate of training in fire prevention and fighting; inspection of fire prevention and fighting means; issuance of the Certificate of practice of fire prevention and fighting consultancy, verification of the eligibility to provide fire prevention and fighting services;

dd) The License to transport goods with fire and explosion hazards; the Certificate of approval of fire prevention and fighting; documents appraising and approving fire prevention and fighting designs; documents on fire prevention and fighting pre-acceptance test; the Inspection certificate of fire prevention and fighting means; the Certificate of practice of fire prevention and fighting consultancy; Certificate of eligibility for commercial provision of fire prevention and fighting services; the Certificate of training in fire prevention and fighting having been granted in accordance with provisions in the Decree No. 79/2014/ND-CP shall continue to be valid until the expiry date (if any) as prescribed;

e) The agencies that have been permitted by the Ministry of Public Security to inspect fire prevention and fighting means shall continue to conduct inspection in accordance with the Decree No. 79/2014/ND-CP, after 24 months from the date on which this Decree takes effect, they must fully satisfy the conditions for inspection of fire prevention and fighting means under this Decree. Inspection stamps for fire prevention and fighting means shall be printed in accordance with Form No. PC20 issued together with the Circular No. 36/2018/TT-BCA dated December 05, 2018 of the Ministry of Public Security on amending and supplementing a number of articles of Circular No. 66/2014/TT-BCA and shall continue this implementation until the Ministry of Public Security promulgate new regulations on inspection stamps of fire prevention and fighting means.

Article 54. Implementation responsibilities

Ministers, heads of ministerial-level agencies, heads of Governmental agencies, chairpersons of municipal and provincial People's Committees and relevant organizations and individuals shall be responsible for implementing this Decree./.

For the Government

Prime Minister

Nguyen Xuan Phuc

** All Appendices are not translated herein.*

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