

GOVERNMENT

SOCIALIST REPUBLIC OF VIETNAM
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Hanoi, May 15, 2016

DECREE

ON ELABORATING THE AUTHORIZATION OF FOREIGN ORGANIZATIONS AND INDIVIDUALS TO
CONDUCT SCIENCE RESEARCH IN THE MARINE WATERS OF VIETNAM

Pursuant to the Law on Government organization dated June 19, 2015;

Pursuant to the Law on the sea of Vietnam dated June 21, 2012;

Pursuant to the Law on natural resources and environment of sea and islands dated June 25, 2015;

At the request of the Minister of Natural resources and Environment;

The government promulgates this Decree on elaborating the authorization of foreign organizations and individuals to conduct science research in the marine waters of Vietnam.

Chapter I

GENERAL

Article 1. Scope

This Decree defines the details for the issuance, amendment, re-issuance, extension, suspension and revocation of permits that enable foreign organizations and individuals to conduct science research in the marine waters of Vietnam.

Article 2. Regulated entities

This Decree applies to foreign organizations and individuals that carry out scientific studies in the marine waters of Vietnam and to governmental authorities and entities in relation to the authorization of foreign organizations and individuals to conduct science research in the marine waters of Vietnam.

Article 3. Constitution, content and duration of science research permits

1. Constitution of science research permits:

a) Foreign organizations and individuals must attain authorization by competent governmental authorities of Vietnam to carry out science research activities in the internal and territorial waters of Vietnam.

b) Foreign organizations and individuals must attain authorization by competent governmental authorities of Vietnam to carry out science research activities in the exclusive economic zones and continental shelves of Vietnam.

Authorization for foreign organizations and individuals (referred to as foreign entities) to carry out science research activities in the internal and territorial waters, the exclusive economic zones and continental shelves of Vietnam is rendered by a decision on authorization of science research activities via Form No. 05 attached to this Decree.

2. A decision on authorization of science research activities primarily consists of:

a) Full name, address and nationality of the foreign organization or individual permitted;

b) Full name and nationality of foreign scientists; full name of Vietnamese scientists participating in science research activities;

c) Objectives and details of science research activities;

d) Location and coordinates of marine areas where science research activities occur;

dd) Research methodology; research instruments and equipment; explosive materials and hazardous materials approved for use in research activities;

e) Research schedule;

g) Duration of the permit of science research.

3. The duration of a science research permit is subject to the objectives and details of science research activities as stated in the application for authorization of science research activities; however, the duration does not exceed 02 years and may be extended once for one more year.

If the extended permit expires though science research activities are incomplete and the foreign entity desires to continue the research, the foreign entity shall apply for a new permit as per this Decree.

Article 4. Denial of foreign organizations and individuals to carry out science research activities in the marine waters of Vietnam

1. Science research activities of a foreign organization or individual do not aim at peaceful purposes or intrude on the sovereignty, sovereign rights, jurisdiction, national defense and security, and national maritime interests of Vietnam. Such activities intrude on the order and safety at sea or involve operations prohibited by the laws of Vietnam.
2. Science research activities of a foreign organization and individual impinge on other ongoing authorized fundamental investigations, scientific studies and activities of surveying and extracting marine resources in the marine waters of Vietnam.
3. Science research activities of a foreign organization and individual use explosive materials, toxic chemicals and instruments and equipment potentially hazardous to human beings, natural resources and marine environment, except circumstances as defined in point c, section 2, Article 20, Law on natural resources and environment of sea and islands.
4. Science research activities of a foreign organization or individual involve the construction of an artificial island or building at sea.
5. The information in the application by the foreign organization or individual for authorization of science research activities is inaccurate, or the objectives and contents of the science research conflict with the obvious facts.
6. The foreign organization or individual previously permitted to conduct science research activities in the marine waters of Vietnam has fulfilled none or inadequate parts of the duties defined by the laws of Vietnam and the United Nations Convention on the Law of the Sea of 1982.
7. Science research activities of a foreign organization or individual involve drilling at or into the seabed, unless authorized by competent authorities.
8. Scientific cooperation with Vietnamese entities, when requested, is refused by the foreign organization or individual conducting science research activities in an internal or territorial water of Vietnam or drilling at or into the seabed.

Article 5. Participation of Vietnamese scientists in science research activities that foreign entities conduct in the marine waters of Vietnam

1. Vietnamese scientists assigned to science research activities of a foreign entity, as per point e, section 2, Article 20, Law on natural resources and environment of sea and islands, must possess professional qualifications or work in sectors pertinent to the research.
2. Upon requests by the Ministry of Natural resources and Environment, other ministries, ministerial-level and governmental agencies shall assign their Vietnamese scientists to science research activities of foreign entities in the marine waters of Vietnam.

3. The following responsibilities fall on Vietnamese scientists participating in science research activities of foreign entities in the marine waters of Vietnam:

a) Engage in science research activities and actively collect scientific data from science research activities that the foreign entity conducts in the marine waters of Vietnam;

b) Supervise activities and promptly report to competent governmental authorities about any non-compliance of foreign entities with the contents of the science research permit or with the laws of Vietnam and international agreements in which the Socialist Republic of Vietnam participates;

c) Report to the Ministry of Natural resources and Environment and the managing agency about the engagement in science research activities, progress and operations of the research, science research data collected in at most 30 days upon the end of the science research.

Article 6. Science research cooperation in the marine waters of Vietnam

1. Foreign entities can cooperate with Vietnamese organizations and individuals to carry out science research activities in the marine waters of Vietnam in conformity to the laws of Vietnam. Competent governmental authorities of Vietnam have the right to request and recommend foreign entities to engage in science research cooperation in the marine waters of Vietnam.

2. Cooperation in science research activities in internal or territorial waters of Vietnam or scientific studies involving drilling at or into the seabed:

a) Foreign entities, when requested by competent governmental authorities of Vietnam, must cooperate with Vietnamese entities upon the foreign entities' application for their conducting science research activities done in an internal or territorial water of Vietnam or involving drilling at or into the seabed.

b) Cooperation between a foreign entity and a Vietnamese entity in science research activities done in an internal or territorial water of Vietnam or involving drilling at or into the seabed must be presented in writing.

Article 7. Reporting of science research activities

1. Vietnamese or English shall be the language of preliminary research reports and official science research reports and other documents, as defined in point h and point i, section 2, Article 20 of the Law on natural resources and environment of sea and islands.

2. Preliminary research reports shall conform to Form No. 09 attached to this Decree.

Chapter II

ISSUANCE, AMENDMENT, EXTENSION AND RE-ISSUANCE OF SCIENCE RESEARCH PERMITS

Article 8. Application for issuance, amendment, extension and re-issuance of science research permits

1. An application for science research permit includes:

a) A filled-in form of application for authorization of science research activities, as per Form No. 01 attached to this Decree;

b) Written evidences of the legal personality of the applying organization according to the law of the nation where it is established; or written evidences of the full legal capacity of the applying individual according to regulations of the country where that person holds nationality;

c) The written presentation of the science research cooperation between the foreign entity and Vietnamese entity if the former cooperates with the latter in science research activities in the marine water planned;

d) The plan or scheme of science research activities to be performed in the marine water planned.

2. An application for amendment to a science research permit includes:

a) A filled-in form of application for amendment to the science research permit, as per Form No. 02 attached to this Decree. Such filled-in form must specify reasons and details of amendments;

b) The report on progress and results of the science research until the time of the application for amendment;

c) The copy of the decision on authorization of science research activities.

3. An application for extension of a science research permit includes:

a) A filled-in form of application for extending the validity of the science research permit, as per Form No. 03 attached to this Decree. Such filled-in form must specify reasons and length of the extension;

b) The report on progress and results of the science research until the time of the application for extension;

c) The copy of the decision on authorization of science research activities.

4. An application for re-issuance of a science research permit includes:

a) A filled-in form of application for re-issuance of the science research permit, as per Form No. 04 attached to this Decree. Such filled-in form must specify reasons of re-issuance;

b) The report on progress and results of the science research until the time of the application for re-issuance.

5. Vietnamese or English shall be the language of an application for issuance, amendment, extension or re-issuance of a research science permit.

One set of documents is required upon application for issuance, amendment, extension or re-issuance of a science research permit.

Article 9. Method and time of application

1. Method of application:

a) Foreign entities shall send the application for science research permit to the Ministry of Natural resources and Environment through diplomatic channels. Intergovernmental organizations shall send the application to the Ministry of Natural resources and Environment directly or through diplomatic channels. Foreign entities from nations that have not established a diplomatic relation with Vietnam shall send the application to the Ministry of Natural resources and Environment directly;

b) Foreign entities shall send the application for amendment, extension or re-issuance of the science research permit directly to the Ministry of Natural resources and Environment.

2. Time of application:

a) An application for issuance of science research permit must be delivered, in its entirety as regulated, to the Ministry of Natural resources and Environment at least 6 months prior to the planned date that the science research commences;

b) An application for amendment or extension of science research permit must be delivered to the Ministry of Natural resources and Environment at least 90 days prior to the expiry date of the authorization decision.

Article 10. Amendment to decisions on authorization of science research activities

1. The following amendments to a decision on authorization of science research activities shall be considered:

a) Amendment to the contents of the science research;

b) Amendment to the location, coordinates, methodology, instruments, equipment and schedule of the science research.

2. Amendment to a decision on authorization of science research activities shall only be considered provided that:

a) The foreign entity applying for amendment to the science research permit submits complete documents, as defined in section 2, Article 8 of this Decree, to the receiving agency;

b) Upon applying for amendment to the decision on authorization of science research activities, the foreign entity has fulfilled its duties as defined in point a, b, c, d, dd, e, g, section 2, Article 20 of the Law on natural resources and environment of sea and islands;

c) The decision on authorization of science research activities is in effect.

3. Amendment to a decision on authorization of science research activities shall be manifested in a new authorization decision. The maximum duration of the new decision on authorization of science research activities shall be equal to the remaining duration of the authorization decision issued.

Article 11. Extension of decisions on authorization of science research activities

1. The extension of a decision on authorization of science research activities shall be deliberated if the duration of the decision is not adequate for science research activities authorized to complete and the foreign entity seeks time extension.

2. The extension of a decision on authorization of science research activities shall only be eligible for consideration upon the fulfillment of these requirements:

a) The foreign entity applying for extension of the science research permit submits complete documents, as defined in section 3, Article 8 of this Decree, to the receiving agency;

b) Upon applying for such extension, the foreign entity has fulfilled its duties as defined in point a, b, c, d, dd, e, g, section 2, Article 20 of the Law on natural resources and environment of sea and islands;

c) The existing decision on authorization of science research activities remains valid for at least 90 days.

3. A decision on extension of science research activities shall be issued as per Form No. 6 attached to this Decree.

Article 12. Re-issuance of decisions on authorization of science research activities

1. A written decision on authorization of science research activities may be re-issued if the paper perishes.

2. The re-issuance of a decision on authorization of science research activities shall only be eligible for consideration upon the fulfillment of these requirements:

a) The foreign entity applying for re-issuance of the authorization decision submits complete documents, as defined in section 4, Article 8 of this Decree, to the receiving agency;

b) Upon applying for re-issuance of the decision on authorization of science research activities, the foreign entity has fulfilled its duties as defined in point a, b, c, d, dd, e, g, section 2, Article 20 of the Law on natural resources and environment of sea and islands;

3. A copy of the authorization decision granted to the foreign entity shall be issued.

Article 13. Progress of issuance, amendment, extension and re-issuance of science research permits

1. The following sequence of steps applies to the process of issuing, amending or extending decisions on authorization of science research activities:

a) Receiving and checking documents;

b) Obtaining viewpoints from relevant entities;

c) Assessment;

d) Deciding to issue, amend or extend a science research permit.

2. The following sequence of steps applies to the process of re-issuing decisions on authorization of science research activities:

a) Receiving and checking documents;

b) Providing a copy of the decision on authorization of science research activities.

Article 14. Receipt and checking of applications for issuance, amendment, extension and re-issuance of decisions on authorization of science research activities

1. Ministry of Natural resources and Environment shall be responsible for receiving and checking the format, composition and contents of the applications for issuance, amendment, extension and re-issuance of decisions on authorization of science research activities.

2. In 05 working days upon receiving an application, the Ministry of Natural resources and Environment shall inform the foreign entity in writing of the former's receipt of the application, if deemed sufficient as per regulations, or of the latter's supplementation of documents, if deemed inadequate.

Article 15. Obtainment of viewpoints from relevant entities on authorization of science research activities

1. In 05 working days upon receiving the application deemed sufficient as per regulations, the Ministry of Natural resources and Environment shall deliver its written inquiry and the application to the Ministry of National defense, Ministry of Foreign Affairs, Ministry of Public Security, Ministry of Science and Technology and ministries managing the related sector, provincial People's Committees and relevant agencies for their points of view on authorization of science research activities.

2. A written inquiry for viewpoints shall consists of:

a) A request for approval or disapproval of authorization of science research activities;

b) In case of the applications for authorization of science research activities in the internal and territorial waters of Vietnam, the written inquiry must seek relevant agencies' opinions on the request by Vietnam's entities for science research cooperation;

c) In case of the applications for authorization of science research activities that involve drilling at or into the seabed, the written inquiry must seek relevant agencies' opinions on approval or disapproval of foreign entities' conducting science research activities that involve seabed drilling, then their opinions on the request by Vietnamese entities for science research cooperation if such activities are approved;

d) A request for state management authorities in relation to the objectives and contents of the science research to assign scientists to the research activities.

3. In 30 working days upon receiving the documents from the Ministry of Natural resources and Environment, the entities inquired must respond to the Ministry of Natural resources and Environment in writing. If making no response in writing in the 30-day period, the entity inquired shall be deemed to have consented to every detail of the inquiry and assumed full responsibilities for matters that fall in its jurisdiction. A written response must include:

a) A straightforward assent or dissent and justifications for any dissent;

b) An approval or disapproval of the foreign entity's independent science research activities in the internal and territorial waters of Vietnam.

The written response must specify details of mandatory science research cooperation, if sought, between Vietnamese entities and the foreign entity in science research activities in the internal and territorial waters of Vietnam;

c) An authorization or rejection of the foreign entity's science research activities that involve drilling at or into the seabed.

c) An authorization or rejection of the foreign entity's science research activities that involve drilling at or into the seabed. The written response must specify details of mandatory science research cooperation, if sought, between Vietnamese entities and the foreign entity in science research activities that involve drilling at or into the seabed;

d) The scientific profiles of scientists assigned to the foreign entity's science research activities in the marine waters of Vietnam.

4. If the written responses from the Ministry of National defense, Ministry of Foreign affairs, Ministry of Public security or Ministry of Science and Technology do not accord with each other, the Ministry of Natural resources and Environment shall issue a written rejection to the foreign entity.

Article 16. Consideration of foreign entities' applications for authorization of science research activities that involve seabed drilling or occur in the internal and territorial waters of Vietnam in case of Vietnamese entities' request for cooperation

1. If the Ministry of National defense, Ministry of Foreign affairs, Ministry of Public security or Ministry of Science and Technology, via its response, disapproves the foreign entity's science research activities involving seabed drilling, the Ministry of Natural resources and Environment, after receiving the written responses as stated in Article 15 of this Decree, shall inform the foreign entity in writing of the rejection of seabed drilling and of the 30-day period for the foreign entity to revise the research and re-submit the application.

If the foreign entity does not revise and re-submit the application in the defined period, the Minister of Natural resources and Environment shall notify the foreign entity in writing of denial of authorization.

2. If written responses as stated in Article 15 of this Decree contain a request for Vietnamese entities' cooperative engagement in the foreign entity's science research activities that occur in the internal and territorial waters of Vietnam or involve seabed drilling, the Ministry of Natural resources and Environment shall deliberate Vietnamese entities' abilities and aspiration for cooperation according to agencies' proposals then notify the foreign entity of such request for cooperation.

The foreign entity, in 30 days upon receiving such notification, must respond in writing about its acceptance or denial of the cooperation. If assenting to cooperation, the foreign entity shall

discuss details and conditions with Vietnamese entities to conclude a cooperation agreement that shall be delivered to the Ministry of Natural resources and Environment as an addition to the application for authorization.

If the foreign entity refuses the cooperation, the Minister of Natural resources and Environment shall inform the foreign entity in writing of the former's denial of authorization.

Article 17. Assessment for issuance, amendment and extension of science research permits

1. Details of assessment:

a) The completeness of the format, composition and contents of the application and the accuracy of the information presented;

b) The accordance of the objectives of the science research with its activities;

c) The abidance by requirements for authorization, as defined in section 1, Article 19 of the Law on natural resources and environment of sea and islands, in relevant regulations of the United Nations Convention on the Law of the Sea of 1982, and the compliance with requirements for amendment and extension of authorization decisions, as stated in Article 10 and Article 11 of this Decree.

2. The assessment proceeds as follows:

a) In 90 days upon receiving the complete application for authorization of science research activities as regulated, the Ministry of Natural resources and Environment must accomplish the assessment thereof according to section 1 of this Article. The result of the assessment must be presented in writing;

b) In 50 days upon receiving the complete application for amendment or extension of an authorization decision as regulated, the Ministry of Natural resources and Environment must accomplish the assessment thereof according to section 1 of this Article. The result of the assessment must be presented in writing;

Article 18. Conclusion of authorization of science research activities

1. Minister of Natural resources and Environment shall decide to authorize a foreign entity's science research activities in the marine waters of Vietnam according to the result of the assessment, provided that the application meets the requirements defined and that such activities do not fall into section 1, 2, 3, 4, 5 or 6, Article 4 of this Decree. Furthermore, authorization is granted by the Ministry of National defense, Ministry of Foreign affairs, Ministry of Public security and Ministry of Science and Technology.

If the application does not meet requirements defined or the research falls into section 1, 2, 3, 4, 5 or 6, Article 4 of this Decree, the Minister of Natural resources and Environment shall have the foreign entity informed in writing of the denial of authorization.

2. Minister of Natural resources and Environment must come to a decision on authorization of science research activities in no later than 120 days upon the receipt of the complete application as regulated.

If Vietnamese entities requests to cooperate in foreign entities' science research activities, which involve seabed drilling or occur in the internal and territorial waters of Vietnam, as per Article 16 of this Decree, the 120-day period shall start upon the receiving agency's obtaining of the additional science research cooperation agreement or written revisions to the science research that previously did not involve seabed drilling.

3. Ministry of Natural resources and Environment shall be responsible for sending the written decision or rejection of authorization of science research activities in the marine waters of Vietnam to the foreign entity, ministries, ministerial-level agencies, governmental agencies, provincial People's Committees and relevant organizations.

Article 19. Conclusion of amendment, extension or re-issuance of decisions on authorization of science research activities

1. Upon receiving a complete application for amendment or extension of a decision on authorization of science research activities as regulated, The Ministry of Natural resources and Environment must inquire the viewpoints of related agencies and initiate the assessment as per Article 15 and Article 17 of this Decree.

In 80 days upon the receipt of a complete application as regulated, the Minister of Natural resources and Environment shall approve or disapprove the amendment or extension of an authorization decision and issue a written decision or notification, respectively.

Ministry of Natural resources and Environment shall be responsible for sending the written decision on approval or notification on rejection of amendment or extension of the existing decision on authorization of science research activities in the marine waters of Vietnam to the foreign entity, ministries, ministerial-level agencies, governmental agencies, provincial People's Committees and relevant organizations.

2. In 15 days upon receiving the complete application for re-issuance of an authorization decision in conformity to Article 12 of this Decree, the Minister of Natural resources and Environment shall be responsible for issuing a copy of that decision to the foreign entity. If requirements for reissuance are not met, the foreign entity shall be informed in writing of the rejection thereof.

Article 20. Requirements for foreign entities conducting science research activities in the marine waters of Vietnam

1. Foreign entities are responsible for paying the fees for the pre-authorization assessment and the authorization of science research activities in the marine waters of Vietnam according to Vietnam's legal regulations on fees.

2. Foreign entities permitted to carry out science research are held responsible for fulfilling the duties as defined in section 2, Article 20 of the Law on natural resources and environment of sea and islands. Moreover, they must fulfill relevant legal requirements concerning the sea, maritime matters, aviation, customs, tax, labor, health, immigration, national defense and security, and other relevant regulations of Vietnam.

3. During science research activities, the foreign entity must immediately inform the Ministry of Natural resources and Environment of any changes to the contents permitted, except amendments or extension of the authorization decision as stated in section 1, Article 10 and section 1, Article 11 of this Decree. Such changes shall only be realized upon written consent by the Minister of Natural resources and Environment.

4. Foreign entities must inform the Ministry of Natural resources and Environment 05 days before the former enters the marine waters of Vietnam to carry out science research activities and before it departs. Moreover, foreign entities must notify competent authorities as per the maritime law and other relevant laws of Vietnam.

Chapter III

SUSPENSION AND REVOCATION OF DECISIONS ON AUTHORIZATION OF SCIENCE RESEARCH ACTIVITIES

Article 21. Suspension of decisions on authorization of science research activities

1. A decision on authorization of science research activities shall be suspended in these events:
 - a) The foreign entity or related entities do not conform to the authorization decision with respect to the contents, location or marine coordinates of the research, research methodology and equipment or research schedule;
 - b) The activities impinge on other ongoing authorized fundamental investigations, scientific studies and activities of surveying and extracting marine resources in the marine waters of Vietnam;
 - c) Science research activities cause severe damage to natural resources or pollute and corrupt the environment and ecosystem of the sea and islands;
 - d) Weapon, explosive materials, toxic chemicals, equipment and instruments potentially hazardous to human being, natural resources and marine environment, except explosive

materials and toxic chemicals permitted by competent authorities for use in science research activities, are carried into the marine waters of Vietnam;

dd) Science research activities are carried out after the expiration of the non-extended authorization decision;

e) Essential working conditions, including the pay for scientists assigned by Vietnam's competent governmental authorities to the research, are not maintained;

g) Legal regulations on environment protection, maritime and other matters of Vietnam and relevant international regulations are violated.

2. The suspension of a decision on authorization of science research activities shall progress as follows:

a) Maritime patrol and control units, when exposing or being informed of foreign entities' violations(s) as stated in section 1 of this Article, shall make written report(s) and decisions to remedy the affairs *intra vires* according to the laws on settlement of administrative violations. Moreover, documents on the violation(s) shall be sent to the Ministry of Natural resources and Environment.

Vietnamese scientists participating in the research or other entities, when exposing violation(s) as stated in section 1 of this Article, must promptly report to maritime patrol and control units or to the Ministry of Natural resources and Environment;

b) In 10 days upon receiving the information on foreign entities' violations as stated in section 1 of this Article, the Minister of Natural resources and Environment shall consider information and decide to or not to suspend the science research permit granted to the foreign entity. A decision on suspension is made as per Form No. 07 attached to this Decree;

c) In at most 01 working day upon the issuance of a decision on suspension, the Ministry of Natural resources and Environment shall be responsible for sending such decision to the foreign entity and relevant authorities and organizations. A decision on suspension shall be delivered by hand to the foreign entity and simultaneously be sent via means of maritime communications.

3. The foreign entity, when receiving a decision on suspension of the authorization decision, must immediately cease the science research activities. If causing damage to the other entities or to the environment, the foreign entity must make amends and remediate the environment as per the laws of Vietnam.

4. The foreign entity, whose science research permit is suspended, shall resume science research activities upon its fulfillment of these requirements:

- a) It has terminated violations and accomplished all demands as stated in the decision on suspension of the authorization decision;
- b) It has made amends and remediated the environment, if causing damage to other entities or the environment;
- c) Competent governmental authorities have issued a new authorization decision to the foreign entity whose suspension is subject to point dd, section 1 of this Article.

5. The resumption of science research activities suspended shall progress as follows:

- a) The foreign entity applies in writing to the Ministry of Natural resources and Environment for resuming science research activities. Its application must specify the result of its actions as per point a and b, section 4 of this Article.
- b) Ministry of Natural resources and Environment cooperates with relevant agencies to inspect the actions that the foreign entity has taken as per point a and b, section 4 of this Article;
- c) If the foreign entity fulfills the requirements in point a and b, section 4 of this Article, the Minister of Natural resources and Environment, in at most 05 working days, shall issue a written authorization that enables the foreign entity to resume its science research activities in the marine waters of Vietnam;
- d) The foreign entity, whose research is suspended as per point dd, section 1 of this Article, shall apply in writing to competent governmental authorities for authorization of science research activities. Therefore, the foreign entity shall only resume its science research activities upon the competent governmental authorities' issuance of a new authorization decision.

Article 22. Revocation of decisions on authorization of science research activities

1. A decision on authorization of science research activities shall be revoked in these events:

- a) Science research activities of the foreign entity intrude on the sovereignty, sovereign rights, jurisdiction, national defense and security, and national maritime interests of Vietnam. Such activities intrude on the order and safety at sea or involve operations prohibited by the laws of Vietnam.
- b) Science research activities authorized are misused for any other than peaceful purposes or operations are not in relation to science research contents permitted by competent authorities of Vietnam;
- c) Despite the suspension of the decision on authorization of science research activities, the foreign entity has not conformed to the decision on suspension of the authorization decision;

d) Violations are repeated after science research activities resume, following a suspension of the authorization decision.

2. The revocation of decisions on authorization of science research activities shall proceed as follows:

a) In 02 working days upon being informed by maritime patrol and control units, Vietnamese scientists participating in science research activities and other entities of a foreign entity's violations as stated in Section 1 of this Article, the Ministry of Natural resources and Environment shall send written inquiries to the Ministry of National defense, Ministry of Foreign affairs, Ministry of Public security and Ministry of Science and Technology for their opinions. Moreover, the Ministry of Natural resources and Environment may conduct inspections, if necessary, with maritime law enforcement units. In at most 05 working days upon receiving the written inquiries, such ministries shall provide their viewpoints in writing;

b) In at most 10 working days upon being informed of the violations, the Minister of Natural resources and Environment shall decide to or not to revoke the authorization decision granted to the foreign entity. A decision on revocation is made as per Form No. 08 attached to this Decree;

c) In at most 01 working day upon the issuance of a decision on revocation, the Ministry of Natural resources and Environment shall be responsible for sending such decision to the foreign entity and relevant authorities and organizations. A decision on revocation shall be delivered by hand to the foreign entity and simultaneously be sent via means of maritime communications.

3. Upon its receipt of the decision on revocation of the authorization decision, the foreign entity must immediately terminate science research activities, dismantle and remove research equipment and instruments from the marine waters of Vietnam.

Chapter IV

IMPLEMENTATION

Article 23. Responsibilities of the Ministry of Natural resources and Environment

1. Lead and cooperate with ministries, ministerial-level agencies, governmental agencies, People's Committees in coastal provinces, and relevant organizations to issue, amend, extend, re-issue, suspend or revoke decisions on authorization of foreign entities' science research activities in the marine waters of Vietnam.

2. Lead and cooperate with the Ministry of National defense, ministries, ministerial-level agencies, governmental agencies and People's Committees in coastal provinces to govern foreign entities' science research activities in the marine waters of Vietnam.

3. Cope with violations *intra vires* according to this Decree and relevant laws.

4. Minister of Natural resources and Environment, within its functions, missions and authority vested, shall be responsible for guiding, inspecting and expediting the implementation of this Decree.

Article 24. Responsibilities of ministries, ministerial-level agencies, governmental agencies and People's Committees in coastal provinces

1. Ministers, Heads of ministerial-level agencies, governmental agencies and People's Committees in coastal provinces, within the scope of their missions and authority, shall be responsible for:

a) Providing opinions on the issuance, amendment, extension and revocation of decisions on authorization of science research activities in response to the written inquiries of the Ministry of Natural resources and Environment;

b) Instruct inferior units to inspect and oversee science research activities by foreign entities in the marine waters of Vietnam;

c) Cope with violations *intra vires*; provide information to and cooperate with the Ministry of Natural resources and Environment to handle violations of foreign entities carrying out science research activities in the marine waters of Vietnam according to this Decree and relevant laws.

2. Ministry of National defense, within the scope of its missions and authority vested, shall be responsible for directing in-house patrol and control units to inspect foreign entities' science research activities in accordance with the authorization decisions that competent authorities have issued, amended or extended. Ministry of National defense shall, *intra vires*, detect and deal with violations of foreign entities conducting science research activities in the marine waters of Vietnam or report such matters to competent authorities for their remedies according to this Decree and relevant laws.

3. Ministry of Public security shall be responsible for, *intra vires*, preventing, detecting, fighting, handling or reporting violations of foreign entities conducting science research activities in the marine waters of Vietnam to competent authorities according to this Decree and relevant laws.

4. Competent units of maritime patrol and control, within their functions, missions and authority vested, shall be responsible for inspecting science research activities of foreign entities in the marine waters of Vietnam. Moreover, the units shall tackle with violations *intra vires*.

Article 25. Effect

This Decree comes into force as of July 01, 2016. It replaces the Decree No. 242-HDBT dated August 05, 1991 by the Ministers' Council on foreign entities and equipment entering the marine waters of the Socialist Republic of Vietnam for science research activities.

Article 26. Responsibility for implementation

1. Ministry of Natural resources and Environment shall lead and cooperate with ministries, ministerial-level agencies, governmental agencies and People's Committees in coastal provinces shall implement this Decree.

2. Ministers, Heads of ministerial-level agencies, Heads of governmental agencies, Chairpersons of People's Committees in coastal provinces and relevant entities are responsible for implementing this Decree./.

**FOR THE GOVERNMENT
PRIME MINISTER**

Nguyen Xuan Phuc