

**DECREE No. 74/2003/ND-CP OF JUNE 26, 2003 STIPULATING THE SANCTIONING OF ADMINISTRATIVE VIOLATIONS IN THE ELECTRICITY DOMAIN**

THE GOVERNMENT

*Pursuant to the December 25, 2001 Law on Organization of the Government;*

*Pursuant to the July 2, 2002 Ordinance on Handling of Administrative Violations;*

*At the proposal of the Industry Minister,*

DECREES:

Chapter I

GENERAL PROVISIONS

**Article 1.-** Regulation scope

Administrative violations in the electricity domain means acts of intentional or unintentional violations of law provisions on the State management in the domain of electricity activities and electricity use, which are not crimes and, according to the provisions of law, must be administratively sanctioned, including:

1. Violation of regulations on electricity activity permit.
2. Violation of regulations on building of electricity works, generation, transmission and distribution of electricity.
3. Violation of regulations on electricity supply.
4. Violation of regulations on electricity use.
- 5 Violation of regulations on protection of safety of electricity works and power grid safety protection corridors.

**Article 2.-** Subjects of application

1. Individuals and organizations that commit administrative violation acts in the electricity domain prescribed in Chapter II of this Decree.
2. Foreign individuals and organizations that commit administrative violation acts in the electricity domain in the territory, exclusive economic zones and continental shelf of the Socialist Republic of Vietnam, except otherwise provided for by relevant international treaties which Vietnam has signed or acceded to.
3. Minors who commit administrative violation acts in the electricity domain shall be sanctioned according to the provisions in Article 7 of the Ordinance on Handling of Administrative Violations.

**Article 3.-** Principles for sanctioning administrative violations in the electricity domain

1. The sanctioning of administrative violations in the electricity domain must be effected by the competent persons defined in Chapter III of this Decree strictly according to the provisions of law.
2. All administrative violations in the electricity domain must be promptly detected and immediately stopped. The sanctioning must be conducted in a quick, just and thorough manner. All consequences caused by administrative violations in the electricity domain must be remedied strictly according to the provisions of law.
3. An administrative violation act in the electricity domain shall be sanctioned only once. A person who commits many administrative violations in the electricity domain shall be sanctioned for each violation act. Many persons jointly commit an administrative violation act in the electricity domain shall all be sanctioned therefor.
4. The sanctioning of administrative violations in the electricity domain must be based on the nature and seriousness of the violations, personal identifications and extenuating as well as aggravating circumstances, so as to decide on appropriate sanctioning forms and measures. Extenuating circumstances and aggravating circumstances shall comply with the provisions in Articles 8 and 9 of the Ordinance on Handling of Administrative Violations.
5. Sanction shall not be imposed on administrative violations in the electricity domain in cases of emergency, legitimate self-defense, unexpected events and on administrative violations committed by persons suffering mental diseases or other diseases which render them unable to perceive or control their acts.

**Article 4.-** The statute of limitations for sanctioning administrative violations in the electricity domain and the time limits for being considered not yet having been sanctioned for administrative violations in the electricity domain

1. The statute of limitations for sanctioning an administrative violation in the electricity domain shall be one year, counting from the date such administrative violation is committed. Past the above-mentioned time limit, sanctions shall not be imposed, but the measures prescribed in Clause 3, Article 5 of this Decree shall be applied to remedy consequences caused by administrative violations in the electricity domain.
2. Individuals, who have already been litigated, prosecuted or against whom decisions to bring the cases to trial according to the criminal procedures were issued but later competent agencies have issued decisions to suspend the investigation or suspend the cases, and whose violation acts show signs of administrative violation in the electricity domain, shall be administratively sanctioned; in this case, the statute of limitations for sanctioning administrative violations in the electricity domain shall be three months, counting from the date the persons with sanctioning competence receive the suspension decisions and dossiers of violations.

3. Within the time limits prescribed in Clauses 1 and 2 of this Article, if violating individuals and organizations commit new administrative violations in the electricity domain or intentionally shirk or obstruct the sanctioning, the statute of limitations prescribed in Clauses 1 and 2 of this Article shall not apply. The statute of limitations for sanctioning administrative violations in the electricity domain shall be re-counted as from the time of committing new administrative violations or the time of terminating acts of shirking or obstructing the sanctioning.

4. If individuals and organizations that are sanctioned for their administrative violations in the electricity domain do not relapse into violations within one year as from the date of completely serving the sanctioning decisions or the date when the statute of limitations for executing sanctioning decisions expires, they shall be considered as not yet having been sanctioned for administrative violations in the electricity domain.

**Article 5.-** Forms of sanctioning administration violations in the electricity domain

1. Principal sanctioning forms: For each act of administrative violation in the electricity domain, the violating individuals or organizations shall be subject to one of the following sanctioning forms:

a/ Caution: shall be applied to individuals and organizations committing minor or first-time administrative violations involving extenuating circumstances or for all administrative violations committed by minors aged between full 14 years and under 16 years. Caution shall be decided in writing;

b/ Pecuniary fines: shall be decided on the basis of the nature and seriousness of violations and within the fine bracket prescribed in this Decree for each violation act. Specific fine level for one act of administrative violation in the electricity domain is the average level of the fine bracket for such act; if the violation involves extenuating circumstance(s), the fine level may be reduced but not below the minimum level of the fine bracket; if the violation involves aggravating circumstance(s), the fine level may be higher but must not exceed the maximum level of the fine bracket.

2. Additional sanctioning forms: Depending on the nature and seriousness of violations, organizations and individuals committing administrative violations in the electricity domain may also be subject to the application of one of the following additional sanctioning forms:

a/ Deprivation of the right to use electricity activity permits for a definite or indefinite time;

b/ Confiscation of material evidences and/or means used for committing administrative violations in the electricity domain.

3. Apart from the principal sanctioning forms and the additional sanctioning forms prescribed in Clauses 1 and 2 of this Article, individuals and organizations committing administrative violations in the electricity domain may also be forced to restore the original state already altered due to administrative violations in the electricity domain or forced to dismantle illegal construction works.

Chapter II

ACTS OF ADMINISTRATIVE VIOLATION IN THE ELECTRICITY DOMAIN, SANCTIONING FORMS AND LEVELS

**Article 6.-** Violation of regulations on electricity activity permits

1. A fine of between VND 2,000,000 and 5,000,000 for acts of using the expired electricity activity permits.

2. A fine of between VND 5,000,000 and 10,000,000 for one of the following acts:

a/ Leasing, lending or hiring, borrowing electricity activity permits;

b/ Modifying contents inscribed in electricity activity permits without permission.

3. A fine of between VND 10,000,000 and 20,000,000 for one of the following acts:

a/ Conducting electricity activities without electricity activity permits;

b/ Conducting electricity activities when being suspended from such activities or deprived of the right to use electricity activity permits by competent authorities.

4. Depending on the nature and seriousness of their violations, violating individuals and organizations shall also be deprived of the right to use electricity activity permits for between six months and one year for cases of violation prescribed in Clause 2 of this Article.

**Article 7.-** Violation of regulations on building power works, and electricity generation, transmission and distribution

1. A fine of between VND 300,000 and 700,000 for one of the following acts:

a/ Felling or pruning trees, or dismantling works in contravention of law provisions upon the building, operation and repair of power grids;

b/ Failing to restore the original state of related works altered due to the construction or repair of power works.

2. A fine of between VND 1,000,000 and 3,000,000 for one of the following acts:

a/ Violating regulations on assurance of safety for people and property in the course of renovation, upgrading, repair, construction and installation of power works;

b/ Violating technical rules and processes in the course of electricity generation, transmission and/or distribution, thus causing unsafety to people or damage to property.

3. A fine of between VND 3,000,000 and 7,000,000 for one of the following acts:

a/ Installing without permission systems of power transmission lines and/or stations for purpose of electricity distribution beyond the scope permitted by competent agencies;

b/ Violating law provisions on electricity development investment;

c/ Obstructing organizations and/or individuals from performing the tasks of repairing or constructing power works.

4. A fine of between VND 10,000,000 and 20,000,000 for acts of generating, transmitting or distributing electricity before the competent authorities inspect and certify the satisfaction of the conditions for electricity generation, transmission and distribution.

5. Apart from the principal sanctioning forms against violation acts prescribed in this Article, individuals and organizations committing administrative violations in the electricity domain may also be forced to restore the original state already altered due to violations prescribed at Point b, Clause 1 and Point a, Clause 3, of this Article.

**Article 8.-** Violation of regulations on electricity supply

1. A fine of between VND 100,000 and 300,000 for one of the following acts:

a/ Inspecting the electricity-using organizations and individuals without carrying along professional cards or having inspection decisions of the agencies and units managing the power grid;

b/ Switching on or off electricity not in accordance with the notices.

2. A fine of between VND 300,000 and 500,000 for one of the following acts:

a/ Failing to make written records on pre-acceptance test for hand-over to electricity users as prescribed after installing, replacing, repairing or calibrating electricity metering and counting systems;

b/ Failing to send personnel to check electricity meters five days after the electricity sellers receive requests of electricity buyers for checking the electricity meters;

c/ Failing to announce and publicly post up at transaction offices for electricity sale and purchase the law provisions on the rights and obligations of electricity sellers and buyers, the conditions for signing electricity sale and purchase contracts, the electricity prices and the order and procedures for stopping the electricity supply;

d/ Failing to sign electricity sale and purchase contracts 10 days after the daily-life electricity buyers satisfy the prescribed conditions and agree upon the terms in draft contracts.

3. A fine of between VND 500,000 and 1,000,000 for one of the following acts:

a/ Performing without duty dispatch or task assignment paper and professional card one of the following jobs: repairing or connecting electricity equipment, lines and/or stations of the electricity service or electricity-using organizations and individuals; dismantling, mounting or adjusting electricity meters on power grids;

b/ Failing to deal with incidents two hours after receiving electricity buyers reports on incidents on the power grid managed by the electricity sellers;

c/ Obstructing persons on official duty from checking or inspecting the electricity purchase and sale.

4. A fine of between VND 1,000,000 and 2,000,000 for one of the following acts:

a/ Using without permission power works of electricity buyers to supply electricity to other electricity-using organizations and/or individuals;

b/ Switching off electricity of organizations and/or individuals not subject to regulations on limited electricity use in case of electricity shortage, except where exists the danger of serious breakdowns which may cause unsafety to people and equipment.

5. A fine of between VND 2,000,000 and 5,000,000 for one of the following acts:

a/ Failing to sign economic contracts on electricity purchase and sale 10 days after the electricity buyers satisfy the prescribed conditions and agree upon the terms in draft contracts;

b/ Switching off electricity without making notices according to the order and procedures for electricity supply discontinuation.

6. A fine of between VND 5,000,000 and 10,000,000 for one of the following acts:

a/ Delaying the repair of power grids after breakdowns without plausible reasons;

b/ Using electricity-metering and -counting equipment not yet expertised and sealed up by competent agencies according to the regulations or intentionally using the electricity-metering and -counting system with errors exceeding the prescribed level.

7. A fine of between VND 15,000,000 and 30,000,000 for acts of abusing professions to harass electricity-using organizations and individuals for the self-seeking purpose.

**Article 9.-** Violation of regulations on electricity use

1. A fine of between VND 100,000 and 300,000 for act of obstructing competent persons to inspect the electricity use.

2. A fine of between VND 300,000 and 700,000 for one of the following acts:

a/ Switching electricity on or off, repairing or replacing without permission electric equipment and power works of electricity sellers;

b/ Moving without permission or deviating the electricity-metering and counting system (including seals thereon and the connection diagram), electric equipment and power works of the electricity sellers;

c/ Unintentionally causing breakdowns in the electricity sellers power system;

d/ Using perturbing equipment, thus damaging or deviating data-transmitting, metering and protecting equipment of the power system.

3. A fine shall be imposed for acts of stealing electricity in any form in service of daily life and consumption:

a/ A fine of between VND 200,000 and 400,000 for act of stealing an electricity amount of under 100 kWh;

b/ A fine of between VND 300,000 and 700,000 for act of stealing an electricity amount of between 100 kWh and under 200 kWh;

c/ A fine of between VND 1,000,000 and 2,000,000 for act of stealing an electricity amount of between 200 kWh and under 300 kWh;

d/ A fine of between VND 2,000,000 and 3,000,000 for act of stealing an electricity amount of between 300 kWh and under 400 kWh;

e/ A fine of between VND 3,000,000 and 5,000,000 for act of stealing an electricity amount of between 400 kWh and under 500 kWh.

4. A fine of between VND 3,000,000 and 5,000,000 for one of the following acts:

a/ Energizing electricity for use without permission before the pre-acceptance test and hand-over of the electricity buyers electricity-using works or during the time of electricity supply suspension for violations of regulations on electricity use;

b/ Additionally using power sources other than sources already permitted for use without the electricity sellers permission in cases where electricity is used for production, business and/or service;

c/ Selling electricity to other organizations and/or individuals without the electricity sellers consents;

d/ Using electricity to catch fish, trap rats, prevent burglary, protect assets or cash crops, or other acts of violating the regulations on safety in electricity use.

5. A fine shall be imposed for acts of stealing electricity in any form for purposes other than those prescribed in Clause 3 of this Article:

a/ A fine of between VND 5,000,000 and 7,000,000 for act of stealing an electricity amount of under 100 kWh;

b/ A fine of between VND 7,000,000 and 10,000,000 for act of stealing an electricity amount of between 100 kWh and under 200 kWh;

c/ A fine of between VND 10,000,000 and 15,000,000 for act of stealing an electricity amount of between 200 kWh and under 300 kWh;

d/ A fine of between VND 15,000,000 and 20,000,000 for act of stealing an electricity amount of between 300 kWh and under 400 kWh;

e/ A fine of between VND 20,000,000 and 30,000,000 for act of stealing an electricity amount of between 400 kWh and under 500 kWh.

6. Depending on the nature and seriousness of their violations, the violating individuals and organizations shall also have the material evidences and means used in violations confiscated for the violations prescribed in Clauses 2, 3 and 5 of this Article.

7. Apart from the principal sanctioning forms and additional sanctioning forms against violation acts prescribed in this Article, individuals and organizations committing administrative violations in the electricity domain may also be forced to restore the original state altered due to their violations as prescribed in Clauses 2, 3, 4 and 5 of this Article.

**Article 10.-** Violation of regulations on protection of safety of power works and power grid safety protection corridors

1. Caution or a fine of between VND 50,000 and 150,000 for the act of climbing up electric poles or entering power stations without assigned duties.

2. A fine of between VND 100,000 and 300,000 for one of the following acts:

a/ Flying kites or balloons, flying radio-controlled model aeroplanes or other flying objects within the space of power work protection or the power grid safety protection corridors; tying cattle, means or tools to electric poles or fences of power stations;

b/ Mounting antennae, clotheslines, illuminated signboards and advertising lamps or other appliances within the space of power work protection or the power grid safety protection corridor or at positions where such objects, if breaking and falling, can cause unsafety to power lines or other parts of power works, and danger to people life;

c/ Felling trees, planting trees or pruning branches not according to regulation within the space of power work protection or the power grid safety protection corridors;

d/ Felling trees or pruning branches outside the space of power work protection or the power grid safety protection corridors without taking safety measures, thus letting trees hit power lines or other parts of power works.

3. A fine of between VND 300,000 and 700,000 for acts of causing unsafety to foundations or fences of power stations, electric poles or other structures and parts of power works.

4. A fine of between VND 1,000,000 and 2,000,000 for one of the following acts:

a/ Failing to put up systems of signboards, signal lamps, indications of dangerous areas at positions of power works according to regulations or failing to put up land markers or signs along underground cable lines;

b/ Piling or storing inflammable or explosive materials outside the space of power work protection or the power grid safety protection corridors in violation of regulations on fire and explosion safety, thus affecting the safety of power works;

c/ Building huts, stalls, houses or other works which affect the water drainage, cover ventilation windows or blocking the access to power stations.

5. A fine of between 2,000,000 and 4,000,000 for one of the following acts:

a/ Piling or storing inflammable or explosive materials within the space of power work protection or the power grid safety protection corridors;

b/ Burning forests for terraced fields and milpas or burning other materials in violation of regulations on protection of power work safety and the power grid safety corridors;

c/ Using parts or structures of power works for other purposes without permission of competent units managing the power works;

d/ Using tools and means of a height exceeding the safety distance prescribed by law for protection of safety of high-tension power lines;

e/ Removing, erasing, hiding or damaging restriction signs, signboards, safety signals at electric poles or within the space of power work protection or the power grid safety protection corridors, power stations and power plants;

f/ Causing damage to electric poles, power lines, ceramic insulators, anti-lightning lines, earthing lines, power cables and other parts and structures of power works for a voltage of under 1 kV.

6. A fine of between VND 3,000,000 and 6,000,000 for acts of damaging electric poles, power lines, ceramic insulators, anti-lightning lines, earthing lines, power cables and other parts and structures of power works of a voltage of between 1 kV and 110 kV.

7. A fine of between VND 4,000,000 and 8,000,000 for acts of damaging electric poles and wire, ceramic insulators, anti-lightning lines, earthing lines, stay wires, power cables and other parts and structures of power works of a voltage of over 110 kV.

8. A fine of between VND 5,000,000 and 10,000,000 for one of the following acts:

a/ Building, upgrading or renovating dwelling houses, building huts, stalls or other works in violation of regulations on protection of safety of power works and corridors for protection of safety of high-tension power grids;

b/ Failing to satisfy the safety conditions for lawful dwelling houses and construction works allowed to stay within the corridor for protection of safety of high-tension power grids according to the regulations;

c/ Constructing underground works or dredging river or lake beds within the corridor for protection of safety of underground power cable lines without obtaining consents of the agencies managing power works;

d/ Discharging waste matters or waste water containing corrosive substances within the corridor for protection of safety of underground power cable lines;

e/ Blasting in violation of regulations on protection of safety of power works and corridors for protection of safety of power grids;

f/ Failing to ensure the safety distance prescribed by law upon designing, building or repairing power works;

g/ Using electricity as a direct protection means not in compliance with regulations and permission of competent agencies.

9. A fine of between VND 10,000,000 and 20,000,000 for acts of digging holes, driving piles, anchoring ships or other acts of encroaching upon corridors for protection of underground power cable lines where signboards or signals have already been put up.

10. A fine of between VND 20,000,000 and 30,000,000 for acts of building ports, houses and other works within the space for protection of power plants or corridors for protection of underground cable lines where signboards or signals have already been put up.

11. Depending on the nature and seriousness of their violations, the violating individuals and organizations shall also have the material evidences and means used in violations confiscated, for acts prescribed in Clauses 2 and 3; Point b, Clause 4; Points a, d and f, Clause 5; Clauses 6 and 7; Point c, Clause 8; Clauses 9 and 10 of this Article.

12. Apart from the principal sanctioning forms and additional sanctioning forms against violation acts prescribed in this Article, individuals and organizations committing administrative violations in the electricity domain may also be subject to the application of the following consequence-remediating measures:

a/ Forced dismantlement of illegally constructed works, for administrative violations in the electricity domain prescribed at Point b, Clause 2; Point c, Clause 4; Point c, Clause 5; Points a and f, Clause 8 and Clause 10 of this Article;

b/ Forced restoration of the original state already altered due to violations of the provisions at Point c, Clause 2; Clause 3; Point c, Clause 4; Points c, e and f, Clause 5; Clauses 6, 7 and 10 of this Article.

### Chapter III

#### COMPETENCE AND PROCEDURES FOR SANCTIONING ADMINISTRATIVE VIOLATIONS IN THE ELECTRICITY DOMAIN

##### **Article 11.-** Sanctioning competence of presidents of Peoples Committees of all levels

Presidents of the Peoples Committees of all levels are competent to sanction administrative violations in the electricity domain in localities under their respective management, specifically as follows:

1. Presidents of the commune-level Peoples Committees are competent to:

a/ Give cautions;

b/ Impose fines of up to VND 500,000;

c/ Confiscate material evidences and means used in committing administrative violations in the electricity domain and valued at up to VND 500,000;

d/ Force the restoration of the original state already altered due to administrative violations in the electricity domain.

2. Presidents of the district-level Peoples Committees are competent to:

a/ Give cautions;

b/ Impose fines of up to VND 20,000,000;

c/ Confiscate material evidences and means used in committing administrative violations in the electricity domain;

d/ Force the restoration of the original state already altered due to administrative violations in the electricity domain;

e/ Force the dismantlement of works illegally constructed or constructed at variance with permits and in violation of law provisions on electricity activities.

3. Presidents of the provincial-level Peoples Committees are competent to:

a/ Give cautions;

b/ Impose fines of up to VND 30,000,000;

- c/ Deprive of the right to use electricity activity permits granted by the Peoples Committees of the provinces and centrally-run cities;
- d/ Confiscate material evidences and means used in committing administrative violations in the electricity domain;
- e/ Force the restoration of the original state already altered due to administrative violations in the electricity domain;
- f/ Force the dismantlement of works illegally constructed or constructed at variance with permits and in violation of law provisions on electricity activities.

**Article 12.-** Sanctioning competence of the Electricity Inspectorate

The Electricity Inspectorate of the Industry Ministry is competent to sanction acts of administrative violation in the electricity domain nationwide. The electricity inspectorates of the Industry Services of the provinces and centrally-run cities are competent to sanction administrative violations in the electricity domain committed in the localities under their respective management. Electricity inspectorates competence to sanction administrative violations in the electricity domain is specified as follows:

1. Electricity inspectors on duty are competent to:

- a/ Give caution;
- b/ Impose fines of up to VND 200,000;
- c/ Confiscate material evidences and means used in committing administrative violations in the electricity domain and valued at up to VND 2,000,000;
- d/ Force the restoration of the original state already altered due to administrative violations in the electricity domain.

2. Electricity chief inspectors of provincial/municipal Industry Services are competent to:

- a/ Give caution;
- b/ Impose fines of up to VND 20,000,000;
- c/ Confiscate material evidences and means used in committing administrative violations in the electricity domain;
- d/ Force the restoration of the original state already altered due to administrative violations in the electricity domain;
- e/ Force the dismantlement of works illegally constructed or constructed at variance with permits and in violation of law provisions on electricity activities.

3. The Electricity Chief Inspector of the Industry Ministry is competent to:

- a/ Give caution;
- b/ Impose fines of up to VND 30,000,000;
- c/ Deprive of the right to use electricity activity permits granted by the Industry Ministry or the Peoples Committees of the provinces and centrally-run cities;
- d/ Confiscate material evidences and means used in committing administrative violations in the electricity domain;
- e/ Force the restoration of the original state already altered due to administrative violations in the electricity domain;
- f/ Force the dismantlement of works illegally constructed or constructed at variance with permits and in violation of law provisions on electricity activities.

**Article 13.-** Sanctioning competence of other forces

Besides the persons defined in Articles 11 and 12 of this Decree, the following competent persons, when detecting acts of administrative violation in the electricity domain prescribed in this Decree committed in the domains or localities under their respective management, shall be competent to sanction them, specifically as follows:

1. Peoples policemen on duty are competent to sanction administrative violations in the electricity domain prescribed at:

- a/ Point a, Clause 1, Article 7;
- b/ Point c, Clause 3, Article 8;
- c/ Clauses 1, 3 and 5, Article 9;
- d/ Clauses 1, 2 and 3; Points b and c, Clause 4; Points a, b, c, e and f, Clause 5; Clauses 6 and 7; Points e and g, Clause 8; Clauses 9 and 10, Article 10.

2. Construction inspectors are competent to sanction administrative violations in the electricity domain prescribed at:

- a/ Point a, Clause 2, Article 7;
- b/ Clause 3, Points a and c, Clause 8, and Clause 10, Article 10.

3. Environment inspectors are competent to sanction administrative violations in the electricity domain prescribed at Point d, Clause 8, Article 10.

**Article 14.-** Authorization and principle for determination of competence to sanction administrative violations in the electricity domain

1. Authorization of competence to sanction administrative violations in the electricity domain shall comply with the provisions in Article 41 of the Ordinance on Handling of Administrative Violations.

2. Principle for determining competence to sanction administrative violations in the electricity domain shall comply with Article 42 of the Ordinance on Handling of Administrative Violations.

**Article 15.-** Procedures for sanctioning administrative violations in the electricity domain

1. Procedures and order for sanctioning administrative violations in the electricity domain shall comply with the provisions of the Ordinance on Handling of Administrative Violations.

2. Documents related to the sanctioning of administrative violations in the electricity domain must be fully kept at the sanctioning agencies. Written records on administrative violations shall be made according to the form prescribed in this Decree, except for cases where the handling proceeds according to the simple procedures prescribed in Article 54 of the Ordinance on Handling of Administrative Violations.

3. The fined individuals and organizations shall have to pay fines in time and at the places indicated in sanctioning decisions except for cases where they have paid fines on the spot according to Articles 54 and 58 of the Ordinance on Handling of Administrative Violations and already received fine collection receipts. The collection of fines must be made with receipts issued by the Finance Ministry according to the current regulations.

The Finance Ministry shall assume the prime responsibility and coordinate with the Industry Ministry in guiding the collection and use of fines for acts of administrative violation in the electricity domain.

4. The procedures for depriving of the right to use electricity activity permits shall comply with the provisions in Article 59 of the Ordinance on Handling of Administrative Violations.

When applying the form of confiscation of material evidences and means used in violations, the persons with sanctioning competence shall have to strictly comply with the provisions in Articles 60 and 61 of the Ordinance on Handling of Administrative Violations.

**Article 16.-** Abiding by sanctioning decisions and forced execution of decisions on sanctioning administrative violations in the electricity domain

1. Individuals and organizations sanctioned for their administrative violations in the electricity domain under this Decree shall have to strictly abide by sanctioning decisions within 10 days after being handed such sanctioning decisions, except otherwise provided for by law. If sanctioned individuals and organizations fail to voluntarily abide by sanctioning decisions, they shall be forced to execute them according to Article 66 of the Ordinance on Handling of Administrative Violations.

2. When applying the measures to force the execution of decisions on sanctioning administrative violations in the electricity domain, the competent agencies and persons shall have to comply with the order and procedures for forcing execution prescribed in Articles 66 and 67 of the Ordinance on Handling of Administrative Violations.

Chapter IV

SETTLEMENT OF COMPLAINTS AND DENUNCIATIONS AND HANDLING OF VIOLATIONS

**Article 17.-** Complaints and denunciations about decisions on sanctioning administrative violations in the electricity domain, and settlement thereof

1. Individuals and organizations sanctioned for administrative violations in the electricity domain or their lawful representatives have the right to lodge complaints about or initiate lawsuits against the sanctions against them according to the provisions of law.

2. All citizens have the right to denounce to the competent State agencies about administrative violations in the electricity domain, committed by individuals and organizations, as well as acts of violation committed by the persons competent to sanction administrative violations in the electricity domain.

3. The competence, procedures, order and time limit for settling complaints and denunciations and for initiating administrative lawsuits shall comply with the provisions of the Law on Complaints and Denunciations and the January 5, 1999 Ordinance on Handling of Administrative Violations (amended).

**Article 18.-** Handling of violations committed by persons competent to sanction and persons sanctioned for administrative violations in the electricity domain

1. Persons competent to sanction administrative violations in the electricity domain, who commit acts of harassing for bribes, tolerating or covering up violations, failing to handle or handling violations not in time, inadequately or beyond their vested competence, misappropriating or illegally using money, material evidences and means used in violations shall, depending on the nature and seriousness of their violations, be disciplined or examined for penal liability. If material damage is caused, compensations therefor must be made according to the provisions of law.

2. Persons sanctioned for administrative violations in the electricity domain, who commit acts of opposing persons on official duty, delaying or shirking the execution of sanctioning decisions or commit other acts of violation shall, depending on the nature and seriousness of their violations, be sanctioned for administrative violations according to the Governments Regulations on sanctioning of administrative violations in the domain of security and order, or examined for penal liability. If material damage is caused, compensations therefor must be made according to the provisions of law.

Chapter V

IMPLEMENTATION PROVISIONS

**Article 19.-** Implementation effect

This Decree takes effect 15 days after its publication in the Official Gazette. The previous stipulations on sanctioning of administrative violations in the electricity domain, which are contrary to this Decree, shall all be hereby annulled.

**Article 20.-** Implementation organization

The ministers, the heads of the ministerial-level agencies, the heads of the agencies attached to the Government and the presidents of the Peoples Committees of the provinces and centrally-run cities shall have to implement this Decree.

On behalf of the Government

Prime Minister  
*PHAN VAN KHAI*

**THE GOVERNMENT**  
**PRIME MINISTER**  
(Đã ký)

**Phan Van Khai**