

NATIONAL ASSEMBLY

THE SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

Law No. 61/2024/QH15

Hanoi, November 30, 2024

LAW

ON ELECTRICITY

Pursuant to the Constitution of the Socialist Republic of Vietnam;

The National Assembly hereby promulgates the Law on Electricity.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Law provides for electricity development planning and investment in construction of electricity projects; development of renewable energy power and new energy power; electricity licenses; competitive electricity market, electricity trading activities; dispatch and operation of national power system; protection of electricity works and safety in the field of electricity; responsibilities, rights and obligations of agencies, organizations and individuals in electricity activities and electricity use; state management of electricity.

Article 2. Regulated entities

This Law applies to agencies, organizations and individuals conducting electricity activities, using electricity or engaged in other electricity-related activities in Vietnam.

Article 3. Application of laws

1. Where regulations on any of the following issues in this Law are different from those laid down in other laws promulgated before the effective date of this Law, regulations of this Law shall apply:

- a) Authority to approve investment guidelines of electricity projects as prescribed in clauses 2, 3 and 4 Article 13 of this Law;
- b) Specific regulations on investment in construction of emergency electricity projects and works as prescribed in Article 15 of this Law;

c) Selection of investors in electricity business investment projects as prescribed in Articles 18 and 19 of this Law;

d) Regulations on development of offshore wind power as prescribed in Section 2 Chapter III of this Law.

2. Where a law promulgated after the effective date of this Law contains specific regulations on investment contradicting regulations of this Law, the former is required to specify the cases to which its regulations apply and the cases to which this Law applies.

Article 4. Definitions

For the purposes of this Law, the terms below shall be construed as follows:

1. “*safety of hydropower works*” means any solution for preventing and combating the impacts of hazardous factors to hinder harmful impacts and ensure safety of dams, reservoirs, energy routes, hydropower plants and auxiliary works in the process of surveying, designing, constructing, managing, exploiting and operating hydropower works.

2. “*electrical safety*” means any solution for preventing and combating the impacts of hazardous factors to hinder harmful impacts and ensure safety for persons, equipment, and works in the process of producing, transmitting, distributing, and using electricity.

3. “*electricity wholesaling*” means the sale of electricity by one electric utility to another for resale to a third party.

4. “*electricity retailing*” means the sale of electricity by one electric utility to electricity consumers.

5. “*avoided cost tariff*” means the prices calculated according to the avoided costs on the national power system per 01 kWh fed to the national grid by a small renewable energy power plant.

6. “*electricity price cross-subsidy*” means a mechanism for fixing a retail electricity price for each group of electricity consumers to apply a unified electricity retail tariff.

7. “*voltage level*” means one of the values of nominal voltage used in the power system, including:

a) Low voltage which is a nominal voltage up to 01 kV;

b) Medium voltage which is a nominal voltage above 01 kV and not exceeding 35 kV;

c) High voltage which is a nominal voltage above 35 kV and not exceeding 220 kV;

d) Ultra high voltage which is a nominal voltage above 220 kV.

8. “*avoided cost*” means the cost of generating 01 kWh by generating sets with the highest cost in the national power system which could have been avoided if 01 kWh was bought from an alternative small hydropower plant.

9. “*electricity work*” means a combination of facilities, machinery, equipment and construction structures in direct service of electricity generation, electricity transmission, electricity distribution, power system dispatch, electricity trading and system for protection of electricity works.

10. “*electricity retail tariff structure*” means a table of percentages (%) of the average retail electricity prices intended for calculating the specific retail electricity price for each group of electricity consumers.

11. “*ancillary service*” means any technical service necessary to maintain the stable and reliable operation of the national power system, including frequency adjustment, quick start, must-run operation, voltage adjustment, black start and other related technical services as prescribed by the Minister of Industry and Trade.

12. “*electricity project*” means an investment project as prescribed by law, including a set of proposals for use of capital use for investment, construction, renovation and business of electricity works in a specific locality or region and within a specified period of time. Power source project means a project on investment in construction of a power plant or electrical grid synchronously connected to the national power system (if any).

13. “*new energy power*” means power produced from one or more of the following sources:

a) Hydrogen produced from the power sources specified in points a, b, c and d clause 14 of this Article (hereinafter referred to as “green hydrogen”);

b) Ammonia produced from the power sources specified in points a, b, c and d clause 14 of this Article (hereinafter referred to as “green ammonia”);

c) Other new forms of energy as prescribed by law.

14. “*renewable energy power*” means power produced from one or more of the following primary energy sources:

a) Solar energy;

b) Wind energy;

c) Ocean energy, including tides, waves and ocean currents;

d) Geothermal energy;

e) Energy obtained from water power, including hydropower;

e) Biomass energy including biofuels and other forms of energy derived from plants;

g) Energy from waste generated from production, business and daily activities, except for waste generated from production and business processes using fossil fuels and waste identified as hazardous according to regulations of law on environmental protection;

h) Other forms of renewable energy as prescribed by law.

15. “*self-produced and self-consumed electricity*” means electricity produced and consumed by an organization or individual at the location of electricity use to meet the needs of that organization or individual.

16. “*power system dispatching*” means the commanding and control of the process of electricity generation, electricity transmission, electricity distribution within the national power system according to determined technical processes, regulations and operation method.

17. “*regulation of electricity market transactions*” means the management and regulation of transactions in trading of electricity and ancillary services on the competitive electricity market.

18. “*electricity regulation*” means the impact exerted by the State on electricity activities and competitive electricity market with a view to supplying electricity safely, stably and qualitatively, using electricity economically and efficiently and ensuring fairness, transparency and law compliance.

19. “*electric utility*” means an organization or individual carrying out electricity generation, electricity transmission, electricity distribution, power system dispatching and operation, regulation of electricity market transactions, electricity wholesaling and retailing or other relevant activities.

20. “*average retail electricity price*” means the retail electricity price being defined according to the principle of calculating sum of electricity trading and production cost and average profit level for 01 kWh of commercial electricity from time to time.

21. “*wholesale electricity price*” means the price at which the electricity of an electric utility is sold to another for resale to the third party.

22. “*retail electricity price*” means the price at which the electricity of an electric utility is sold to electricity consumers.

23. “*electricity prices and electricity-related service prices*” means wholesale electricity prices, retail electricity prices and prices of electricity generation service, electricity transmission service, ancillary services for power system, power system dispatch and operation service, electricity market transaction regulation service and electricity distribution service.

24. “*prices of ancillary services for power system*” means the prices which an electricity generation unit charges for ancillary services for power system.

25. “*price of electricity generation service*” means the price at which the electricity of an electricity generation unit is sold to an electricity buyer.
26. “*price of power system dispatch and operation service*” means the price charged by a power system dispatch unit to perform the tasks related to power system dispatch and operation.
27. “*price of electricity market transaction regulation service*” means the price charged by an electricity market transaction regulation unit to perform the tasks related to competitive electricity market transaction regulation.
28. “*price of electricity distribution service*” means the price charged by an electricity distribution unit to conduct activities related to electricity distribution.
29. “*price of electricity transmission service*” means the price charged by an electricity transmission unit to conduct activities related to electricity transmission.
30. “*national power system*” means a system of electricity generating equipment, electrical grids and auxiliary equipment which are connected and uniformly controlled nationwide.
31. “*energy storage system*” means a set of devices for receiving electricity from power sources, storing energy and generating electricity.
32. “*electricity activities*” means activities of agencies, organizations or individuals in the fields of electricity development planning, investment in electricity development, electricity generation, electricity transmission, electricity distribution, power system dispatch and operation, regulation of competitive electricity market transactions, electricity wholesaling and retailing and other relevant activities.
33. “*electricity forward contract*” means a written agreement between parties to buy or sell electricity at a specific future time at an agreed price.
34. “*power purchase agreement (PPA)*” means a written agreement between an electricity buyer and an electricity seller that is intended for the purchase and sale of electricity.
35. “*options contract to buy or sell electricity*” means a written agreement between parties whereby the buyer has the right to buy or sell electricity output at a specific future time at a predetermined price and must pay a certain amount of money to buy this right.
36. “*electricity futures contract*” means an electricity forward contract whose main terms are standardized as per regulations of this Law and listed on a central exchange in the forward electricity market.
37. “*electricity consumer*” means an agency, organization or individual that buys electricity for use and does not resell the electricity bought to another agency, organization or individual.

38. “*large electricity consumer*” means a consumer that uses electricity with large power and consumption as prescribed by the Minister of Industry and Trade in a manner that is appropriate to each period of power system development.

39. “*electricity price bracket*” means a range between the minimum price and the maximum price.

40. “*wholesale electricity price bracket*” means a range between the minimum wholesale electricity price and the maximum wholesale electricity price.

41. “*electricity generation price bracket*” means the average electricity generation price bracket over the life cycle of a power plant project which ranges between the minimum average price and the maximum average price.

42. “*inspection of technical safety of electrical equipment and instruments*” means a technical activity following a certain process in order to evaluate and confirm the conformity of the electrical equipment and tools in respect of their safety with the corresponding standards and technical regulations on electrical safety before putting them into use, during their use and operation.

43. “*electrical grid*” means a system of overhead power lines or underground power cables, transformers and auxiliary equipment for electricity transmission, including transmission grid and distribution grid.

44. “*power plant*” means a combination of one or more equipment, machinery and structures intended for producing electricity.

45. “*small renewable energy power plant*” means a renewable energy power plant with a capacity determined by the Ministry of Industry and Trade for each period.

46. “*long-term minimum contracted electricity output*” means the lowest electricity output specified in the PPA, electricity forward contract, options contract to buy or sell electricity or electricity futures contract.

47. “*competitive electricity market*” means where participants in the competitive electricity market compete to buy or sell electricity or provide services through the national power system to optimize economic efficiency, ensure transparency and improve the quality of electricity supply.

48. “*spot electricity market*” means a market where electricity is bought or sold in cycles of transactions conducted by the electricity market transaction regulation unit according to regulations at competitive electricity market levels.

49. “*forward electricity market*” means a market where electricity output specified in the PPA, electricity forward contract, options contract to buy or sell electricity or electricity futures contract is bought or sold.

50. “*electricity metering devices*” means those used for measuring the power, amount of electric energy, electric current, voltage, frequency, power factor, including electricity meters, and accompanying equipment and accessories.

51. “*electricity theft*” means an act of illegally taking electricity without meter meters, tampering with an electricity meter and other electrical equipment related to electricity metering, deliberately recording or collaborating in recording electricity meter readings and other acts of deliberately reflecting incorrect electricity consumption data.

Article 5. State’s policies on electricity development

1. The State promulgates policies on development and investment in the construction of the electricity sector to ensure the requirement of being an important infrastructure industry so as to serve the socio-economic development and people's life, sustainable development on the basis of optimal exploitation of all resources, meet the demand for electricity to serve the people's life and socio-economic development with stable, safe and economic quality, civilized services, environmental protection, thus contributing to the maintenance of national defense, security and energy security.

2. The State holds monopoly in the following activities for the purpose of ensuring national energy security:

a) Dispatching the national power system;

b) Investing in the construction and operation of projects on nuclear power plants, multi-purpose strategic hydropower plants and important transmission grids with a voltage of 220 kV or more according to a list decided by the Prime Minister;

c) Operating transmission grids, except for transmission grids invested in and built by non-State economic sectors.

3. Policies on development of electricity in rural areas, ethnic minority areas, mountainous areas and border areas, on islands and in extremely disadvantaged areas include:

a) Prioritizing the allocation of state budget, mobilizing domestic and foreign resources for investment in developing power sources and electrical grids to ensure safe, regular and reliable electricity supply to households and serve socio-economic development, national defense and security in the locality;

b) Investment and financial incentives and other incentives and support for domestic and foreign organizations and individuals building power source works and electrical grids, and supply of commercial electricity to households in a sustainable and effective manner.

4. All economic sectors are attracted to participate in investment in the construction of power source works and electrical grids according to power development planning (hereinafter referred to as “PDP”), electricity supply network development schemes in provincial planning, plans to

implement PDP, electricity generation and distribution, electricity wholesaling and retailing. Non-State economic sectors are permitted to operate electrical grids which they invest and build in accordance with law.

5. Electricity projects funded by official development assistance (ODA) capital, concessional loans from foreign donors of enterprises 100% of charter capital of which is held by the State (hereinafter referred to as “wholly state-owned enterprises”) or enterprises 100% of charter capital of which is held by these enterprises acting as investors on the State's investment priorities list may receive on-lent loans and the on-lending agencies shall not incur any credit risk in accordance with the Law on Public Debt Management.

6. A mechanism is in place to develop electricity projects appropriate to the level of the competitive electricity market on the basis of ensuring national energy security and national financial security, guarding the interests of the State and the People, and ensuring macroeconomic stability from time to time, including: long-term minimum contracted electricity output and application period, principles of calculating electricity prices, guarantee for execution of investment projects, and the duration of the policy in each case.

7. Power plants using fossil fuels are encouraged to carry out the conversion to low-emission fuel sources, install carbon capture equipment and systems to reduce emissions into the environment, protecting the interests of the State, the legitimate rights and interests of enterprises and employees; to develop coal-fired power at a reasonable level in the direction of prioritizing large-capacity and high-efficiency sets using advanced and modern technology; ensuring compliance with the law on environmental protection.

8. Regarding policies on development of gas-fired thermal power:

a) Priority is given to the development of gas-fired thermal power using domestic gas sources and rapid development of gas-fired thermal power using liquefied natural gas to gradually turn gas-fired power into an important source of electricity supply, thereby supporting the regulation of the power system;

b) A mechanism is in place to mobilize thermal power projects using domestic natural gas to the maximum according to the gas supply capacity and fuel constraints to maintain the harmony of the overall interests of the country;

c) A mechanism is in place to develop thermal power plants using liquefied natural gas as prescribed in clause 6 of this Article; priority is given to the development of power projects associated with the common use of infrastructure of liquefied natural gas import terminals and gas pipelines to reduce electricity production costs.

9. Regarding policies on development of renewable energy power and new energy power:

a) Renewable energy power and new energy power are developed in a manner that is suitable for the capacity for ensuring the safety power system safety at reasonable electricity prices, in sync

with the development of electrical grids and the PDP and appropriate to the technological level and human resources, and meets Vietnam's emission reduction targets from time to time;

b) Mechanisms for providing incentives and support are tailored for each type of power source, including small hydropower projects determined in accordance with law, in accordance with the requirements for socio-economic development from time to time. Policies on incentives and supports and breakthrough mechanisms are also tailored for the development offshore wind power; the investment in projects participating in the competitive electricity market is encouraged.

10. Regarding policies on nuclear power development:

a) Nuclear PDP must be contiguous, synchronous and consistent with electricity development planning to achieve the objective of ensuring electricity supply security.

b) Investment in the construction, operation, termination of operation and safety assurance of nuclear power plants must comply with regulations of the Law on Atomic Energy and other relevant laws.

11. A competitive and State-regulated electricity market shall be built and developed in such a manner as to improve the efficiency of electricity activities. The operational efficiency of state-owned enterprises in the electricity sector shall be restructured, renovated and improved in a manner that is appropriate to the competitive electricity market level according to the following principles:

a) Separate the functions of production, business and service provision from the functions of state management; separate activities with natural exclusivity and state monopoly from competitive activities in the power generation line to form independent service providers, form many power generating units and many electricity wholesalers and retailers so as to increase the number of participants and boost the efficiency of the electricity market;

b) Focus on the core sectors and strengths of state-owned enterprises operating in the electricity sector; optimize the use of resources and increase business value; supply electricity to islands, border areas, disadvantaged areas and extremely disadvantaged areas, and ensure national defense and security.

12. Regarding policies on electricity prices and electricity-related service prices:

a) Ensure reasonable and valid reflection of electricity production and trading expenses of electric utilities; enable economic sectors to invest in electricity development with reasonable profits, save energy resources, use forms of renewable energy and new forms of energy in electricity activities, contributing to promoting socio-economic development, especially in rural areas, ethnic minority areas, mountainous areas and border areas, on islands and in extremely disadvantaged areas with;

- b) The electricity selling price shall comply with the State-regulated market mechanism in a manner that is suitable for the level of the competitive electricity market;
- c) Electricity prices shall be set in such a manner as to encourage efficient and economical use of electricity;
- d) Implement a rational and gradually decreasing electricity retail tariff structure, progress towards the elimination of the electricity price cross-subsidy among groups of consumers who do not participate in the competitive retail electricity market when they are yet to be eligible to participate in or do not choose to participate in electricity trading on the competitive retail electricity market;
- dd) Gradually reduce and progress towards the elimination of the electricity price cross-subsidy among consumer groups and regions in a manner that is appropriate to the level of the competitive electricity market;
- e) Retain the right to self-determine electricity purchasing prices and electricity selling prices in a manner that does not exceed the electricity price bracket and electricity retail tariff structure prescribed by the State;
- g) Protect the legitimate rights and interests of electric utilities and electricity consumers. Apply electricity prices in a way that ensures publicity, transparency, equality and non-discrimination between electric utilities;
- h) Tailor an appropriate electricity price mechanism for specific groups of consumers under the State's guidelines in a way that is suitable for the socio-economic development situation from time to time.

13. Regarding State's subsidies on electricity bills:

- a) The state budget shall provide subsidies on electricity bills for domestic purposes for poor households and households with social policies according to the criteria and mechanisms prescribed by the Prime Minister in accordance with the socio-economic situation from time to time;
- b) The Government shall promulgate a plan to reduce electricity bills in case of incidents or disasters in accordance with the Law on Civil Defense in order to stabilize socio-economic development.

Article 6. Responsibility for state management of electricity

1. The Government shall perform uniform state management of electricity nationwide.
2. The Ministry of Industry and Trade shall act as a conduit to assist the Government in performing uniform state management of electricity.

3. Ministries and ministerial agencies shall, within their jurisdiction, cooperate with the Ministry of Industry and Trade in performing state management of electricity in accordance with this Law and as assigned by the Government.

4. People's Committees at all levels shall, within their jurisdiction, perform state management of electricity in their localities.

Article 7. International cooperation in the electric power sector

1. International cooperation in the electric power sector must be consistent with Vietnam's foreign policies and guidelines; adhere to the principles of peace, cooperation, friendship and mutual development on the basis of respect for national independence, sovereignty, territorial integrity, non-interference in each other's internal affairs, equality and mutual benefit and conform to the Constitution and laws of Vietnam and treaties to which the Socialist Republic of Vietnam is a signatory.

2. International cooperation in the electric power sector shall mainly include:

- a) Promoting international cooperation in technology transfer, research and development in the electric power sector;
- b) Providing training to improve quality of human resources in the electric power sector;
- c) Promoting cooperation in financial investment and exchange of information and data in the electric power sector and participating in international agreements and treaties in the electric power sector in accordance with law.

Article 8. Application of science and technology and development of manufacturing industry in the electric power sector

1. Application of science and technology in the electric power sector and electricity use is meant to save and increase the efficiency of energy sources, protect the environment, protect the protection corridors of electricity works, ensure electrical safety and safety of hydropower dams and reservoirs.

2. Important items, equipment and consulting services intended for maintaining continuous electricity supply and ensuring national energy security must be produced and supplied domestically at some stages. Encourage and support the development of technological research, design, manufacturing, installation and service industries in the electric power sector to meet domestic demand at the maximum, aiming for export. Prioritize the development of electrical equipment manufacturing and electrical services industries. Properly fulfil specific requirements and targets on domestic content in the electric power industry. Encourage the development of large-scale domestic enterprises having advanced technology and capability to execute complex projects requiring high technical requirements in the electric power sector, meeting international quality standards.

3. Ministries, ministerial agencies and People's Committees of provinces and central-affiliated cities (hereinafter referred to as “provincial People's Committees”) shall, within their jurisdiction, encourage the establishment of innovation centers in the electric power sector at research and training institutions, organize the formulation and implementation of national key science and technology programs for research into, application and development of energy technology, focusing on research into and manufacturing of energy equipment and application of forms of renewable energy, new energy and smart energy, and energy saving; digital transformation, management and operation of information systems, data and other contents of scientific and technological applications in the electric sector.

4. The Government shall elaborate this Article.

Article 9. Prohibited acts in electricity activities and electricity use

1. Conducting electricity activities without the license as prescribed by this Law.
2. Electricity theft.
3. Theft of electrical means and equipment.
4. Destroying electrical means, equipment and works.
5. Using means, equipment, flammable, explosive or corrosive substances and other acts that cause damage or incidents to electricity works.
6. Cutting electricity supply in contravention of laws.
7. Violating regulations on protection of electricity works, electrical safety and safety of hydropower dams and reservoirs.
8. Planting trees, carrying out drilling, digging and filling operations, constructing works, exploiting minerals, anchoring ships, discharging wastewater, corrosive substances, flying kites and flying objects and other activities that violate regulations of law on safety corridors of electricity works.
9. Using electricity as direct means of protection, except the regulations set out under clause 4 Article 69 of this Law.
10. Providing inaccurate and opaque information that infringes upon the legitimate rights and interests of agencies, organizations and individuals conducting electricity activities and using electricity.
11. Hindering competent agencies, organizations and individuals from repairing, renovating and restoring electricity works, inspecting and supervising electricity activities and use.
12. Causing troubles or earning illegal profits in electricity activities and use.

Chapter II

POWER DEVELOPMENT PLANNING, ELECTRICITY SUPPLY NETWORK DEVELOPMENT SCHEMES AND INVESTMENT IN CONSTRUCTION OF ELECTRICITY PROJECTS

Article 10. Power development planning, electricity supply network development schemes

1. PDP is the national sector planning.
2. The electricity supply network development plan is a content integrated into a provincial planning.
3. The formulation, appraisal, approval, announcement, adjustment and implementary organization of PDP, provincial planning, including contents of the electricity supply network development scheme must comply with regulations of law on planning and this Law.
4. The formulation and adjustment of planning shall comply with regulations of law on planning and the following requirements:
 - a) Ensure sufficient electricity supply to serve the need for socio-economic development and People's life;
 - b) Effectively exploit and use domestic energy resources, ensuring sustainable development;
 - c) Generally optimize factors including power sources, power transmission, distribution, economical and efficient use of electricity, have an appropriate roadmap in tandem with the sustainable exploitation and use of natural resources, environmental protection and economic model transformation, and ensure national energy security;
 - d) Make the energy transition according to national objectives and commitments on the basis of scientific and technological advances and development policies on renewable energy and new energy;
 - dd) Make sure the electrical grid system is synchronized with power sources, meeting the load development needs of regions and localities.
5. Based on the power source capacity and voltage level of the electrical grid, every competent agency or competent organization shall formulate PDP and electricity supply network development scheme in the provincial planning. PDP and electricity supply network development schemes in provincial planning do not include the following projects:
 - a) Power sources which have no impact or minor impact on the national power system;
 - b) Power sources which are not connected to or sold to the national power system, except electricity export or import;

c) Low-voltage electrical grids;

d) Renovation and upgradation of electricity projects that do not increase the capacity or voltage level, and do not generate demand for land use.

6. The Government shall elaborate clause 5 of this Article.

Article 11. Plan to implement the PDP, plan to implement the provincial planning covering contents of the electricity supply network development scheme

1. The plan to implement PDP must comply with regulations of law on planning and the following requirements:

a) Closely follow the objectives and orientations of the planning, concretize the tasks assigned in the planning;

b) Ensure that power sources are developed in a balanced manner by regions, progress towards the balance of supply and demand within the regions; ensure feasibility, synchronization and flexibility in the development of power sources and electrical grids in a way that suits the national context and resources;

c) Determine the time for putting projects into operation in two phases in the 10-year planning period and the next 05-year projection for the vision period.

2. Contents of the plan to implement the PDP must satisfy regulations of law on planning and the list of electricity projects specified in point b clause 2 Article 5 of this Law shall be determined to form as a basis for assigning a project to a wholly state-owned enterprise or an enterprise 100% of charter capital of which is held by this enterprise for construction investment.

3. Every provincial People's Committee shall formulate and promulgate a plan to implement its provincial planning in accordance with regulations of law on planning. Such plan shall contain contents of the electricity supply network development scheme to form a basis for implementing power projects and identifying electrical grid projects in service of socio-economic development in the national and public interests invested in by a wholly state-owned enterprise or an enterprise 100% of charter capital of which is held by this enterprise.

Article 12. General regulations on investment in construction of electricity projects

1. The milestones for achieving the objectives of each stage of a power source investment project in accordance with the investment law must be specified in the investment registration certificate or the written investment guideline approval. The Government shall elaborate the milestones for achieving the objectives of each stage of a power source investment project in this clause.

2. From time to time and for each type of power source investment project, the Government shall prescribe a mechanism for ensuring the consumption of domestically exploited gas; the principle

of pass-through of fuel prices to electricity prices; long-term minimum contracted electricity output.

3. The Minister of Industry and Trade shall regulate the principles of calculating electricity prices for execution of electricity projects.

4. The Government shall regulate criteria for determining electricity projects on the State's investment priorities list in the electric power sector. Based on the criteria prescribed by the Government, the Minister of Industry and Trade shall decide the list of electricity projects on the State's investment priorities list specified in clause 5 Article 5 of this Law.

Article 13. Guidelines for investment in electricity projects

1. Except for emergency electricity projects specified in Article 14 of this Law and electricity projects specified in clauses 2, 3 and 4 of this Article, the decision on investment or approval for investment guidelines for electricity projects subject to decision on investment or approval for investment guidelines must comply with regulations of the Law on Public Investment, Law on Public - Private Partnership Investment and Law on Investment.

2. Except for emergency electrical grid projects specified in Article 14 of this Law, the approval for investment guidelines for projects on investment in electrical grid with a voltage of 220 kV or lower passing through at least 02 provinces subject to approval for investment guidelines under regulations of the Law on Investment shall be granted as follows:

a) The People's Committee of the province where the starting point of the transmission line is located and determined under the name of the electrical grid project in the PDP or the electricity supply network development scheme in its provincial planning has the authority to grant approval for investment guidelines;

b) Applications for and contents of appraisal of request for investment guideline approval shall comply with regulations of Law on Investment;

c) Procedures for granting investment guideline approval are the same as those for granting investment guideline approvals for projects under the authority of provincial People's Committees under the Law on Investment and shall comply with regulations on procedures for consulting with relevant localities specified in points d and dd of this clause;

d) The provincial People's Committee specified in point a of this clause shall consult with the People's Committee(s) of the remaining province(s) within 07 working days from the date of receiving a sufficient dossier;

dd) Within 15 days from the date of receipt of a sufficient dossier, the People's Committee(s) of the remaining province(s) shall give their written opinions on the dossier on proposal for investment guidelines of the project within the provincial-level administrative boundaries and send written opinions to the provincial People's Committee specified in point a of this clause. A written opinion must state an agreement or a disagreement; in case of disagreement, it is

necessary to explicitly state the reason so as for the investor to complete the investment guideline proposal dossier;

e) The investment registration authority shall be determined following the investment guideline approval granted by the provincial People's Committee specified in point a of this clause.

3. For any low-voltage or medium-voltage electrical grid investment project subject to investment guideline approval by a provincial People's Committee:

a) Based on the electricity supply network development scheme in the provincial planning, proposals of electric utilities and investors, the provincial People's Committee shall approve the list of low-voltage and medium-voltage electrical grids under the decentralized authority to manage the PDP and electricity supply network development scheme in the provincial planning;

b) The decision of the provincial People's Committee specified in point a of this clause shall replace the written investment guideline approval for each individual medium-voltage or low-voltage electrical grid investment project and also serve as the basis for land allocation, land lease or land repurposing.

4. The Government shall elaborate clauses 2 and 3 of this Article; stipulate cases in which renewable energy and new energy power business investment projects fall under the Prime Minister's authority to issue investment guideline approval as specified in clause 4 Article 31 of the Law on Investment.

Article 14. Emergency electricity projects and works

1. Emergency electricity projects and works include:

a) Electricity projects and works newly built or repaired or renovated in order to promptly overcome consequences of natural disasters, disasters or diseases under the construction law and other relevant laws;

b) Projects and works for construction of power sources and connected electrical grids intended for compensating for shortage of power source capacity compared to the capacity under the PDP due to delays in the progress of other power source construction investment projects causing risks of power shortage; due to an unexpected increase in the regional and national loads; due to the suspension of projects on investment in construction of other power source works;

c) Projects and works for construction of electrical grids, which play an important role in the transmission of power source capacity between regions to prevent overload of the electrical grid; in an urgent response to the assurance of national defense and security or to the local socio-economic development;

2. The Government shall regulate the principles and criteria for determining emergency electricity projects and works specified in points b and c clause 1 of this Article on the basis of

ensuring the timely satisfaction of the requirements for handling urgent issues for ensuring electricity supply security.

Article 15. Specific regulations on investment in construction of emergency electricity projects and works

1. Emergency electricity projects and works specified in points b and c clause 1 Article 14 of this Law are eligible for certain specific regulations on construction and investment below:

a) It is not required to follow the procedures for approval for investment guidelines under the Law on Investment and approval for forest repurposing but the principle of minimizing the forest repurposing under the Forestry Law, especially natural forests must be adhered to when building electricity projects.

The Prime Minister's decision specified in clause 2 of this Article shall replace the written investment guideline approval as per the Law on Investment and also serve as the basis for land allocation, land lease and land repurposing. For emergency electricity projects and works requiring forest repurposing, the Prime Minister's decision specified in clause 2 of this Article shall serve as a written investment guideline approval under the Law on Investment and also a written approval for forest repurposing under the Forestry Law; the Prime Minister's decision must explicitly state the area of the forest that needs to be repurposed for project implementation;

b) Those emergency electricity projects and works are eligible for Government guarantees under the Law on Public Debt Management; may be granted credit overextensions according to the Prime Minister's decision in case the total outstanding debt from credit extension granted to enterprises and related persons has exceeded the limit specified in the Law on Credit Institutions; may be exempted from guarantee for execution of investment projects under the Law on Investment;

c) Investors in emergency electricity projects and works are not required to follow procedures for submission to their state ownership representative agency for approval of contents related to investment projects, plans on capital raising and mortgage of assets for loans in accordance with the Law on Management and Use of State Capital invested in Production and Business at Enterprises;

d) Investors may decide by themselves all tasks in construction investment activities, including: assigning organizations and individuals to perform survey, design and construction tasks and other necessary tasks to serve the construction of emergency works; deciding the sequence of survey, design and construction; deciding the supervision of construction and acceptance of construction works to achieve the progress in construction of emergency works;

dd) A regulatory body shall, based on its functions, appraise the construction design dossier following the fundamental design and appraise the fire safety design which is developed at the same time as the construction design in a sufficient manner in accordance with the law on construction and the law on fire prevention and fighting and rescue for emergency electricity projects and works as specified in points b and c clause 1 Article 14 of this Law;

e) After completing the construction of a work, the investor must inspect and re-evaluate the quality of the built work, provide warranty, complete the as-built documentation and archive documents in accordance with the law on construction and the settlement of the work in accordance with the law.

g) The mechanism specified under clause 2 Article 12 of this Law may be applied.

2. The authority to decide emergency electricity projects and works is as follows:

a) The Prime Minister shall decide to approve the list of emergency electricity projects, power source works and electrical grids specified in points b and c clause 1 Article 14 of this Law on the basis of the assessment and proposals of the Ministry of Industry and Trade or provincial People's Committees under the decentralized authority to manage planning eligible for specific mechanisms specified in this Article, except for emergency electricity projects, power source works and electrical grids using public investment capital or projects subject to investment guideline approval by the National Assembly under the Law on Investment;

b) The Prime Minister shall decide to assign wholly state-owned enterprises or enterprises 100% of charter capital of which is held by these enterprises to act as investors in emergency electricity projects, power source works and electrical grids specified in points b and c clause 1 Article 14 of this Law;

c) The authority to decide the construction of emergency electricity projects and works specified in point a clause 1 Article 14 of this Law shall comply with the law on construction and other relevant laws.

Article 16. Contract dossiers on public-private partnership (PPP) projects on power plants applying build-operate-transfer (BOT) contracts

A contract dossier on a PPP project on power plant applying BOT contract comprises the documents in accordance with the law on PPP Investment and the following documents:

1. PPA which is a written agreement between an electricity buyer and an electricity seller being the project enterprise;
2. Land lease agreement which is a written agreement between a land lessor of the locality where the project is located and a project enterprise (if any);
3. Domestic fuel supply contract which is a written agreement between a domestic fuel supplier and a project enterprise (if any);
4. Shared infrastructure sharing contract which is a written agreement between an investor or developer of the shared infrastructure and a project enterprise (if any).

Article 17. Development of electricity in rural areas, ethnic minority areas, mountainous areas and border areas, on islands and in extremely disadvantaged areas

1. Agencies, organizations and individuals are permitted to use public investment capital, equity, loans, PPP investment capital and other legal sources of capital as per regulations of law to ensure electricity supply to rural areas, ethnic minority areas, mountainous areas, border areas, islands and extremely disadvantaged areas.
2. The State supports behind-the-meter investment to supply electricity for domestic purposes to households in rural areas, ethnic minority areas, mountainous areas and border areas, on islands and in extremely disadvantaged areas, and households whose houses are damaged by natural disasters, fires and explosions.
3. Upon making investment in the construction of renewable energy sources, medium-voltage and low-voltage grids to supply electricity for domestic use by households, production of goods, socio-economic development and assurance of national defense and security, investment incentives shall be offered according to regulations of the Law on Investment. In case surplus electricity is fed back to the medium or low voltage national grid, the surplus electricity price shall comply with the Government's regulations.
4. Investors in behind-the-meter assets in households as specified in clauses 1 and 2 of this Article shall transfer behind-the-meter assets to households for management and use on their own terms.
5. The Government shall elaborate clause 2 of this Article.

Article 18. Selection of investors in electricity business investment projects

1. The selection of investors in the following power business investment projects shall not be made through either land use right auctions or bidding for investor selection:
 - a) Investment projects over which the State holds its monopoly as prescribed in points a and b clause 2 Article 5 of this Law;
 - b) Hydropower plant expansion projects and electrical grid renovation or upgradation projects for which the existing investors owning projects are approved;
 - c) Electricity projects approved by competent authorities on the basis of investment proposals of wholly state-owned enterprises or enterprises 100% of charter capital of which is held by these enterprises. The Prime Minister shall approve the list of electricity projects not subject to investment guideline approval by the National Assembly and are included in the PDP; provincial People's Committees shall approve the list of electricity projects in the provincial planning;
 - d) Emergency power projects the investors in which are selected as prescribed in clause 2 Article 15 of this Law;
 - dd) Offshore wind power projects executed as prescribed in clause 2 Article 29 of this Law;
 - e) Other cases as prescribed by the law on investment and the law on land.

2. Except the cases specified in clause 1 of this Article, cases of selection of investors through auction of land use rights shall comply with the land law.

3. Except the cases specified in clause 1 of this Article, cases of bidding for selection of investors in electricity investment business projects shall comply with Article 19 of this Law.

Article 19. Bidding for selection of investors in electricity business investment projects

1. For the cases specified in clause 3 Article 18 of this Law, except for offshore wind power projects specified in clause 3 Article 29 of this Law, bidding shall be organized to select investors to execute an electricity project when there are at least 02 interested investors in accordance with the law on bidding on the basis of the standard for assessment of the efficiency in electric power sector development, which is electricity price; for an electricity project without the price bracket promulgated by the Ministry of Industry and Trade or electricity project that involves direct power purchase, the standards for assessment of the efficiency in electric power sector development shall comply with the Government's regulations.

2. Bid-winning electricity price shall be the maximum electricity price as a basis for the electricity buyer to negotiate the price of the PPA with the bid-winning investor. The electricity buyer shall negotiate and conclude the PPA with the bid-winning investor.

3. The Government shall elaborate the following contents:

a) Cases where it is required to organize bidding to select investors to implement electricity business investment projects based on socio-economic development conditions from time to time;

b) Specific requirements of electricity business investment projects in the bidding documents for investor selection;

c) The negotiation and conclusion of business investment project contracts and PPAs with bid-winning investors on the basis of safeguarding the interests of the parties.

Chapter III

DEVELOPMENT OF RENEWABLE ENERGY POWER AND NEW ENERGY POWER

Section 1. REGULATIONS ON RENEWABLE ENERGY POWER AND NEW ENERGY POWER

Article 20. General regulations on development of renewable energy power and new energy power

1. Agencies, organizations and individuals shall carry out activities to develop renewable energy power and new energy on the basis of respect for national independence, sovereignty, territorial integrity, non-interference in each other's internal affairs, equality and mutual benefit and in

conformity with the Constitution and laws of Vietnam and treaties to which the Socialist Republic of Vietnam is a signatory. Agencies, organizations and individuals carrying out activities related to the development and investment in the construction of new energy electricity and renewable energy power projects have the responsibility to:

- a) Comply with regulations of Vietnamese laws on national defense, security, social order and safety, community health, environmental protection, response to climate change, protection of natural resources and cultural heritage, preservation of historical-cultural sites and scenic landscapes;
- b) Use modern techniques and technologies, comply with national technical regulations and apply standards in accordance with Vietnamese laws.

2. Principles of development of renewable energy power and new energy power include:

- a) Ensuring electricity supply security and power system safety;
- b) Developing renewable energy power and new energy power in regions and localities that have potentials for and advantages in renewable energy power and new energy power together with the development of the power system infrastructure so as to avoid wastefulness and loss in construction investment due to inability to carry out curtailment in order to effectively exploit power sources and ensure the reliability of electricity supply; minimizing technical loss, reducing pressure on power transmission over long distances; satisfying environmental requirements and suiting socio-economic conditions of areas where the development takes place;
- c) Synchronizing plans for training and development of human resources participating in research and activities in the field of renewable energy power and new energy power, progressing towards technological autonomy at a number of appropriate stages;
- d) Prioritizing effective exploitation and use of renewable and new energy sources in order to exploit natural resources in a sustainable and rational manner, ensure national energy security and serve electricity export;
- dd) Prioritizing the development of large power source projects to form clusters of renewable energy plants or renewable energy centers so as to promote natural advantages and develop electrical grid infrastructure in a manner that is within the capacity for curtailment and satisfies operation requirements of the national power system of each region or each locality, and the conditions and technological level from time to time;
- e) Encouraging appropriate development of rooftop solar power, floating solar power on water surface and irrigation reservoir beds; prioritizing development on the water surface of existing hydropower reservoir beds, not requiring investment in new transmission grids;
- g) Prioritizing the development of offshore wind power sources in association with ensuring national defense and security, and maintaining national sovereignty in border areas and on islands.

3. Organizations and individuals are encouraged to invest in wind and solar power projects in combination with investment in energy storage systems or production of green hydrogen or green ammonia to serve electricity generation and use. For solar and wind power sources connected to the national power system, the total generating capacity of solar and wind power plants and the capacity of the energy storage system must not exceed the capacity of solar and wind power plants which have been determined in the PDP or the electricity supply network development scheme in the provincial planning; the installed capacity shall be decided by the investor in the stage of executing the construction investment project on the basis of achieving the prescribed capacity ratio of the energy storage system and ensuring the efficient use of natural resources.

4. Developing electricity from renewable energy and new energy to create a foundation for shifting the power structure in the direction of low carbon, achieving the goal of reducing emissions and ensuring the sustainable development of the power system.

5. A wind power project at sea employs all wind turbines which are built in the territorial waters of Vietnam and located outside the lowest mean water line of the mainland for multiple years towards the sea. Wind power projects at sea are classified into the following categories:

a) Inshore wind power projects which employ all turbines built in the territorial waters of 06 nautical miles from the lowest mean water line of the mainland for multiple years towards the sea;

b) Offshore wind power projects which employ all turbines built outside the territorial waters of 06 nautical miles from the lowest mean water line of the mainland for multiple years towards the sea.

6. The planning for and investment in wind power projects at sea shall be carried out in the following order of priority:

a) Projects on production of electricity for supply to the national power system;

b) Self-produced or self-consumed electricity projects or electricity projects for production of green hydrogen or green ammonia and projects serving other domestic demands;

c) Projects on production of electricity for export and production of green hydrogen or green ammonia for export.

7. The development of renewable energy power electricity and new energy power at sea shall be appropriate to the order of priority for development of marine economic sectors from time to time.

8. The Government shall elaborate the following contents:

- a) Mechanisms for providing incentives and support for the development of energy storage systems of electricity projects from renewable energy sources appropriate to the technological level in this field;
- b) Policies on incentives and support for appropriate research and development of technologies in the field of wind and solar power in Vietnam;
- c) Mechanisms for sharing and providing information and data on monitoring of parameters of primary energy sources and production of statistics on electricity output of renewable energy power plants and new energy power plants, except for self-produced and self-consumed rooftop solar power sources.

Article 21. Baseline surveys of renewable energy power and new energy power resources

1. Baseline surveys of renewable energy power and new energy power resources in the Vietnam's territory shall cover:

- a) Solar, wind and geothermal power resources;
- b) Wave power resources, tidal power resources and other forms of power resources from ocean energy;
- c) Electricity resources from domestic and urban solid waste;
- d) Electricity resources from biomass;
- dd) Electricity resources from waste from production and business processes other than those specified in point c of this clause;
- e) Hydropower resources.

2. Responsibility for conducting baseline surveys of renewable energy power and new energy power resources is provided for as follows:

- a) Authority and responsibility for conducting baseline surveys of renewable energy power and new energy power resources in the territorial waters of Vietnam shall comply with regulations of law of the sea and law on natural resources and environment of sea and islands;
- b) Authority and responsibility for conducting baseline surveys of hydropower resources shall comply with regulations of law at water resources;
- c) Except the case specified in point d of this clause, provincial People's Committees shall conduct baseline surveys of renewable energy power and new energy power resources on the mainland and islands within the scope of administrative boundary management;

d) The Ministry of Natural Resources and Environment shall assign wholly state-owned enterprises to conduct and public service providers having functions of conducting baseline surveys of natural resources and environment of sea and island to preside over conducting baselines surveys in certain sea areas within Vietnam's territorial waters.

3. The State encourages and mobilizes legal financial resources and scientific and technical contributions from organizations and individuals to serve baseline surveys.

4. The information and data specified in clause 1 of this Article shall serve as inputs so as for authorities organizing planning formulation and planning consultancies to formulate PDP and provincial planning. In case an area is yet to have the information and data specified in this clause, the authority organizing planning formulation shall collect reliable and appropriate data to perform tasks as prescribed by law. The Ministry of Natural Resources and Environment shall aggregate information and data nationwide as prescribed in clause 1 of this Article.

5. The Ministry of Natural Resources and Environment and provincial People's Committees shall manage, announce and share information on baseline surveys of renewable energy power and new energy power resources in compliance with regulations of law.

6. Costs of conducting baseline surveys as specified in clause 1 of this Article shall be covered by:

a) State budget;

b) Funding provided by wholly state-owned enterprises for covering these costs as prescribed by law, derived from their funding for production and business expenses and other lawful funding sources.;

c) Amounts voluntarily donated from organizations and individuals.

7. The Minister of Natural Resources and Environment shall elaborate the scope of baseline surveys as specified in clause 1 of this Article, except for the tasks performed according to regulations of law on water resources and law on natural resources and environment of sea and islands.

Article 22. Development of self-produced and self-consumed electricity from renewable energy sources and new energy sources

1. Self-produced and self-consumed power sources may be connected to the national power system, and the connection must comply with regulations of the electricity law; it is permitted to sell surplus electricity output as per laws; to use land for multi-purpose energy and public lighting works as per the land law.

2. Based on technical capability, economic conditions and state budget capacity from time to time, the Prime Minister and provincial People's Councils shall promulgate policies to support households in installing electricity for self-production and self-consumption as follows:

a) Provide financial support for investment in the installation of rooftop solar power and energy storage systems;

b) Provide technical assistance in the design and solutions for ensuring the force-bearing safety of works and solutions for fire prevention and fighting.

3. The Government shall elaborate the following contents:

a) The production capacity and electricity suitable for the electricity load and development conditions of the power system;

b) Installation of energy storage systems in combination with investment in self-produced and self-consumed power sources;

c) Procedures for development of self-produced and self-consumed power sources;

d) Mechanisms for purchase and sale prices for surplus electricity output;

dd) Responsibilities of relevant organizations and individuals when developing self-produced and self-consumed power sources.

Article 23. Development of new energy power

1. New energy power project means a clean energy production project which is eligible for the State's tax and investment credit policies and credit in accordance with relevant laws.

2. Based on the requirements for ensuring electricity supply security, scientific and technological progress, and socio-economic development conditions from time to time, the Government shall regulate the conditions and time limits for application of the following mechanisms and policies for new energy power projects:

a) Exemption or reduction of sea area levy;

b) Exemption or reduction of land levy or land rent;

c) Minimum long-term contracted electricity output for projects feeding electricity back to the national power system on the basis of protecting the interests of the State and the People, and ensuring the safety of the power system from time to time.

Article 24. Renovation, repair and replacement of equipment of renewable energy and new energy power plants

1. During the period of operating a power plant according to the approved design in accordance with operation duration of a renewable energy power or new energy power project, such power plant may be renovated, repaired or replaced with equipment whose specifications are different

from its current operating specification to ensure safe and efficient operation in compliance with the provisions of laws without leading to an increase in the area of land or sea area used.

2. The capacity of electricity of the projects in clause 1 of this Article fed back to the national power system must not exceed the capacity stated in the following legal documents of the projects:

- a) The written investment guideline decision or approval or investment registration certificate;
- b) Electricity license.

Article 25. Decommissioning of works of renewable energy and new energy power projects

1. A work of a renewable energy power or new energy power project must be decommissioned after termination of the project in the following cases:

- a) When the utilization period expires as prescribed by the law on construction but is not extended according to the law on construction;
- b) When the operation duration expires without any extension granted as per the law on construction;
- c) When there is any difference in the duration specified in points a and b of this clause, the decommissioning after termination shall be carried out on a first come, first served basis.

2. The decommissioning of a solar or wind power plant after its shutdown is regulated as follows:

- a) The owner of the solar or wind power plant must decommission its plant as required above; all decommission costs shall be borne by the owner;
- b) The decommissioning, recovery, treatment and management of wastes, materials and scraps must comply with the law on environmental protection and other relevant laws, and meet the requirements for restoration of the premises and environment after the decommissioning;
- c) From the time of termination as specified in clause 1 of this Article, the owner shall complete the decommissioning within the time limit prescribed by the Government.

3. For cases other than those specified in clauses 1 and 2 of this Article, the decommissioning of works of new and renewable energy power projects must comply with other relevant regulations of law.

Section 2. REGULATIONS ON DEVELOPMENT OF OFFSHORE WIND POWER

Article 26. General regulations

1. The implementation of offshore wind power projects must meet the following requirements for national defense, security and information safety:

a) Organizations and individuals implementing and participating in the implementation of offshore wind power projects must comply with regulations of laws on assurance of national defense and security;

b) The production and use of equipment and the creation, transmission, collection, processing, storage and exchange of information and data outside the border must comply with laws.

2. The implementation of offshore wind power projects must comply with this Law and Vietnamese laws on maritime safety and safety of equipment and works and conform to treaties to which the Socialist Republic of Vietnam is a signatory.

3. Offshore wind power projects are entitled to the following mechanisms and policies provided that the conditions and deadlines prescribed by the Government are met:

a) Minimum long-term contracted electricity output for projects feeding electricity back to the national power system;

b) Exemption or reduction of sea area levy;

c) Exemption or reduction of land levy or land rent.

4. In addition to the mechanisms and policies specified in clause 3 of this Article, wholly state-owned enterprises may be exempt from providing guarantees for investment project execution under the investment law; may be considered to have overextensions for a customer and related persons granted by the Prime Minister to their offshore wind power projects in accordance with the Law on Credit Institutions.

5. Based on socio-economic development conditions, development objectives and investment attraction in each period and the level of the competitive electricity market, and in order to ensure electricity supply security, the Government shall elaborate following contents:

a) Clauses 3 and 4 of this Article;

b) Conditions for implementation and participation in the implementation of offshore wind power projects applicable to organizations being foreign investors or domestic investors, including the ownership ratio of shares and stakes in offshore wind power projects;

c) The time of termination of the mechanisms and policies specified in clause 3 of this Article.

6. Offshore wind power projects are identified as construction investment projects and subject to the following regulations:

a) The survey of offshore wind power projects shall be subject to standards, technical regulations, economic-technical norms, and unit prices according to international and foreign standards in case they have not yet been promulgated on a national basis;

b) Offshore wind power works shall be subject to standards and technical regulations according to international and foreign standards in case they have not yet been promulgated on a national basis.

7. The Government shall prescribe a mechanism for cooperation between Ministries, ministerial agencies and People's Committees of coastal provinces and other relevant agencies in the management of offshore wind power projects and works.

8. The transfer of projects, shares and stakes in offshore wind projects must comply with regulations set out in clause 1 of this Article and other relevant regulations of laws. The Government shall elaborate this clause.

Article 27. Survey of offshore wind power projects

1. The survey of offshore wind power projects shall comply with regulations of law of the sea, law on natural resources, environment of sea and islands and law on construction, and conform to treaties to which the Socialist Republic of Vietnam is a signatory and international practices.

2. The selection of units in charge of surveying offshore wind power projects before selecting investors to implement projects is regulated as follows:

a) The Prime Minister shall assign wholly state-owned enterprise to conduct surveys;

b) Based on the socio-economic development conditions in each period, the Government shall regulate the selection of units surveying offshore wind power projects, except for the regulations set out in point a of this clause.

3. The survey costs of enterprises specified in point a clause 2 of this Article shall be handled as follows:

a) Survey costs in the case specified in point a clause 2 of this Article shall be covered by a wholly state-owned enterprise; this enterprise may contribute capital to invest in projects in the areas in which the Prime Minister assign it to conduct surveys;

b) In case of failure to apply the regulations set forth in point a of this clause, the investor selected to execute a project shall reimburse the survey costs to the enterprise mentioned in point a clause 2 of this Article.

4. The management, exploitation and use of samples, documents, information, data and results of surveys of offshore wind power projects must comply with the following regulations:

a) State agencies and enterprises shall preside over surveying and managing samples, documents, information, data and results of surveys of offshore wind power projects conducted by them; other organizations in charge of conducting surveys must submit approved samples, documents, information, data and results of surveys of offshore wind power projects to authorities in charge of state management of natural resources and environment of sea and islands for management;

b) Organizations and individuals that access, consult, exploit and use samples, documents, information, data and results of surveys of offshore wind power projects must keep the information confidential in accordance with laws and the agreement between the parties.

5. The Government shall elaborate clause 4 of this Article and survey contents, mechanism for handling survey costs, conditions and capacity of survey units; regulate the delegation of responsibilities to prescribe economic-technical norms, survey unit prices, verification of survey results, surveyed area and use of sea areas, payment of costs of preparation of pre-feasibility study reports on project construction investment.

Article 28. Approval of or decision on investment guidelines of offshore wind power projects

1. Investors shall prepare applications for approval of investment guidelines of an offshore wind power project as follows:

a) A wholly state-owned enterprise shall prepare an application for approval of both investment guidelines and investor or prepare an application for investment guideline approval for bidding for investor selection;

b) The investor conducting survey as prescribed in point b clause 2 Article 27 of this Law shall prepare an application for approval of investment guidelines for investor selection in case the surveyed area and the scale of the project are consistent with the PDP.

2. Contents of the application for approval of both investment guidelines and investor or application for approval of or decision on investment guidelines of an offshore wind power project are specified under the Law on Investment or the Law on Public Investment or the Law on Public-Private Partnership Investment and include the following:

a) Expected location, coordinates and area of the sea area to be used instead of documents determining the right to use the location for execution of the investment project;

b) Expected duration of use of the sea area.

3. When appraising investment guidelines as per the law on investment, the law on public investment, and the law on public-private partnership investment, the agency presiding over appraisal of an offshore wind power project must consult the following agencies:

a) The Ministry of National defense, the Ministry of Public Security, the Ministry of Foreign Affairs, the Ministry of Natural Resources and Environment, the Ministry of Transport and other Ministries and central authorities as assigned by the Government;

b) People's Committees of coastal provinces in areas where the offshore wind power project is executed.

4. The Government shall regulate cases of approval of both investment guidelines and investor as specified in point a clause 1 of this Article.

Article 29. Selecting investors in offshore wind power projects

1. Investors in offshore wind power projects shall be selected as follows:

a) Regarding public investment projects, the law on public investment shall be complied with;

b) Regarding PPP investment projects, the law on PPP investment shall be complied with;

c) Regarding business investment projects, the law on investment shall be complied with.

2. Except for projects subject to investment policy approval by the National Assembly, the Prime Minister shall approve both investment guidelines and investors in the following offshore wind power business investment projects:

a) Projects that are not subject to bidding for investor selection due to defense and security reasons according to the opinions of the Ministry of National Defense or the Ministry of Public Security;

b) Projects granted approval for both investment guidelines and investors as prescribed in point a clause 1 Article 28 of this Law.

3. Apart from the projects specified in clause 2 of this Article, the selection of investors for execution of offshore wind power business investment projects feeding electricity back to the national power system must comply with this Law and law on bidding. The ceiling electricity price in the bidding documents must not be higher than the maximum price of the electricity generation price bracket issued by the Ministry of Industry and Trade. The bid-winning electricity price for selecting an investor shall be the maximum electricity price as a basis for the electricity buyer to negotiate with the bid-winning investor. The bidding documents shall be prepared in accordance with laws and the following documents and contents:

a) The draft PPA agreed upon by the bidding agency and the electricity buyer;

b) Mechanisms and policies specified in clause 3 Article 26 of this Law.

4. Based on socio-economic development conditions, development objectives and investment attraction in each period and conditions for development of the electricity market, and in order to ensure electricity supply security, the Government shall elaborate following contents:

- a) Conditions to be satisfied by investors to participate in bidding;
- b) The selection of investors for execution of offshore wind power projects in an effort to achieve the development objectives according to the planning and the demand for attracting investment to this field;
- c) The negotiation and conclusion of business investment project contracts and PPAs with bid-winning investors as specified in clause 3 of this Article.

Chapter IV

ISSUANCE OF ELECTRICITY LICENSES

Article 30. Principles of issuing electricity licenses

1. The following fields of electricity activities are subject to issuance of the electricity license: electricity generation, electricity transmission, electricity distribution, electricity wholesaling and electricity retailing.
2. Any organization eligible for operation as prescribed in this Law may be issued with the electricity license, except for the case specified in Article 33 of this Law.
3. The electricity license shall not be issued at the investment stage. The investment in the field of electricity shall be made as prescribed by the law on investment.
4. The electricity license shall be issued to an organization so as for it to perform one or more electricity activities.
5. The electricity license in the field of electricity generation shall be issued to each organization owning a power plant by work item or the entire work.
6. The electricity license in the field of electricity transmission shall be issued by the scope of management and operation of each specific transmission grid.
7. The electricity license in the field of electricity distribution shall be issued by the scope of management and operation of each specific distribution grid.
8. The electricity license in the field of electricity wholesaling shall be issued by the specific scope of electricity sale.
9. The electricity license in the field of electricity retailing shall be issued by the specific scope of electricity sale, except for the scope covered by the license issued by the competent authority

to another unit. When going through the stage of operating the competitive retail electricity market, the electricity license in the field of electricity retailing shall be issued to every organization participating in the retail electricity market within the scope of the retail electricity market.

10. Prior to the stage of operating the competitive retail electricity market, the electricity license in the field of electricity retailing shall be issued together with the electricity license in the field of electricity generation or electricity distribution.

11. The electricity license may be issued to one or more organizations participating in the same field in compliance with this Law, Law on Investment, Law on Enterprises and other relevant regulations of law.

Article 31. Conditions for issuing electricity licenses

1. An organization will be issued with the electricity license if it fully satisfies the following conditions:

- a) It is lawfully established as prescribed by law;
- b) It has technical managers, business managers and operators that meet the requirements for quantity and qualifications.

2. In the field of electricity generation, electricity transmission or electricity distribution, an organization will be issued with the electricity license if it fully satisfies the conditions set out in clause 1 of this Article and the following conditions:

- a) It has electricity generation, transmission or distribution work items or works which conform to the PDP and electricity supply network development scheme in the provincial planning, plan to implement PDP, plan to implement provincial planning including contents of the electricity supply network development scheme and adjustment decisions (if any); such work items or works are constructed and installed according to the approved design and meet the conditions for putting work items or works into operation;
- b) It has projects or works for power generation, transmission or distribution which are built and installed in compliance with regulations of law of the sea, law on land, law on fire prevention and fighting, and rescue, law on environmental protection and other relevant regulations of law;
- c) It has documents on dam and reservoir safety management according to regulations of law regarding the field of hydropower plant power generation.

3. In the field of electricity wholesaling or retailing, an organization will be issued with the electricity license if it fully satisfies the conditions set out in clause 1 of this Article and formulates an appropriate plan for electricity wholesaling or retailing.

4. The Government shall elaborate conditions applicable to fields subject to issuance of the electricity license.

Article 32. Cases of issuance of electricity licenses

1. A new electricity license shall be issued in the following cases:

- a) Issuance of the first license to a work item or entire work in the field of electricity generation;
- b) Issuance of the first license to a specific scope in the field of electricity transmission, distribution, wholesaling or retailing;
- c) Issuance of a new electricity license in case of change of the scope of operation, main specifications of an electricity work or technology used in electricity activities specified in the issued license.

2. A revised electricity license shall be issued in the following cases:

- a) At the request of the license holder when there is a change to any of the contents of the electricity license specified in clause 1 Article 34 of this Law or any activity specified in clause 2 Article 34 of this Law are removed;
- b) At the request of a competent authority in case it is needed to protect the national defense or national security interests, socio - economic interests or public interests;
- c) There is any error in the information written on the issued license.

3. An electricity license shall be re-issued in the following cases:

- a) At the request of the license holder in case the unexpired license is lost or damaged;
- b) The issued license is expiring in 06 months or less or is expired and the license holder makes a request. In this case, contents of the license specified in clauses 2, 3 and 4 Article 34 of this Law are the same as those of the issued license;
- c) The case prescribed in clause 2 Article 36 of this Law.

4. The electricity license may be extended at the request of the license holder if the interval between its expiry date and the date of transfer of any asset or electricity work or the date of terminating the project does not exceed 12 months. The license may be extended once and the expiry date of the extended license must not be later than the date of transfer of the asset or electricity work or the date of terminating the project.

5. The Government shall elaborate applications and procedures for issuance of the electricity license.

Article 33. Exemption from electricity license exemption

1. Electricity license exemptions:

- a) Any organization invests in construction of facilities generating electricity for domestic consumption and does not sell electricity to other organizations and individuals, and the installed capacity smaller than the capacity prescribed by the Government;
- b) Any organization generates electricity with an installed capacity smaller than the capacity prescribed by the Government;
- c) Any organization trading in electricity in rural areas or mountainous areas or on islands buys electricity with a capacity smaller than the capacity prescribed by the Government from the distribution grid to sell it directly to electricity consumers in rural areas or mountainous areas or on islands;
- d) Any organization feeding electricity back to the national electrical grid is exempt from the electricity wholesaling license;
- dd) National power system dispatch units and electricity market transaction regulation units;
- e) Emergency electricity work items, emergency works for construction of power sources and emergency electrical grids specified in Article 14 of this Law are exempt from the electricity license within 06 months from the date of being put into operation;
- g) Other electricity activities not covered by clause 1 Article 30 of this Law.

2. The organizations exempt from the electricity license specified in clause 1 Article 34 of this Law must comply with procedures and technical regulations on management and operation, regulation on electricity prices, technical and safety conditions and fulfill the obligations by electricity activities specified in this Law.

3. Provincial People's Committees shall manage and inspect organizations conducting electricity activities in their provinces as specified in clauses 1 and 2 of this Article.

4. The Government shall regulate specific capacity at which the electricity license is exempted as specified in clause 1 of this Article.

Article 34. Contents of an electricity license

- 1. Name and head office address of the license holder.
- 2. Electricity activities.
- 3. Scope of electricity activities.

4. Main specifications of the electricity work or technology used in electricity activities with regard to the fields of electricity generation, electricity transmission and electricity distribution.

5. Validity period of the electricity license.

6. Rights and obligations of the license holder.

Article 35. Validity period of electricity licenses

1. The validity period of an electricity license must not exceed the operation duration of a project or work for electricity transmission or electricity distribution.

2. The Government shall elaborate validity period of the electricity license by each activity and in each case of issuance of the electricity license according to regulations of this Law.

Article 36. Revocation of electricity licenses

1. An organization shall have its electricity license revoked in the following cases:

a) It wishes to terminate an electricity license or transfer the licensed electricity license to another organization;

b) It fails to satisfy conditions for conduct of the licensed electricity license;

c) It operates against the electricity activity or scope written on the electricity license;

d) It leases out or lends out the license for conduct of any electricity activity; arbitrarily modifies any content of the license;

dd) It forges the documents in the application for issuance of electricity license;

e) It fails to abide by the decision on imposition of penalties for administrative violations issued by the competent authority when violating regulations on electricity licenses and fails to take corrective actions within the time limit required by the competent authority.

2. Any organization having its electricity license revoked as prescribed in points b, c, d, dd and e clause 1 of this Article is entitled to apply for re-issuance of the electricity license after fulfilling the responsibilities and obligations as prescribed by law.

3. The Government shall elaborate this Article, and applications and procedures for revocation of the electricity license.

Article 37. Authority to issue, revise, re-issue, extend and revoke electricity licenses

1. The Ministry of Industry and Trade shall issue electricity licenses in the fields of electricity generation, electricity transmission, electricity distribution, electricity wholesaling and electricity retailing, except the regulations in clause 2 of this Article.
2. Provincial People's Committees shall issue electricity licenses in the fields of electricity generation, electricity distribution, electricity wholesaling and electricity retailing within their provinces according to the Government's regulations.
3. Where necessary, the Ministry of Industry and Trade shall authorize its affiliates and provincial People's Committees shall authorize their specialized agencies in the field of electricity to issue, revise, re-issue, extend and revoke electricity licenses according to regulations of this Law.
4. The licensing authority reserves the right to revise, re-issue, extend and revoke electricity licenses.
5. Based on socio-economic development conditions and state management requirements from time to time, the Government shall elaborate clauses 1 and 2 of this Article on the authority to issue, revise, re-issue, extend and revoke electricity licenses by capacity, voltage level and scope of each electricity activity.

Chapter V

COMPETITIVE ELECTRICITY MARKET AND ELECTRICITY TRADING

Section 1. COMPETITIVE ELECTRICITY MARKET

Article 38. Principles of operation

1. Ensure publicity, transparency, equality, fair competition, and non-discrimination among participants in the competitive electricity market; protect legitimate rights and interests of electric utilities and electricity consumers.
2. Respect and protect the rights to freely choose partners and transaction forms of electricity traders on the competitive electricity market appropriate to the level of the competitive electricity market.
3. The State regulates the operation of the competitive electricity market in order to facilitate sustainable development of the power system and satisfaction of the requirements for safe, stable and efficient supply of electricity.

Article 39. Development of levels of competitive electricity market

1. The competitive electricity market is developed at the following levels:
 - a) Competitive electricity generation market;

b) Competitive wholesale electricity market;

c) Competitive retail electricity market.

2. Conditions to be fulfilled before operating the competitive electricity market at levels include:

a) Formulating and perfecting legislative documents;

b) Restructuring the electric power sector;

c) Building and completing the infrastructure of the power system and electricity market;

d) Reforming the electricity price mechanism, gradually reducing and progressing towards the elimination of cross-subsidy among consumer groups and regions.

3. The Prime Minister shall regulate the conditions and structure of the electric power sector to form and develop levels of the competitive electricity market; regulate the principles of operation and roadmap for development of the competitive electricity market in conformity with clause 11 Article 5 of this Law, clause 2 of this Article and socio-economic situation from time to time.

Article 40. Participants in the competitive electricity market at levels

1. Participants in the competitive electricity market comprise:

a) Electricity generation units;

b) Electricity transmission units.

c) Electricity distribution units.

d) Electricity wholesalers;

dd) Electricity retailers;

e) National power system dispatch units;

g) Electricity market transaction regulation units

h) Electricity consumers.

2. The Minister of Industry and Trade shall elaborate the participation by the participants specified in clause 1 of this Article in a manner that is suitable for levels of the competitive electricity market.

Article 41. Electricity trading on the competitive electricity market at levels

1. Electricity traders on the competitive electricity market comprise:

- a) Electricity generation units;
- b) Electricity wholesalers;
- c) Electricity retailers;
- d) Electricity consumers.

2. The electricity trading on the electricity market shall be effected in the following forms:

- a) Under a contract between an electricity seller and an electricity buyer;
- b) Under a spot contract between an electricity seller and an electricity buyer through an electricity market transaction regulation unit;
- c) Under an electricity forward contract, options contract to buy or sell electricity or electricity futures contract between an electricity seller and an electricity buyer.

3. Spot electricity prices shall be formed according to each transaction cycle of the competitive electricity market and announced by the electricity market regulation unit.

Article 42. Transactions and regulation of transactions on competitive electricity market at levels

1. Transactions and regulation of transactions on the competitive electricity market include:

- a) Fully and reliably predicting the electricity supply and demand and formulating an electricity market operation plan;
- b) Spot electricity trading on the electricity market;
- c) Offering prices and determining market prices;
- d) Providing ancillary services and prices of ancillary services appropriate to each level of the competitive electricity market;
- dd) Preparing invoices and making payment between the traders specified in clause 1 Article 41 of this Law and ancillary service providers;
- e) Providing and disclosing information relating to transactions and regulation of transactions on the electricity market to related parties;
- g) Providing transaction services and payment services for the amount of electricity and capacity traded under a spot contract and ancillary services;

h) Receiving and handling propositions related to transactions in electricity trading on the electricity market in order to ensure the stability and efficiency and prevent unfair competition practices;

i) Controlling the operation of the electricity market;

k) Reporting transactions in the electricity trading on the electricity market.

2. The Minister of Industry and Trade shall elaborate clause 1 of this Article in a manner that is suitable for each level of the competitive electricity market.

Article 43. Suspending and resuming operation of the spot electricity market in the competitive electricity market at levels

1. The operation of the spot electricity market in the competitive electricity market at levels shall be suspended in any of the following cases:

a) An emergency situation which is a disaster or natural disaster arises or national defense and security protection is required;

b) The power system operates in extreme emergency mode, thereby failing to ensure stable, safe and continuous operation of the power system and the electricity market;

c) Other force majeure events that affect normal operation on the spot electricity market.

2. The operation of the spot electricity market in the competitive electricity market at levels shall be resumed as the causes of suspension specified in clause 1 of this Article are eliminated.

3. The Minister of Industry and Trade shall elaborate this Article.

Section 2. POWER PURCHASE AGREEMENTS AND POWER SERVICE SUPPLY AGREEMENTS

Article 44. Power purchase agreements and power service supply agreements

1. A PPA or power service supply agreement must be established in the form of a physical document or a data message having the same validity as a document in accordance with law.

2. A PPA between an electricity generation unit and an electricity buyer, except for a power plant invested in the form of PPP; electricity wholesale agreement or contract for provision of auxiliary services for the power system must contain the following main contents:

a) Information of the parties to the contract, including: name, address, phone number, other contact methods (if any);

b) Price of the PPA; wholesale electricity prices; prices of auxiliary services for the power system;

c) Contracted electricity output (if any);

d) Invoices, electricity bills and payment deadline;

dd) Rights and obligations of the parties;

e) Language used: Vietnamese. In case the electricity seller has a foreign investor(s), the electricity seller and the electricity buyer may agree to employ another contract written in English language;

g) Other contents agreed upon by the two parties.

3. A PPA serving domestic purposes must primarily contain:

a) Information of the parties to the contract, including: name, address, phone number, other contact methods (if any);

b) Service standards and quality, address of electricity use;

c) Retail electricity price, payment methods and deadline;

d) Rights and obligations of the parties;

dd) Electricity buyer's responsibility for protecting information;

e) Case of agreement termination and liabilities arising from the agreement termination;

g) Force majeure events pursuant to the civil law;

h) Methods for dispute settlement;

i) Time of agreement conclusion, term of the agreement;

k) Penalty clauses;

l) Other contents agreed upon by the two parties.

4. A PPA serving non-domestic purposes shall contain the contents agreed upon by the parties. The electricity buyer shall ensure power quality as prescribed in Article 57 of this Law. In case an electricity consumer has a large monthly average electricity consumption, they must furnish performance security as agreed upon by the parties.

5. The Minister of Industry and Trade shall elaborate clause 2 of this Article in a manner that is suitable for each level of the competitive electricity market.

6. The Government shall elaborate the performance security and assurance of power quality specified in clause 4 of this Article and regulate the conditions for concluding PPAs serving domestic purposes.

Article 45. Electricity forward contracts, options contracts to buy or sell electricity, electricity futures contracts

1. Main contents of an electricity forward contract:

a) The contracted electricity output and electricity purchase and sale price in the electricity forward contract to be determined on the basis of negotiation and agreement between the electricity buyer and the electricity seller;

b) The reference price in the electricity forward contract which is the spot electricity market price calculated and announced in accordance with the regulations on operation of the competitive electricity market;

c) The electricity buyer or the electricity seller are obliged to pay the difference between the electricity buying price and the reference price in the electricity forward contract with regard to the committed electricity output.

2. Main contents of an options contract to buy or sell electricity:

a) The option in the options contract to buy or sell electricity which may be the option to buy or sell, which is determined on the basis of the agreement between the option buyer and the option seller;

b) The contracted electricity output, electricity price and validity period of the options contracts to buy or sell electricity to be determined on the basis of negotiation and agreement between the option buyer and the option seller;

c) The option buyer may choose whether to exercise the option or not within the validity period of the contract;

d) The option seller is obliged to sell the electricity output at the contracted price when the buyer exercises the option to buy or buys the electricity output at the contracted price when the buyer exercises the option to sell;

dd) The option buying price is determined on the basis of supply and demand for the options contracts to buy or sell electricity on the forward electricity market.

3. An electricity futures contract shall contain the main contents specified in clause 1 of this Article. The electricity futures contract shall be standardized and listed on the electricity futures market.
4. Value-added tax mechanism applicable to transactions of electricity forward contracts, options contracts to buy or sell electricity and electricity futures contracts must comply with the law on value-added tax.
5. The Minister of Industry and Trade shall elaborate clauses 1 and 2 of this Article.
6. The Government shall regulate the conditions and roadmap for forming and developing the competitive electricity market, mechanism for operation of the forward electricity market in conformity with the requirements for assurance of electricity supply security, levels of the competitive electricity market and other relevant regulations of law.

Article 46. Trading of electricity with foreign countries

1. The trading of electricity with a foreign country includes electricity trading activities with a foreign country through the national power system or through the direct connection which bypasses the national power system. The trading of electricity with a foreign country must ensure national energy security and protect interests of the State and the People and the interests of electricity consumers and must conform to the strategy for trading of electricity with foreign countries and PDP approved.
2. The connection of the electrical grid with a foreign country through the national power system must meet the following requirements:
 - a) Ensure security, safety, reliability and stability during operation of the national power system;
 - b) Ensure the economic-technical optimization of the power system, conform to standards, technical regulations, management and operation processes of the national power system;
 - c) Projects and works connecting the electrical grid with the foreign country in land border areas must not change border identification signs or affect national border markers.
3. In case part of the electrical grid is separated from the national power system for connection with the foreign electrical grid, the agreement of the parties to the electrical grid connection must comply with the technical regulations and standards for management and operation of the national power system.
4. The direct connection of electrical grid with a foreign country which bypasses the national power system shall be made with the agreement of the parties to the power grid connection.
5. Electricity import prices determined at Vietnam's shall be agreed upon by the electricity buyer and the electricity seller in line with the electricity import price bracket promulgated by the Minister of Industry and Trade, aiming at minimizing the cost of electricity buying.

6. Prices of export of electricity to a foreign country shall be agreed upon by the electricity seller and the electricity buyer by way of adhering to the following principles:

- a) The regulations specified in clause 1 of this Article are complied with;
- b) In case the export of electricity bypasses the national power system, the electricity export price must not be lower than the maximum price of the domestic electricity generation price bracket corresponding to the type of electricity generation promulgated by the Minister of Industry and Trade;
- c) In case of exporting electricity to foreign countries through the national power system, the electricity export price shall rely on the retail electricity price specified in clause 1 Article 50 of this Law and must not be lower than the maximum price of the price bracket of the average domestic retail electricity price.

7. Based on the demands for socio-economic development from time to time, the Prime Minister shall decide the strategy for trading of electricity with foreign countries.

8. The Minister of Industry and Trade shall approve guidelines for trading of electricity with foreign countries in conformity with the strategy for trading of electricity with foreign countries, PDP and plan to implement the planning approved; regulate applications and procedures for formulation and approval of electricity import price brackets, methods of formulating electricity import price brackets applicable to specific countries, dossiers and procedures for trading of electricity with foreign countries.

Article 47. Direct electricity trading between large electricity consumers and electricity generation units

1. Cases of electricity trading between large electricity consumers and electricity generation units include:

- a) Trading of electricity through a separate connected electrical grid;
- b) Trading of electricity through the national grid.

2. The direct trading of electricity between large electricity users and electricity generation units must adhere to the following principles:

- a) Comply with regulations of laws on planning and investment, regulations on issuance of electricity licenses, electricity trading activities and other relevant regulations of law;
- b) Be suitable for levels of the competitive electricity market.

3. The Government shall regulate the mechanism for direct trading of electricity between large electricity users and electricity generation units; regulate dossiers, procedures and

responsibilities of relevant parties upon participation in the mechanism for direct trading of electricity between large electricity users and electricity generation units.

Article 48. Payment of electricity bills under PPAs with electricity consumers

1. Electricity bills under a PPA with an electricity consumer serving domestic purposes shall be paid in accordance with the following regulations:

- a) Electricity bills shall be paid using the method agreed upon by the two parties under the PPA; if the electricity buyer delays paying electricity bills, they must pay a late payment interest to the electricity seller in proportion to the period of late payment;
- b) The late payment interest rate shall be agreed upon by the parties but not exceed the interest rate as per regulations of civil law;
- c) If the electricity seller collects electricity bill overpayment, they must refund the excess to the electricity buyer, including the interest on such overpayment or agree with the electricity buyer to offset the electricity bill overpayment in the next payment period;
- d) The interest on electricity bill overpayment shall be determined as prescribed in point b of this clause;
- dd) The electricity seller shall record meter reading once a month on a fixed date, except force majeure events that pose a safety risk to workers as specified in the PPA. The date of recording meter readings may be 01 day sooner or later than the fixed date or changed as agreed upon in the PPA.

2. Electricity bills under a PPA with an electricity consumer serving non-domestic purposes shall be paid as agreed upon by the parties under the agreement. Any party that delays the payment or collects electricity bill overpayment is obliged to pay a late payment interest in proportion to the period of late payment in accordance with regulations of civil law.

3. Regulations on reconsidering the electricity bill payable:

- a) The electricity buyer is entitled to request the electricity seller to re-consider the electricity bill payable using any of the following methods: directly at the electricity seller; via postal services; by electronic means or another method agreed upon by the parties;
- b) Upon receiving the electricity buyer's request, the electricity seller shall process it within 07 days from the date of receiving the request. Where they disagree with the electricity seller, the electricity buyer shall request a competent authority to initiate the conciliation procedure in accordance with regulations of law on conciliation or request an arbitration center or court to proceed with their request as prescribed by law;
- c) Pending the request processing result, the electricity buyer still has to pay the electricity bill; the electricity seller must not disconnect the electricity supply.

4. Where the electricity buyer fails to pay the electricity bill as agreed upon under the agreement after the electricity seller has sent 02 separate notifications, at least 03 days apart, the electricity seller is entitled to disconnect the electricity supply. The electricity seller is entitled to disconnect the electricity supply from the time of supply disconnection which shall be agreed upon by the two parties in PPA but not more than 10 days after seller sends the first notification. The electricity seller must notify the time of electricity supply disconnection to the electricity buyer 24 hours in advance and is not required to bear responsibly for the damage caused by the electricity supply disconnection. After the electricity buyer pays the electricity bill and completes the procedures for applying for electricity supply resumption, the electricity seller must resume the electricity supply as per the law on electricity.

5. An electricity bill is prepared according to the metering cycle. Method of notification of electricity bill payment shall be agreed upon by the two parties under a PPA.

6. The determination of electricity bills in cases where the electricity metering device is not accurate according to technical requirements for measurement, where the electricity buyer uses electricity during the period during the period the metering system is faulty causing the meter to stop working and where the electricity buyer uses electricity during the period the metering system is lost shall comply with regulations of the Minister of Industry and Trade.

7. The Government shall elaborate the recording of electricity meter readings.

Article 49. Disconnecting and reducing supply of electricity to electricity consumers

1. Disconnecting and reducing supply of electricity to an electricity consumer shall comply with regulations of law and signed PPA. The electricity buyer and electricity seller must agree to the cases of electricity supply disconnection and reduction and methods of notifying the electricity supply disconnection and reduction in the PPA.

2. Cases of electricity supply disconnection and reduction:

a) As an incident or force majeure event which is beyond the electricity seller's control occurs, thereby seriously threatening the safety of persons and equipment or a power shortage occurs, thereby threatening the safety of the power system, the electricity seller may disconnect or reduce the electricity supply; must, within 24 hours since the electricity supply disconnection or reduction, notify the electricity buyer of the status of electricity supply and the estimated time of electricity supply resumption;

b) When there is a plan for repair, maintenance or other tasks, the electricity seller shall notify the electricity buyer thereof at least 05 days before the electricity supply disconnection or reduction by the notification method agreed upon in the PPA;

c) Electricity bills are not paid as prescribed in clause 4 Article 48 of this Law;

d) At the request of a competent authority in case an organization or individual violates regulations of this Law or regulations of other laws and is required to be subject to the electricity supply measures according to regulations of such laws.

3. The Minister of Industry and Trade shall elaborate the procedures for electricity supply disconnection and reduction as prescribed in clause 2 of this Article.

Section 3. ELECTRICITY PRICES AND ELECTRICITY-RELATED SERVICE PRICES

Article 50. Electricity prices

1. Retail electricity price is prescribed as follows:

a) The retail electricity price shall be set by the electricity retailer on the basis of the electricity price policy, the price bracket of the average retail electricity price, the mechanism for adjusting the average retail electricity price and the electricity retail tariff structure;

b) The retail electricity price is specific to each group of electricity consumers in a manner that is appropriate to the socio-economic situation in each period and the level of the competitive electricity market, including: manufacturing, business, administrative and daily activities. The time-based retail electricity price is applied to eligible electricity consumers, including the retail electricity price during peak hours, off-peak and normal hours. For the group of domestic electricity consumers, progressive pricing shall apply to consumers that are not eligible to participate or do not participate in buying and selling electricity on the competitive electricity market.

2. Wholesale electricity price under a PPA shall be agreed upon by the electric utilities as prescribed in point e clause 12 Article 5 of this Law.

3. The authority to set, submit, approve and decide electricity prices is as follows:

a) The Government shall regulate the mechanism and time for adjustment of the average retail electricity price;

b) The Prime Minister shall regulate the electricity retail tariff structure and the price bracket of the average retail electricity price;

c) The Ministry of Industry and Trade shall formulate and submit to the Government and the Prime Minister the regulations specified in points a and b of this clause; submit to the Prime Minister for decision on electricity selling prices in rural, mountainous and border areas and on islands whose grids are yet to connected to the national grid in a way that is suitable for the level of the competitive electricity market; the roadmap for reducing electricity price cross-subsidy; the roadmap for improving the electricity retail tariff structure, including retail electricity prices with multiple components, including at least two components such as capacity add-on price, electrical energy price, fixed price, variable price or other price components (if any) applied to

consumer groups when technical conditions permit; the electricity price mechanism suitable for groups of electricity consumers as specified in clause 12 Article 5 of this Law;

d) The Minister of Industry and Trade shall provide for the method of determining wholesale electricity prices; methods of establishing and procedures for approving the wholesale electricity price bracket.

Article 51. Electricity-related service prices

1. Electricity generation service prices are prescribed as follows:

a) The price of a PPA includes the following components: fixed price determined on average according to the economic life of the project; operation and maintenance price and variable price;

b) The price of the PPA in base year shall be agreed upon by the electric utilities in the PPA. The electricity seller and the electricity buyer have the right to sign a PPA at a fixed price for each contract year on the basis of ensuring that the fixed price remains unchanged;

c) In case an agreement on the price of the PPA has not yet been reached, the electricity seller and the electricity buyer may agree on a temporary price to be applied until the official price is agreed;

d) In case of organizing bidding to select investors in a power plant project, the price of the PPA shall be determined by the electricity seller and the electricity buyer as prescribed in points a, b and c of this clause and clause 2 Article 19 of this Law;

dd) Prices of power generation services for power plants invested in the form of PPP shall comply with Article 16 of this Law;

e) Small renewable energy power plants may apply the avoided cost tariff mechanism;

g) The Minister of Industry and Trade shall regulate the method of determining prices of electricity generation services as specified in this clause.

2. The electricity buyer and the electricity seller may agree on the price of the PPA on the principle of ensuring that a power plan recoups its investment (if any) and expenses for electricity production and trading activities and agree on a reasonable profit level with regard to the following power plants:

a) The small renewable energy plants specified in point e clause 1 of this Article as the time limit for applying the avoided cost tariff has expired;

b) The power plants which have been commercially operated as the time limit for applying the price of the PPA has expired;

c) The power plants for which the BOT contract has expired and which need to be transferred to the Government as prescribed in Article 16 of this Law.

3. The Minister of Industry and Trade shall provide for the dossiers, procedures and methods for determining electricity generation price brackets; approve the electricity generation price bracket established and submitted by electric utilities.

4. The Minister of Industry and Trade shall regulate the method of determining the cost of electricity generation of power plants during the period over which they have yet to participate in the competitive electricity market in the following cases:

a) The power plants prescribed in clause 2 Article 5 of this Law;

b) Power plants cooperating with power plants prescribed in clause 2 Article 5 of this Law in operation to support the regulation of the system according to the list prescribed by the Ministry of Industry and Trade;

c) Other power plants which fail to determine the prices of electricity generation services.

5. In case there is no method of determining the electricity generation price and electricity generation price bracket as prescribed in clauses 1 and 3 of this Article with regard to expanded hydropower projects specified in point b clause 1 Article 18 of this Law, renewable energy source projects integrated with energy storage system specified in clause 3 Article 20 of this Law, the electricity buyer and the electricity seller shall, pursuant to the regulations set out in clause 1 of this Article, agree to devise a method of determining prices of electricity generation services which must be appropriate to actual conditions of the power plant.

6. The Minister of Industry and Trade shall elaborate the following contents:

a) Methods of setting, dossiers and procedures for approving prices of electricity transmission services, prices of electricity distribution services, prices of ancillary services for power system, prices of power system dispatch and operation services and prices of electricity market transaction regulation services;

b) Methods of providing guidance on and forms of valuation of transmission grids invested in and built by non-state economic sectors as prescribed in clause 4 Article 5 of this Law.

7. The Minister of Industry and Trade shall approve prices of electricity transmission services, prices of electricity distribution services, prices of ancillary services for power system, prices of power system dispatch and operation services and prices of electricity market transaction regulation services set and submitted by electric utilities.

8. Based on the characteristics of power plants from time to time, the Minister of Industry and Trade shall decide the following contents:

- a) Application of the electricity generation price bracket to offshore wind power plants as prescribed in this Law and power plants mentioned in clause 2 of this Law;
- b) Multi-component electricity price mechanism, including capacity add-on price, electrical energy price, fixed price, variable price or other prices (if any).

Article 52. Bases for setting and adjusting electricity prices and electricity-related service prices

1. Bases for setting electricity prices include:

- a) Electricity price policies;
- b) National socio-economic conditions;
- c) Electricity supply and demand;
- d) Reasonable expenses for electricity production and trading and reasonable profits of electric utilities;
- dd) Levels of the competitive electricity market.
- e) Annually audited financial statements of electric utilities.

2. The adjustment of average retail electricity price shall be made as follows:

- e) The average retail electricity price shall be reflected and adjusted promptly according to actual fluctuations in input parameters to compensate for reasonable and valid expenses and reasonable profits so as to preserve and develop business capital of enterprises in a manner that is appropriate to socio-economic conditions from time to time and levels of the competitive electricity market;
- b) When the retail electricity market is operated, the retail electricity price shall be applied according to the market mechanism;
- c) The Government shall elaborate point a of this clause.

3. Every electric utility shall prepare and disclose statements of expenses for electricity production and trading on an annual basis. Methods and details of disclosure shall comply with regulations of law.

4. Bases for adjusting electricity generation service prices in signed PPAs:

- a) Changes to policies and laws promulgated by competent authorities, which adversely affect the legitimate interests of electricity sellers or electricity buyers;

- b) Complying with competent authorities' requests for review and adjustment of electricity generation service prices;
- c) An electricity seller is assigned to invest in the construction, upgrade or renovate items (outside the scope of investment management of the electricity generation unit in the signed PPA) to implement planning or to fulfill new requirements for standards and technical regulations as prescribed by law;
- d) Optimizing the process for management, production, technological change and innovation in electricity production activities.

Chapter VI

NATIONAL POWER SYSTEM DISPATCH AND OPERATION

Article 53. Principles and requirements for dispatch and operation of national power system

1. The dispatch and operation of national power system shall adhere to the following principles:

- a) Ensure safety, stability, quality and reliability;
- b) Ensure technical constraints of the power system;
- c) Meet the requirements for flood management, irrigation, maintenance of minimum flow and downstream water supply as prescribed by law;
- d) Implement agreements on electricity output and capacity in PPAs, electricity export and import on the basis of ensuring the safety of the national power system, safeguarding the interests of the State and the People; constraints on primary fuel consumption for electricity generation approved by competent authorities;
- dd) Carry out techno-economic optimization of the power system;
- e) Ensure fairness in mobilizing capacity and electrical energy of power generation units in the national power system.

2. Technical requirements and requirements for commanding operation of the national power system:

- a) Electricity generating equipment, electrical grids and auxiliary equipment connected to the transmission grid and distribution grid must satisfy the requirements for connection and techniques for operation of the national power system;

b) The national power system shall be commanded by a dispatch level vested with controlling rights, including the national dispatch level, regional dispatch level, and distribution dispatch level;

c) Each unit managing and operating the power source and electrical grid shall obey the command of the dispatch level vested with controlling rights; formulate a plan for maintenance and repair of equipment under its management to ensure safe operation and lessen the possibility of incidents, cooperate with relevant units in operation to ensure the safe, stable and reliable operation of the power system.

3. In case of any emergency situation that severely threatens to interrupt electricity supply, the Minister of Industry and Trade shall decide the operation and mobilization of power plants to ensure the electricity supply. Each power plant shall facilitate the mobilization, ensure the safe operation of generating sets and equipment and report its execution of the mobilization order to its owner.

4. The Minister of Industry and Trade shall regulate functions and tasks and grant of controlling rights to the dispatch levels vested with control authority, principles of dispatch and operation, incident handling, black start and restoration of the national power system; requirements for techniques, connection, electricity metering and operation of the electricity transmission and distribution system; directs the formulation of power supply plans, inspection and supervision of power supply and power system operation to balance the electricity supply and demand.

5. The Government shall regulate emergency situations that severely threaten to interrupt electricity supply as specified in clause 3 of this Article.

Article 54. Demand side management

1. Demand side management involves encouraging and providing instructions for shifting of electricity use; saving electricity, reducing electricity loss; lowering peak demand and load difference between peak and off-peak hours.

2. Each electric utility shall conduct electrical load research, design and organize the implementation of the demand side management program to optimize the operation of the power system.

3. Electricity consumers shall participate in the demand side management program to optimize the operation of the power system, decrease the capacity difference between peak and off-peak hours of the power system load profile.

4. The Ministry of Industry and Trade shall design and submit to the Prime Minister for approval a national demand side management program which is appropriate to the socio-economic condition from time to time and includes measures for demand side management, financial mechanism and responsibilities of related parties. The Minister of Industry and Trade shall stipulate the demand side management.

Article 55. Thrift practice in electricity generation, transmission, distribution and use

1. Thrift practice in electricity generation is provided for as follows:

- a) Every electricity generation unit shall select advanced, eco-friendly and high-efficiency technologies for electricity generation, manage and adopt the method for optimal operation of electricity generating equipment to save fuels and sources of energy used for electricity generation, contributing to the assurance of the national energy security and environmental protection;
- b) Self-consumption power systems in power plants must be appropriately designed and installed, and used during the operation process in a manner that satisfies the requirements for self-consumption power saving;
- c) The Minister of Industry and Trade shall specify the norms for self-consumption of power plants.

2. Thrift practice in electricity transmission and distribution is provided for as follows: Transmission and distribution lines and electrical substations must meet advanced techno-economic parameters and standards and be operated by optimal methods in order to satisfy the requirements for stable, safe and constant supply of electricity and take into account the economic efficiency of solutions for reducing electrical energy loss.

3. Thrift practice in electricity use is provided for as follows:

- a) Organizations and individuals using electricity for production shall improve and rationalize the process for manufacture and application of technologies and electrical equipment with low power consumption to save electricity; maintain the capacity factor according to technical standards and minimize the underload use of electrical equipment;
- b) Organizations and individuals that manufacture or import electrical equipment must meet the advanced energy efficiency criteria so as to reduce the cost of electricity, thus contributing to electricity saving;
- c) Electricity-using organizations shall promulgate regulations on thrift practice in electricity use within their respective organizations.

Article 56. Electricity metering

1. Electricity sellers, electricity generation units, electricity transmission units and electricity distribution units shall invest in, install and manage all electricity metering devices, auxiliary equipment for electricity metering and systems for collecting and managing metering data, unless otherwise agreed upon by the parties to safeguard their interests in compliance with regulations of law.

2. Electricity metering devices must satisfy technical requirements for measurement and be inspected, calibrated and tested in accordance with regulations of law on measurement.
3. The meter installation positions must ensure safety and aesthetic appearance, and prime electricity buyers to check meter readings and electricity sellers to record meter readings.
4. Electricity metering device owners shall carry out inspection, calibration and testing of metering devices in accordance with the requirements and within the time limit specified by regulations of law on measurement.
5. If it is suspected that the electricity metering device operates inaccurately, the electricity buyer is entitled to request the electricity seller to conduct a check; the electricity seller must completely check, repair or replace it; in case of electricity retailing, the electricity seller must completely check, repair or replace it within 03 days from the date of receiving the electricity buyer's request. In case of disagreeing with the result of the check, repair or replacement by the electricity seller, the electricity buyer may request an electricity authority affiliated to the provincial People's Committee to carry out an independent inspection. Within 15 days from the date of receiving the request, the electricity authority affiliated to the provincial People's Committee shall carry out the inspection with an independent inspection organization.
6. The cost of electricity metering device inspection specified in clause 5 of this Article shall be paid as follows:
 - a) Where the independent inspection organization determines that the electricity metering device has satisfied technical requirements for measurement, the electricity buyer shall pay the inspection cost;
 - b) Where the independent inspection organization determines that the electricity metering device has failed to satisfy technical requirements for measurement, the electricity seller shall pay the inspection cost and carry out retrospective collection or refund disgorgement of electricity under the signed PPA and regulations of law.

Article 57. Electric power quality assurance

1. Electricity generation units, electricity transmission units and electricity distribution units must meet capacity, electrical energy and electricity supply duration standards laid down in the signed agreements; ensure the compliance of voltage and frequency with technical requirements promulgated by the Minister of Industry and Trade. In case of failure to satisfy the voltage, frequency, capacity, electrical energy and electricity supply duration standards under the signed agreements causing damage to the electricity buyer, the electricity seller must pay compensation to the electricity buyer according to regulations of law.
2. The electricity buyer shall ensure that their electrical equipment operates safely so as not to cause any breakdown to the power system and not to affect quality of voltage and frequency of the electrical grid.

Chapter VII

RIGHTS AND OBLIGATIONS OF ELECTRIC UTILITIES AND ELECTRICITY CONSUMERS

Article 58. Rights and obligations of electric utilities issued with electricity licenses

1. An electric utility issued with the electricity license has the right to:
 - a) Conduct electricity activities according to the electricity license;
 - b) Apply for re-issuance, extension, amendment or addition of electricity activities when fully satisfying conditions as prescribed by law;
 - c) Be provided with necessary information in accordance with regulations of law in the fields covered by the electricity license;
 - d) Other rights as prescribed by law.
2. An electric utility issued with the electricity license has the obligation to:
 - a) Conduct electricity activities according to the electricity license;
 - b) Satisfy conditions for conducting licensed electricity activities within the time limit specified in the electricity license;
 - c) Report to the licensing authority at least 60 days before the date on which it stops conducting electricity activities;
 - d) Do not lease or lend out or arbitrarily modify any content of the electricity license;
 - dd) Apply for revision to the electricity license after change of its name or registered business address;
 - e) Report the conduct of licensed electricity activities to the licensing authority before March 01 every year;
 - g) Other obligations as prescribed by law.

Article 59. Rights and obligations of electricity generation units

1. An electricity generation unit has the right to:
 - a) Establish connection to the national power system when satisfying the technical conditions and requirements;

b) Request a competent authority to make amendments to relevant technical regulations and techno-economic norms;

c) Sell electricity to buyers under PPAs;

d) Sell electricity to a buyer under an electricity forward contracts, options contracts to buy or sell electricity or electricity futures contracts and offer spot selling prices of electricity on the competitive electricity market;

dd) Be provided with necessary information relating to electricity generation activities;

e) Other rights as prescribed by this Law and other relevant regulations of law.

2. An electricity generation unit has the obligation to:

a) Ensure safe, stable and reliable operation of generating sets and equipment in power plants, prepare sufficient fuel to facilitate the adoption of operation methods and satisfaction of operation requirements of the power system with the aim of ensuring safe and constant supply of electricity;

b) Where human life and safety of equipment are threatened, disconnect or reduce the electricity supply if there is no alternative;

c) Comply with regulations on dispatch and operation of the power system, electrical safety and electricity market;

d) Follow operation methods, command and control orders of dispatch levels vested with controlling rights;

dd) Immediately notify a dispatch level vested with controlling rights, organizations and individuals concerned of any fault in electricity generation;

e) Invest in electrical substations, meters and lines transmitting electricity to meters for electricity buyer, unless otherwise agreed with the electricity transmission unit, electricity distribution unit or electricity buyer;

g) Report information relating to the readiness and reserve capacity of power plants and related information at the request of the national load dispatch unit, electricity market transaction regulation unit or competent authority;

h) Collect, treat and recycle ash and slag generated from thermal power plants, solar panels, energy storage equipment, wind turbine blades and other discarded electrical equipment in accordance with regulations of law on environmental protection;

i) Other obligations as prescribed by this Law and other relevant regulations of law.

Article 60. Rights and obligations of electricity transmission units

1. An electricity transmission unit has the right to:

- a) Establish connection to the national power system when satisfying the technical conditions and requirements;
- b) Request a competent authority to make amendments to relevant technical regulations and techno-economic norms;
- c) Set and submit prices of electricity transmission services for approval;
- d) Provide electricity transmission services as prescribed;
- dd) Be provided with necessary information relating to electricity transmission activities;
- e) Enter the electricity buyer's premises to operate, maintain, repair or replace electrical equipment of the electricity transmission unit;
- g) Other rights prescribed by this Law and other relevant regulations of law.

2. An electricity transmission unit has the obligation to:

- a) Provide transmission services and ancillary services to relevant parties, protect the right of organizations and individuals conducting electricity activities to establish connection to the transmission grid which they are assigned to manage and operate, except where the transmission grid is overloaded as certified by the Ministry of Industry and Trade;
- b) Where human life and safety of equipment are threatened, disconnect or request a dispatch level vested with controlling rights to reduce the electricity transmission if there is no alternative;
- c) Formulate a plan for investment in transmission grid development and invest in the transmission grid development to satisfy the electricity transmission demands under the PDP and plan to implement PDP; invest in electricity metering devices and auxiliary equipment, unless otherwise agreed with the electricity transmission unit, electricity distribution unit or electricity buyer;
- d) Ensure that the electrical grid and equipment under its management are operated in a safe, stable and reliable manner;
- dd) Comply with regulations on dispatch and operation of the power system, electrical safety and electricity market;
- e) Follow operation methods, command and control orders of dispatch levels vested with controlling rights;

- g) Immediately notify a dispatch level vested with controlling rights, organizations and individuals concerned of any fault in the transmission grid;
- h) Report information relating to the readiness and reserve capacity of equipment and other related information at the request of the national load dispatch unit, electricity market transaction regulation unit or competent authority;
- i) Other obligations as prescribed by this Law and other relevant regulations of law.

Article 61. Rights and obligations of electricity distribution units

1. An electricity distribution unit has the right to:

- a) Establish connection to the national power system when satisfying the technical conditions and requirements;
- b) Request a competent authority to make amendments to relevant technical regulations and techno-economic norms;
- c) Set and submit prices of electricity distribution services for approval; provide electricity distribution services as prescribed;
- d) Enter the electricity buyer's premises to operate, maintain, repair or replace electrical equipment of the electricity distribution unit;
- dd) Be provided with necessary information relating to electricity distribution activities;
- e) Other rights as prescribed by this Law and other relevant regulations of law.

2. An electricity distribution unit has the obligation to:

- a) Provide electricity distribution services for electricity consumers, electricity retailers and electricity wholesalers in compliance with technical requirements, and requirements for service quality and safety under agreements, except where the distribution grid is overloaded as certified by an electricity authority affiliated to the provincial People's Committee;
- b) Formulate a plan for investment in transmission grid development and invest in the transmission grid development to satisfy the electricity demands according to the electricity supply network development plan in the provincial planning; plan to implement provincial planning containing contents of the electricity supply network development plan; invest in electricity meters and lines transmitting electricity to meters for the electricity buyer, unless otherwise agreed with the electricity buyer;
- c) Comply with regulations on dispatch and operation of the power system, electrical safety and electricity market, and operation methods at the request of a dispatch level vested with

controlling rights, adjust load, disconnect and reduce electricity supply in accordance with regulations to ensure the power system is operated in a safe and constant manner;

d) Where human life and safety of equipment are threatened, disconnect or reduce the electricity distribution if there is no alternative;

dd) Report information relating to the readiness and reserve capacity of equipment and other related information at the request of the national load dispatch unit, electricity market transaction regulation unit or competent authority;

e) In case of any emergency situation that severely threatens to interrupt electricity supply, the electricity distribution unit shall mobilize backup generators of electricity consumers to maintain the supply to the national power system;

g) Other obligations as prescribed by this Law and other relevant regulations of law.

Article 62. Rights and obligations of electricity wholesalers

1. An electricity wholesaler has the right to:

a) Directly buy electricity from any electricity seller under a power wholesale agreement;

b) Use electricity transmission services, electricity distribution services, power system dispatch services and electricity market transaction regulation services appropriate to each level of the competitive electricity market;

c) Buy and sell electricity on the competitive electricity market under a power wholesale agreement, electricity forward contract, options contract to buy or sell electricity or electricity futures contract; determine the wholesale electricity price within the approved wholesale electricity price bracket;

d) Be provided with necessary information relating to electricity wholesaling activities;

dd) Other rights prescribed by this Law and other relevant regulations of law.

2. An electricity wholesaler has the obligation to:

a) Sell electricity according to the quantity, quality and prices agreed upon in agreements;

b) Pay compensation when causing damage to the electricity buyer or electricity seller according to regulations of law;

c) Abide by regulations on operation of the competitive electricity market and electrical safety; provide necessary information relating to the participation in the competitive electricity market at the request of the national load dispatch unit, electricity market transaction regulation unit or competent authority;

d) Other obligations as prescribed by this Law and other relevant regulations of law.

Article 63. Rights and obligations of electricity retailers

1. An electricity retailer has the right to:

a) Directly buy electricity from any electricity seller under a PPA;

b) Compete to buy and sell electricity on the competitive electricity market under a PPA, electricity forward contract, options contract to buy or sell electricity or electricity futures contract; determine the retail electricity price on the competitive retail electricity market as prescribed;

c) Use electricity transmission services, electricity distribution services, power system dispatch services and electricity market transaction regulation services appropriate to each level of the competitive electricity market;

d) Enter the electricity buyer's premises to check meters, record their readings, and contact consumers;

dd) Be provided with necessary information relating to electricity retailing activities;

e) Other rights as prescribed by this Law and other relevant regulations of law.

2. An electricity retailer has the obligation to:

a) Sell electricity according to the quantity, quality and prices agreed upon in the agreement;

b) Pay compensation when causing damage to the electricity buyer or electricity seller according to regulations of law;

c) Be provided with necessary information relating to the amount of retailed electricity at the request of the competent authority;

d) Inspect the execution of PPAs;

dd) Comply with regulations on operation of the competitive electricity market and electrical safety;

e) Other obligations as prescribed by this Law and other relevant regulations of law.

Article 64. Rights and obligations of the national load dispatch unit

1. The national load dispatch unit has the right to:

- a) Command and control electricity generation units, electricity transmission units and electricity distribution units to follow the national power system operation plan and method;
- b) Command the handling of emergency or unusual situations in the national power system; mobilize capacity and electrical energy of power plants in the national power system; command the operation of transmission and distribution grids; disconnect or reduce the electricity supply in case the safe and reliable operation of the national power system is threatened;
- c) Adjust the plan and method for mobilizing capacity of power plants in the event of emergency or unusual situations in the national power system to ensure the safe and stable operation of the national power system;
- d) Set and submit prices of power system dispatch and operation services for approval;
- dd) Request relevant electric utilities to provide information on technical specifications, readiness for participation in operation and load carriage of equipment for electricity generation, transmission and distribution; consumers' electricity demands in order to determine the method for operation of the national power system;
- e) Assess the balance between supply and demand of the power system;
- g) Benefit from special mechanisms and incentives provided by the Government for the maintenance of infrastructure and other essential systems serving the dispatch and operation of the power system, aiming to satisfy the requirements for operation and contribute to ensuring electricity supply;
- h) Be entitled to priority mechanisms and incentives provided by the Government to attract high quality human resources for the dispatch of the power system;
- i) Other rights prescribed by this Law and other relevant regulations of law.

2. The national load dispatch unit has the obligation to:

- a) Operate the national power system in a safe, stable and economical manner;
- b) Comply with regulations on dispatch and operation of the national power system, electricity transmission system and electricity distribution system promulgated by the Minister of Industry and Trade;
- c) Devise and submit to the Ministry of Industry and Trade for approval the method for national power system operation; devise and adopt other power system operation methods;
- d) Notify the capacity, amount of electricity and ancillary services mobilized for the electricity market transaction regulation unit;

dd) Manage, operate, maintain and service telecommunications and information system infrastructure and specialized systems serving power system dispatch;

e) Promptly report to the Ministry of Industry and Trade and notify the electricity market transaction regulation unit of the emergency or unusual situations which seriously threaten safe and reliable operation of the national power system;

g) Other obligations as prescribed by this Law and other relevant regulations of law.

Article 65. Rights and obligations of electricity market transaction regulation units

1. An electricity market transaction regulation unit has the right to:

a) Operate the spot electricity market;

b) Request related electric utilities to provide data in service of the regulation of electricity market transactions on the competitive electricity market as per regulations of law;

c) Invest in, install, manage and operate the metering data collection system and metering data management system under its management at each level of the competitive electricity market;

d) Invest in and develop electricity market information infrastructure under its management to serve electricity market activities corresponding to levels of the competitive electricity market;

dd) Set and submit prices of electricity market transaction regulation services for approval;

e) Benefit from special mechanisms and incentives provided by the Government for the maintenance of infrastructure and other essential systems serving the operation of the electricity market;

g) Be entitled to priority mechanisms and incentives provided by the Government to attract high quality human resources for the operation of the electricity market;

h) Other rights prescribed by this Law and other relevant regulations of law.

2. An electricity market transaction regulation unit has the obligation to:

a) Comply with regulations on the competitive electricity market;

b) Regulate and coordinate transactions in trading of electricity and ancillary services on the competitive electricity market;

c) Formulate and disclose information about the electricity market operation plans in the coming years, months and weeks, draw up schedules in the coming days and cycles;

d) Set and disclose spot electricity prices and ancillary service prices;

dd) Provide transaction services and payment services for the electricity and capacity traded on the spot electricity market, and ancillary services in a manner that is appropriate to each level of the competitive electricity market;

e) Manage, operate, maintain and service electricity market information system infrastructure and specialized telecommunications and information infrastructure serving power system dispatch and electricity market transaction regulation;

g) Receive, appraise, assess and confirm applications for participation in the electricity market of units wishing to participate in the electricity market;

h) Supervise the registration for participation in the electricity market by its members;

i) Other obligations as prescribed by this Law and other relevant regulations of law.

Article 66. Rights and obligations of electricity consumers

1. An electricity consumer has the right to:

a) Receive adequate amount of capacity and electricity of the quality agreed upon in the agreement;

b) Request the electricity seller to promptly resume the electricity supply after blackouts;

c) Receive compensation for the damage caused by the electricity seller according to regulations of law;

d) Request the electricity seller to check quality of electricity services, accuracy of electricity metering equipment and electricity bills payable;

dd) Be provided with necessary information relating to electricity retailing activities and electrical safety instructions;

e) Select the electricity seller in the competitive retail electricity market;

g) Other rights prescribed by this Law and other relevant regulations of law.

2. An electricity consumer has the obligation to:

a) Pay fully and on schedule electricity bills and adhere to other agreements in the PPA;

b) Use electricity in a safe, economical and efficient manner; implement regulations on and programs for demand side management to ensure the safe and continuous operation of the power system;

- c) Use electricity transmission services, electricity distribution services, power system dispatch services and electricity market transaction regulation services appropriate to each level of the competitive electricity market;
- d) Comply with regulations on eligible end users and use electricity for its intended purposes specified in the PPA;
- dd) Promptly notify the electricity seller of the unusual events that may cause a blackout or threaten safety of people and property;
- e) Prime the electricity seller, electricity transmission unit or electricity distribution unit to check and repair meters, record their readings, maintain, repair, install and replace the electricity metering system and electrical equipment of the electricity transmission unit or electricity distribution unit and contact customers;
- g) Investing in behind-the-meter transmission lines to the place of electricity use, except for the case specified in clause 2 Article 17 of this Law; design the electrical system in the project under their management to meet standards and technical regulations as prescribed by law;
- h) Ensure electrical equipment satisfies technical requirements and requirements for electrical safety and fire safety;
- i) Pay compensation when causing damage to the electricity seller according to regulations of law;
- k) Protect the electric meter placed in the location under their management as agreed upon in the PPA; do not arbitrarily remove or move the electric meter. When it is needed to move the electric meter, it is required to obtain the electricity seller's consent and bear the moving costs;
- l) Other obligations as prescribed by this Law and other relevant regulations of law.

3. A large electricity consumer has the right to:

- a) Exercise the rights specified in clause 1 of this Article and use electricity transmission or distribution services as specified in the agreement signed with the electricity transmission unit or electricity distribution unit;
- b) When participating in the competitive electricity market, buy electricity directly from the electricity generation unit via a PPA, electricity forward contract, options contract to buy or sell electricity, electricity futures contract or spot agreement on the competitive retail electricity market.

4. A large electricity consumer has the obligation to:

- a) Fulfill the obligations specified in clause 2 of this Article;

b) Implement the regime for electricity use at the request of a dispatch level vested with controlling rights, measures to satisfy requirements for electricity quality satisfy and electrical safety and other regulations agreed upon in the PPA and agreement signed with the electricity transmission unit or electricity distribution unit.

Chapter VIII

PROTECTION OF ELECTRICITY WORKS AND SAFETY IN ELECTRICITY FIELD

Section 1. PROTECTION OF ELECTRICITY WORKS AND ELECTRICAL SAFETY

Article 67. Assurance of safety of electricity works

1. Electric utilities, organizations and individuals shall assure safety of overhead transmission lines, underground electrical cables, transformer substations, power plants and other electricity works as prescribed by law. Land users shall enable electric utilities to access electricity works for inspection, repair, maintenance and incident recovery.

2. When constructing, renovating, repairing or expanding any electricity work or other works that may affect each other, the electric utility and related organizations and individuals have the responsibility to:

a) Cooperate in synchronous implementation of measures to ensure electrical and construction safety;

b) Promptly notify a competent authorities, organizations and individuals concerned upon discovering any risk or event that threatens safety of the electricity work;

c) Pay compensation when causing damage to organizations and individuals according to regulations of civil law.

3. When any electricity work or electrical equipment is no longer in operation, it must be handled, dismantled and managed in a safe manner as per regulations of law on construction and law on environmental protection.

4. Ministries, ministerial agencies, Governmental agencies and People's Committees at all levels shall, within their jurisdiction, organize the implementation of regulations on the assurance of safety of electricity works in this Law and other relevant laws; carry out inspection, prevent, and promptly impose penalties for violations against the law on assurance of safety of electricity works.

5. The Government shall elaborate clauses 1 and 2 of this Article.

Article 68. Safety corridors of electricity works

1. The safety corridor of an electricity work means an area which surrounds the electricity work that needs protecting to ensure the safety of people and electricity work. The safety corridor can be overhead, on the ground, underground, on water or under water depending on each type of electricity work.

2. Electricity work safety corridors include:

- a) Safety corridors of overhead transmission lines;
- b) Safety corridors of underground electric cables;
- c) Safety corridors of transformer substations;
- d) Safety corridors of wind power works and other power source works.

3. The use of land within the safety corridor of an electricity work is provided for as follows:

- a) Land in the electricity work safety corridor may continue to be used for the purposes determined in accordance with law; land use must not affect the assurance of safety of the electricity work. The land user shall receive compensation and assistance due to restrictions on land use or damage to property attached to land according to the law on land;
- b) In case the use of land within the electricity work safety corridor affects the safety of the electricity work, the land user must cooperate with the electric utility in taking remedial measures;
- c) If the remedial measures specified in point b of this clause still fail to ensure the safety of the electricity work, the State shall expropriate land and provide compensation as prescribed by law. The compensation, assistance and resettlement upon the State's expropriation of land within the electricity work safety corridor shall comply with regulations of law on land;
- d) Where the safety corridor of an electricity work overlaps that of another work, further actions shall be taken according to the Government's regulations.

4. The safety corridor of an offshore electricity work is part of the sea area assigned to implement an electricity project. The use of sea area within the safety corridor of the offshore electricity work shall comply with the following regulations:

- a) Use marine resources in an economical and efficient manner;
- b) Ensure the safety of people, electricity works and other legal activities in service of exploitation and use of marine resources according to regulations of law;
- c) Ensure the safety of organisms, wild animals and migratory birds in accordance with the law on biodiversity and treaties to which the Socialist Republic of Vietnam is a signatory.

5. In case a house or work is located outside the electricity work safety corridor but has an electric field intensity in excess of the permitted regulations, the owner of the house or work and the land user shall receive the same compensation or assistance as that for those involved in the case where such house or construction is located within the electricity work safety corridor as prescribed in clause 3 of this Article.

6. Trees inside and outside the electricity work safety corridor must maintain a safety distance of electrical discharge by voltage level. In case the growth of a tree encroaches upon the safety distance of electrical discharge, the tree owner and land user must promptly trim the encroaching branches. In case a tree encroaches upon the safety distance of electrical discharge causing a fault in the electrical grid, the tree owner and land user shall, depending on the degree of the damage, incur a penalty as prescribed by law. The electric utility shall cooperate with a local competent authority in trimming trees encroaching upon the safety distance of electrical discharge in areas where the tree owners are unidentifiable.

7. Houses, works and activities must satisfy safety conditions to be permitted to exist within the electricity work safety corridor. The owner or occupier of a house or work which is permitted to exist within the electricity work safety corridor must not use the roof or any part of such house or work in a manner that encroaches upon the safety distance of electrical discharge by voltage level and must comply with regulations on assurance of safety of electricity works upon repair and renovation of houses and works.

8. Houses and works where people live or work are not permitted to exist within safety corridors of overhead transmission lines of 500 kV or higher, except for specialized works in service of operation of such electrical grid.

9. People's Committees at all levels shall, within their jurisdiction, formulate and implement the relocation, resettlement and land clearance plan; provide compensation for loss of land or property; manage and protect the area of land or sea area reserved for projects and electricity work safety corridor.

10. The Government shall elaborate this Article.

Article 69. General regulations on electrical safety

1. Persons who directly build, repair, renovate, manage and operate power systems and electricity works; inspect electrical equipment and instruments and perform other tasks directly related to power systems must be trained in and tested on electrical safety and issued with electrical safety cards.

2. Investors in electricity projects, organizations and units managing, operating, building, repairing and renovating electricity works and conducting activities using electricity for production have the responsibility to:

a) Comply with standards and technical regulations on electrical engineering, electrical safety and regulations of law on electrical safety;

b) Install prohibition signs, signs, and warning signals on electrical safety, fire safety and traffic safety as per the law;

c) Organize or hire a sufficiently competent unit to organize electrical safety training and testing and issuance of electrical safety cards to workers in clause 1 of this Article under their management;

d) When an electrical incident or accident occurs, measures must be immediately taken to remedy the incident or accident, provide first aid, evacuate people from the dangerous area and promptly report such to competent authorities;

dd) Follow the regime for reporting of electrical safety and violation of electricity work safety corridors.

3. Manufacturers and traders of electrical equipment and instruments must be responsible for the quality of products and goods according to regulations of law; provide customers with instructions for installation, use, preservation and maintenance of electrical equipment and instruments to ensure safety according to regulations.

4. Electricity shall be used as a direct means of protection only when other protection measures have been applied inefficiently in areas where electric fences are permitted for erection prescribed by the Minister of Public Security and Minister of National Defense and safety conditions set out by the Minister of Industry and Trade must be satisfied.

5. The Minister of Industry and Trade shall promulgate technical regulations on electrical engineering and electrical safety as prescribed in point a clause 2 of this Article; regulate the inspection of safety in electricity generation, electricity transmission, electricity distribution and electricity use.

6. The Ministry of Industry and Trade shall preside over and cooperate with relevant ministries and central authorities and provincial People's Committees in promulgating and organizing the implementation of the National Program for Safety in Electricity Use.

7. The Minister of Construction shall regulate requirements for power systems for houses and works in accordance with law on construction.

8. Provincial People's Committees shall promulgate regulations on management of safety in electricity use in their provinces; organize inspection of safety in electricity use under regulations of this Law and other relevant regulations of law; disseminate and provide guidance on regulations on management of safety in electricity use to electricity users and raise their awareness of such regulations.

9. The Government shall elaborate clauses 1 and 2 of this Article.

Article 70. Inspection of technical safety of electrical equipment and instruments

1. Electrical equipment and instruments on the list specified in clause 4 of this Article must be inspected before being put into use. During their use and operation, standards and technical regulations must be satisfied as prescribed by law.
2. The inspection of technical safety of electrical equipment and instruments must be performed by an organization that meets the conditions for provision of inspection services and has its registration of inspection of product and goods quality certified by the Ministry of Industry and Trade in accordance with regulations of law on product and goods quality.
3. The Ministry of Industry and Trade and provincial People's Committees shall, under their authority, audit and examine the inspection technical safety of electrical equipment and instruments.
4. The Minister of Industry and Trade shall regulate the list of electrical equipment and instruments subject to inspection; inspection contents; inspection cycle; inspection process; responsibilities of organizations and individuals for inspection of technical safety of electrical equipment and instruments.

Article 71. Safety in electricity generation

1. Organizations and individuals investing in the construction, management and operation of electricity generation works must comply with general regulations on electrical safety set out in Article 69 of this Law and the following regulations:
 - a) Regulations on safe environmental distance from residential areas as specified in the law on environmental protection;
 - b) Standards and technical regulations on construction, electrical engineering, electrical safety, fire safety and environmental protection;
 - c) Adoption of measures to prevent unauthorized persons from illegally entering electricity generation works;
 - d) Conduct of periodic technical safety assessment as prescribed by the Minister of Industry and Trade.
2. In the event of electricity-related fire, explosion, incident or accident, the investor or the unit in charge of management and operation shall promptly apply measures to rescue victims from dangerous areas, provide first aid and emergency care for victims; handle and eliminate the possibility that the fire, explosion, incident or accident continues to cause danger so as to reduce damage to people and property; implement measures to ensure electrical safety of forces and means mobilized to handle the fire, explosion, incident or accident; determine the cause and implement remedial measures after fire, explosion, incident or accident according to regulations.

Article 72. Safety in electricity transmission and distribution

1. Investors in electrical substations and electrical grids shall adhere to general regulations on electrical safety set forth in Article 69 of this Law. The construction, management and operation of electrical substations and electrical grids must conform to the construction planning and regulations of law on ensuring safety of railway, road and inland waterway facilities, navigational channels and other relevant regulations of law.
2. At the intersections between overhead transmission lines, roads, railways, navigational channels, inland waterway channels and electrical cables running underground or running in conjunction with other works must maintain a safety distance according to the Government's regulations. The installation and renovation of other power lines running in conjunction with overhead transmission lines must ensure safety and urban aesthetics and must be permitted by the investor in overhead transmission lines. Investors and units managing and operating overhead transmission lines and underground electrical cables shall establish, manage, maintain and service specialized signals according to the provisions of law.
3. When transferring an electrical grid, the investor must transfer to the unit in charge of managing and operating the electrical grid all technical documents, operation process, maintenance process, minutes of acceptance records, decision on land allocation or land lease and documents relating to compensation, land clearance, compensation for damage due to restrictions on land use, environmental protection and fire safety according to regulations of law.
4. The electrical grid management and operation unit must periodically organize inspection, technical maintenance and repair of electrical grids, ensuring that they operate safely according to regulations; regularly inspect, detect and prevent violations of regulations on electrical safety and electricity work safety corridors and cooperate in adoption of technical solutions and optimal operation to reduce electricity loss during the electricity transmission process.
5. When repairing and maintaining an electrical grid, the electrical grid management and operation unit and the unit responsible for repair and maintenance must fully and correctly implement safety measures according to technical regulations on electrical safety.
6. Lightning protection and earthing equipment and systems of electrical substations, transmission and distributions grids must be installed according to their design, tested, accepted and periodically inspected according to standards and technical regulations on electrical engineering and electrical safety.

Article 73. Safety in use of electricity for production

1. Organizations and individuals using electricity for production must comply with general regulations on electrical safety specified in Article 69 of this Law and the following regulations:
 - a) Electrical equipment must ensure quality according to corresponding standards and technical regulations;
 - b) Electrical equipment and instrument systems, lightning protection and earthing systems must be accepted, undergo periodical and surprise inspection and technical safety inspection and be

repaired and maintained according to standards and technical regulations on electrical engineering and safety, and other relevant regulations of law. The diagrams of these systems must reflect their actual status and archived together with repair and maintenance documents and inspection records throughout their operation.

c) Electrical grids under management of electricity users must be installed, managed and operated according to standards and technical regulations on electrical engineering and safety, and other relevant regulations of law.

d) Transmission lines must be designed and installed so that production premises are clear and airy, thus avoiding mechanical or chemical impacts which may cause breakdowns. Metal structures of factories, machinery, metal tubes and lightning conductors must not be used as neutral conductors;

dd) The power system in areas where inflammable substances exist must be designed, installed and used according to regulations on fire and explosion prevention and fighting; only specialized equipment and tools for fire and explosion preventing and fighting shall be used as prescribed by law.

2. Every electricity seller shall maintain safe and constant supply of electricity to facilitate production as prescribed by law. At the request of a competent authority, the electricity seller shall inspect safety of electricity consumers' power systems. In case of detecting any safety risk, preventive measures must be promptly taken or the electricity supply shall be disconnected.

Article 74. Safety in use of electricity for domestic and commercial purposes

1. Agencies, organizations and individuals using electricity for domestic and commercial purposes shall:

a) Design and install conductors, switchgears and electrical equipment in houses and works serving domestic and commercial purposes in a manner that ensures quality, electrical safety and fire safety, satisfies standards and technical regulations on construction works as prescribed by law and meets users' total demand for electricity;

b) Install conductors from electricity meters to houses, works and areas using electricity in such a manner as to ensure quality and safety and not to hinder traffic activities;

c) Provide information about the power systems in houses and works and electricity demand when signing PPAs;

d) Ensure safety of power systems in houses and works which they own, manage or use. Regularly check, promptly repair and replace conductors and electrical equipment that do not meet quality standards. When an electrical incident occurs, measures shall be in place to prevent the fire from spreading to other objects and equipment in the houses and works and the electricity seller and local competent authorities must be promptly notified thereof;

dd) Cooperate with competent authorities in inspecting safety in electricity use.

2. Electricity sellers have the responsibility to:

a) Provide instructions on the installation and use of power systems and electrical equipment to ensure safety; provide electricity consumers with information on risks of threatening safety in electricity use and measures to ensure electrical safety;

b) Apply digital technology to inform electricity consumers of the risks of threatening electrical safety during electricity use;

c) Periodically organize activities to disseminate and provide guidance on regulations on safety in electricity use to electricity consumers and raise their awareness of such regulations;

d) At the request of a competent authority, the electricity seller shall cooperate in inspecting safety of electricity consumers' power systems. In case of detecting any safety risk, preventive measures must be promptly taken or the electricity supply shall be disconnected as prescribed by law.

3. The Government shall elaborate this Article.

Section 2. SAFETY OF HYDROPOWER WORKS

Article 75. Principles of management of hydropower work safety

1. Ensuring the safety of dams and hydropower reservoirs is a top priority in investment in construction, management and operation of hydropower works.

2. Safety management of hydropower works must be performed regularly and continuously throughout the process of survey, design, construction, management, operation and protection of hydropower works in compliance with this Law, law on construction, safety of dams and reservoirs, law on water resources, law on natural disaster management and law on environmental protection.

3. Owners of, organizations and individuals managing and operating hydropower works shall assume responsibility for the safety of hydropower works they own and invest in and shall synchronously apply advanced technical infrastructure solutions to the management and exploitation of hydropower works so as to ensure safety, promote the efficiency in comprehensive exploitation and serving of multiple purposes of hydropower works, thereby contributing to ensuring safety of downstream areas of dams.

4. In case an incident occurs during management and operation of a dam or hydropower reservoir, the investor and the management and operation unit shall cooperate with competent authorities in implementing a response plan and remedial measures to ensure the safety of the dam, hydropower reservoir or downstream area of the dam and bear other responsibilities according to regulations of law.

5. Hydropower works are classified and graded to facilitate the design, construction, management, operation, maintenance, servicing, monitoring and inspection for assurance of their safety.

6. The Minister of Industry and Trade shall promulgate technical regulations on hydropower works.

7. The Government shall elaborate clause 5 of this Article.

Article 76. Safety in stage of construction and before being put into operation

1. During the construction of a hydropower work, the investor and construction unit must comply with regulations of law on dam and reservoir safety and law on construction.

2. During the construction process of a new hydropower work project, the investor shall tailor a disaster response plan for the hydropower work and downstream area of the hydropower dam, submit it to a competent authority for approval and organize its implementation in accordance with regulations of law on natural disaster management. For an expansion investment project, the investor shall preside over and cooperate with the existing construction management unit in tailoring a disaster response plan for the hydropower work and downstream area of the hydropower dam, submit it to a competent authority for approval and organize its implementation in accordance with regulations of law on natural disaster management.

3. The investor shall organize the establishment of hydropower reservoir operation procedures, emergency situation response plan, hydropower dam and reservoir protection plan, and submit them to competent authorities for appraisal and approval before filling water and assigning them to management and operation organization, electricity, irrigation, water resources and natural disaster management authorities.

4. Before approving the first water filling, the investor must fulfill its responsibilities and obligations according to this Law, law on construction, law on land, law on water resources, law on forestry and law on environmental protection. The first water filling plan must be notified to the authority competent to approve the hydropower reservoir operation procedures and People's Committees at all levels in the locality 10 days before the date of first water storage.

5. The authority to appraise and approve hydropower reservoir operation procedures, emergency situation response plans and hydropower dam and reservoir protection plans is prescribed as follows:

a) The Ministry of Industry and Trade shall appraise and approve the hydropower reservoir operation procedures and hydropower dam and reservoir protection plans for hydropower works of special significance and hydropower works located in at least 02 provinces;

b) Provincial People's Committees shall appraise, approve or decentralize authority to management agencies under their management to appraise and approve hydropower reservoir operation procedures, emergency situation response plans and hydropower dam and reservoir

protection plans for hydropower works in areas under their management, except for the subjects specified in point a of this clause.

6. The Government shall elaborate clauses 3 and 4 of this Article; regulate applications and procedures for appraising and approving the procedures and plans specified in clause 5 of this Article.

Article 77. Safety in stage of management and operation

1. Investors, organizations and individuals managing and operating hydropower works shall comply with regulations of law on hydropower dam and reservoir safety, law on water resources, law on natural disaster management and the following regulations:

a) Operation of hydropower works must comply with inter-reservoir operation procedures, hydropower reservoir operation procedures, emergency situation response plans, and hydropower dam and reservoir protection plans approved by competent authorities;

b) Follow procedures for registration of hydropower dam and reservoir safety; carry out monitoring of hydropower dams and reservoirs, reservoir sedimentation; carry out monitoring of specialized hydrometeorological monitoring; conduct periodic or surprise inspection of works; inspect and evaluate the safety of hydropower dams and reservoirs; formulate a plan for and carry out maintenance, repair, upgradation and modernization of works and equipment; protect and ensure the safety of works and downstream areas of hydropower dams and reservoirs; archive records according to regulations;

c) Install and maintain stable operation of water discharge warning system, surveillance cameras, water level monitoring equipment, online information transmission system and specialized monitoring equipment, and update information and data to the hydropower work operation database system according to regulations;

d) Organize inspection and assessment of hydropower dam and reservoir safety and follow the regime for reporting of hydropower dam and reservoir safety before and after the annual rainy season;

dd) Assign personnel that have appropriate expertise, and receive regular training and refresher courses on knowledge and skills in management of hydropower dam and reservoir safety to perform management of hydropower dam and reservoir safety

2. Every 05 years or upon any change of the scale of the hydropower work or its item, its owner shall review and adjust hydropower reservoir operation procedures, emergency situation response plan and hydropower dam and reservoir protection plan approved by the competent authority.

3. Prior to the annual rainy season, the competent authority shall inspect the assessment of hydropower dam and reservoir safety by hydropower work owners.

4. The Ministry of Industry and Trade shall build, manage and operate the hydropower work operation database system. The costs of maintenance of the hydropower work operation database system shall be covered by the state budget and other lawful sources of capital according to regulations of law.

5. The Government shall elaborate this Article.

Article 78. Hydropower work protection corridor

1. The protection corridors of hydropower works including dams, reservoirs, energy routes, hydropower plants, other auxiliary works and their vicinity shall be determined according to the class of hydropower works; when adjusting their scale and uses, the vicinity must be adjusted in accordance with law. The vicinity specified in this clause includes the vicinity of dams, vicinity of energy routes and vicinity of hydropower reservoir beds.

2. Each hydropower work owner shall plant hydropower work protection corridor boundary markers and provide funding for planting and maintenance of hydropower work protection corridor boundary markers.

3. Organizations and units managing and operating hydropower works shall implement hydropower work protection plans approved by competent authorities; cooperate with local regulatory bodies to inspect activities conducted within hydropower work protection corridors; promptly report to competent authorities when detecting any activity that poses a risk to the safety of hydropower works.

4. The implementation of a plan to protect significant hydroelectric works related to national security shall comply with this Law and law on protection of significant works related to national security.

5. Any activity within a hydropower work protection corridor shall satisfy requirements for safety of hydropower dams and reservoirs.

6. The exploration and mining of sand and gravel and dredging combined with recovery of minerals in hydropower reservoir beds must ensure safety of hydropower dams and reservoirs as prescribed in clause 5 of this Article and comply with regulations of law on geology and minerals and law on water resources.

7. Any existing work within hydroelectric work protection corridors may continue to be used for their intended purposes determined in accordance with law. In case the existing work affects the safety and operational capacity of the hydropower work, remedial solutions must be implemented according to the requirements laid down by local regulatory bodies; in case of failure to implement remedial solutions, such existing work must be dismantled or relocated according to regulations of law on construction and other relevant regulations of law.

8. The Government shall elaborate clauses 1 and 5 of this Article.

Chapter IX

IMPLEMENTATION CLAUSE

Article 79. Amendments to some Articles and clauses of relevant laws

1. The Law on Construction No. 50/2014/QH13 amended by the Law No. 03/2016/QH14, Law No. 35/2018/QH14, Law No. 40/2019/QH14, Law No. 62/2020/QH14, Law No. 45/2024/QH15, Law No. 47/2024/QH15, Law No. 54/2024/QH15 and Law No. 55/2024/QH15 is amended as follows:

a) Point a clause 2 of Article 52 is amended as follows:

“a) For projects of national significance, Group A projects using public investment capital; PPP projects under regulations of law on investment in public-private partnership form; projects subject to investment guideline approval by the National Assembly or the Prime Minister as prescribed by the Law on Investment, electricity projects that organize bidding to select investors in accordance with the Electricity Law, the formulation of a construction investment pre-feasibility study report is compulsory;”;

b) Point i1 is added after point i and point k clause 2 of Article 89 is amended as follows:

“i1) Offshore installations of offshore wind power projects to which sea area is assigned by a competent authority for project execution;

k) Investors in construction of the works prescribed in points b, e, g, h, i and i1 of this clause, except detached houses prescribed in point i of this clause, shall send notices of the time of construction commencement and construction design dossiers according to regulations to local construction authorities for management.”.

2. Clause 1 Article 3 of the Law on Natural Resources, Environment of Sea and Islands No. 83/2015/QH13 amended by the Law No. 35/2018/QH14 and Law No. 18/2023/QH15 is amended as follows:

“1. Natural resources of sea and islands include biological resources and non-biological resources within seawater column, seabed, subsoil, on sea surface, coastal areas, archipelago, archipelagoes, islands, low-tide elevations and submerged features (hereinafter referred to as “islands”) that belong to sovereignty, sovereign rights and national jurisdiction of Vietnam.”.

3. Section 2 Appendix 02 of the Law on Prices No. 16/2023/QH15 amended by the Law No. 44/2024/QH15 is amended as follows:

2	Natural gas pipeline transportation services and liquefied natural gas storage, regasification, transportation and distribution services for electricity production	The Ministry of Industry and Trade sets specific prices
---	---	---

Article 80. Effect

1. This Law comes into force from February 01, 2025.
2. The Law on Electricity No. 28/2004/QH11 amended by the Law No. 24/2012/QH13, Law No. 28/2018/QH14, Law No. 03/2022/QH15, Law No. 16/2023/QH15 and Law No. 35/2024/QH15 (hereinafter referred to as “the Law on Electricity No. 28/2004/QH11”) shall cease to have effect from the effective date of this Law, except for the case specified in clauses 1, 2, 3 and 4 Article 81 of this Law.

Article 81. Transitional clauses

1. If bidding documents for an electricity business investment project has been approved and issued before the effective date of this Law, the investor selection, signing and management of performance of the contract for that project shall still comply with provisions of the Law on Electricity No. 28/2004/QH11 and other instruments providing details and instructions about implementation thereof. The Government is required to specify the application of transitional clauses to the bidding for selection of investors for execution of electricity business investment projects.
2. Any PPA signed before the effective date of this Law shall continue to be executed according to the signed agreements. In case there are regulations different from those on the levels of the competitive electricity market in accordance with this Law, the parties must revise the agreement to make it suitable for these levels.
3. Any electric utility granted the electricity license before the effective date of this Law may continue to conduct electricity activities until the expiry of such electricity license; in case exemption from the electricity license is granted before the effective date of this Law, it may continue to be exempted from the electricity license.
4. In case an organization has submitted a valid application for issuance or revision of its electricity operation license to the licensing authority before the effective date of this Law but has not yet been granted an electricity license, the license shall be issued as per the Law on Electricity No. 28/2004/QH11. In case an organization applies for the issuance, revision, re-issuance or extension of its electricity license in accordance with this Law, the license shall be issued as per this Law.
5. Regarding any project on investment in construction of an electrical grid with a voltage of 220 kV or lower passing through at least 02 provinces for which a valid application for approval or adjustment of investment guidelines has been received by the Ministry of Planning and Investment before the effective date of this Law, it may continue to be implemented in accordance with the Law on Investment No. 61/2020/QH14 amended by the Law No. 72/2020/QH14, Law No. 03/2022/QH15, Law No. 05/2022/QH15, Law No. 08/2022/QH15, Law No. 09/2022/QH15, Law No. 20/2023/QH15, Law No. 26/2023/QH15, Law No. 27/2023/QH15, Law No. 28/2023/QH15, Law No. 31/2024/QH15, Law No. 33/2024/QH15, Law No. 43/2024/QH15 and Law No. 57/2024/QH15.

6. For any project on an electrical grid with a voltage of 220 kV or lower passing through at least 02 provinces which has its investment guidelines approved by the Prime Minister before the effective date of this Law and is now subject to investment guideline approval by the provincial People's Committee as specified in point a clause 2 Article 13 of this Law, the provincial People's Committee shall be the authority having power to approve adjustments to investment guidelines.

This Law is adopted by the 15th National Assembly of Socialist Republic of Vietnam on this 30th of November 2024 during its 8th session.

**CHAIRMAN OF THE NATIONAL
ASSEMBLY**

Tran Thanh Man
