

THE GOVERNMENT

SOCIALIST REPUBLIC OF VIETNAM

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DECREE

**REGULATIONS ON SANCTION AGAINST ADMINISTRATIVE VIOLATION IN THE
FIELD OF ELECTRICITY, SAFETY OF HYDROELECTRIC DAM, EFFICIENT AND
EFFECTIVE USE OF ENERGY**

Pursuant to the Law on organization of Government dated December 25, 2001;

Pursuant to the Law on handling of administrative violation dated June 20, 2012;

*Pursuant to the Electricity Law dated December 3, 2004; the Law amending and supplementing
a number of articles of the Electricity Law dated November 20, 2012;*

Pursuant to the Law on efficient and effective use of energy dated June 17, 2010;

*Pursuant to the Ordinance on exploitation and protection of irrigation works dated April 4,
2001;*

At the request of the Minister of Industry and Trade;

*The Government issues the Decree stipulating the sanction against administrative violation in
the field of electricity, safety of hydroelectric dam, efficient and effective use of administrative;*

Chapter I

GENERAL REGULATION

Article 1. Scope

This Decree defines acts of violation, form, rate of fine, remedial measures, procedures and authority to sanction administrative violation in the field of electricity, safety of hydroelectric dam, efficient and effective use of administrative that are not crimes, including:

1. Violation in the field of electricity

- a) Regulation on permit of electricity operation;
- b) Regulation on building and installation of electrical works;
- c) Regulation on generation, transmission and distribution of electricity;

- d) Regulation on wholesale and retail of electricity;
- e) Regulation on electricity use;
- f) Regulation on electricity safety;
- g) Regulation on electricity system dispatch;
- h) Regulation on electricity market.

2. Violation in the field of safety of hydroelectric dams;

- a) Regulation on management of operation of hydroelectric dams;
- b) Regulation on safety assurance of hydroelectric dams and downstream areas;
- c) Regulation on safety assurance of vicinity protecting hydroelectric dams;

3. Violation in the field of efficient and effective use of energy

- a) Regulation on energy audit;
- b) Regulation on efficient and effective use of energy in industrial production, construction, transportation and agricultural production;
- c) Regulation on management and efficient and effective use of energy in the key energy using facilities;
- d) Regulation on energy label in production, import and distribution of energy-consuming means and equipment;
- e) Regulation on production, import and circulation of energy-consuming means and equipment included in the List of means and equipment to be removed.

Article 2. Statute of limitations

The statute of limitations for sanctioning violation in the field of electricity and safety of hydroelectric dams and efficient and effective use of energy is 01 year. For acts of violation of production and import of means and equipment using energy efficiently and effectively is 02 years.

Article 3. Forms of sanction

1. Main form of sanction

For each act of violation, organizations, individuals or electricity Unit committing acts of violation must be subject to one of the main forms of sanction as follows:

- a) A warning;
- b) A monetary fine;

- The rate of fine against the acts of violation specified in this Decree is applied for sanction to the individuals, except where the specified subjects of violation are organizations or electricity Units. The rate of fine is twice as much as that applied to individuals upon sanction against the organizations or electricity Units, particularly as follows:
 - The rate of fine imposed in the field of electricity is up to 50,000,000 VND on individuals and 100,000,000 VND on organizations or electricity Units.
 - The rate of fine imposed in the field of safety of hydroelectric dams is up to 100,000,000 VND on individuals and 200,000,000 VND on organizations; application of 100% of the rate of fine to the works of hydroelectric dams from grade II or higher and 70% to grade III or lower for acts of violation of safety of hydroelectric dams specified in this Decree.
 - The rate of fine in the field of efficient and effective use of energy up to 100,000,000 VND is imposed on individuals and 200,000,000 on organizations.

2. Additional form of sanction

In addition to the main form of sanction, depending on the nature and seriousness, the individuals, organizations or electricity Unit committing acts of violation may be subject to one of the additional forms of sanction as follows:

- a) In the field of electricity
 - Confiscating the exhibits and means used as means of violation;
- b) In the field of hydroelectric dams
 - Confiscating the exhibits and means used as means of violation
 - Suspending the water retention for reservoir with a definite time;
- c) In the field of efficient and effective use of energy
 - Depriving the right to use the construction permit or certificate with a definite time;
 - Confiscating the exhibits and means used as means of violation;

Article 4. Remedial measures

In addition to the main forms of sanction and additional sanctions specified in Article 3 of this Decree, organizations, individuals or electricity Unit committing acts of violation are also imposed by one of the remedial measures specified in Chapter II of this Decree.

Chapter II

ACTS OF VIOLATION, FORM OF SANCTION AND REMEDIAL MEASURES

SECTION 1. FIELD OF ELECTRICITY

Article 5. Violation of regulations on electricity operation Permit

1. A warning or fine of between 1,000,000 VND and 2,000,000 VND shall be imposed on the acts of failure to carry out the annual report on the business and production in the licensed fields to the licensing organ under regulation.

2. A fine of between 5,000,000 VND and 8,000,000 VND shall be imposed on the electricity Unit for the one of the following acts of violation:

- a) Failure to perform the procedures for modifying and supplementing the electricity operation Permit within 30 days from the time of changing name and address of head office;
- b) Failure to report to the licensing organ within 60 days before the stoppage of electricity operation in case the electricity operation Permit is still valid.

3. A fine of between 8,000,000 VND and 10,000,000 VND shall be imposed on the electricity Unit for the acts of failure to send the annual financial statement audited to the licensing authority under regulation, except for the specialized electricity consultation Unit.

4. A fine of between 15,000,000 VND and 20,000,000 VND shall be imposed on the electricity Unit for one of the following acts:

- a) Carrying out the electricity operation when the electricity operation Permit is expired.
- b) Carrying out the electricity operation during the time the electricity operation Permit is lost or mislaid without report to the licensing organ.

5. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the electricity Unit for one of the following acts:

- a) Failure to perform the procedures for modifying and supplementing the electricity operation Permit within 30 days from the time of changing the contents in the Permit, except for acts specified at Point a, Clause 2 of this Article;
- b) Failure to comply with one of the contents of the electricity operation Permit, except for the acts specified in this Decree.

6. A fine of between 40,000,000 VND and 50,000,000 VND shall be imposed on the electricity Unit for the acts of failing to maintain the conditions for being issued with the electricity operation Permit:

7. A fine of between 60,000,000 VND and 70,000,000 VND shall be imposed on the electricity Unit for one of the following acts:

- a) Carrying out the electricity operation without the electricity operation Permit;

- b) Carrying out the electricity operation during the time of being revoked the electricity operation Permit by the competent authority;
- c) Arbitrarily modifying the contents stated in the electricity operation Permit;
- d) Leasing, lending or borrowing the electricity operation Permit;

8. In addition to the main form of sanction, the violating electricity Units are also subject to the remedial measures to coercively make payment to the state budget of the amount illegally obtained due to committing acts specified at Point a and b, Clause 7 of this Article;

Article 6. Violation of regulations on building and installation of electrical works

1. A fine of between 1,000,000 VND and 5,000,000 VND shall be imposed on the acts of preventing organizations and individuals from carrying out the repair or performance of electrical works.

2. A fine of between 5,000,000 VND and 10,000,000 VND shall be imposed on one of the following acts:

- a) Installation, repair, relocation of electrical works without any agreement with the owner of electricity project property or the unit managing and operating the electrical works;
- b) Arbitrary installation of line system, power stations and electrical equipment outside the scope approved by the competent authority.

3. A fine of between 10,000,000 VND and 15,000,000 VND shall be imposed on one of the following acts:

- a) Installing and operating the electrical materials and equipment that do not meet the technical standard and regulation stipulated by the competent state authority.
- b) Arbitrarily issuing and coercively applying the standards related to the building and installation of electrical works inconsistently with technical standard and regulation stipulated by the competent state authority.

4. A fine of between 30,000,000 and 40,000,000 VND shall be imposed on the acts of starting the electrical works which are not included in the approved electricity development planning, except for cases approved by the competent authority.

5. In addition to the main forms of sanction, the violating organizations and individuals are also subject to the following remedial measures:

- a) Coercive restoration to the initial state for the acts specified in Clause 2 of this Article;
- b) Coercive replacement and installation of electrical materials and equipment that meet the technical standards and regulations for the acts specified at Point a, Clause 3 of this Article;

Article 7. Violation of regulations on electricity generation

1. A fine of between 10,000,000 VND and 20,000,000 VND shall be imposed on the electricity generating Unit for the acts of failure to provide information on readiness for electricity generation, reserve capacity and implementation of operation mode of power plant and other information related to the electricity generation upon the written requirement of the national electricity system dispatching Unit, the electricity market transaction operating Unit or the electricity regulating Organ.

2. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the electricity generating Unit for the acts of using electricity metering equipment which has not been tested under regulation or which does not meet the technical standards and regulations specified for electricity metering equipment of powerplants;

3. A fine of between 30,000,000 and 40,000,000 VND shall be imposed on the electricity generating Unit for one of the following acts:

- a) Failure to comply with the technical process, standard and regulation on connection and operation of power plant and grid;
- b) Provision of incorrect information on the readiness of the generating set and power plant causing damage to the generation.

4. A fine of between 90,000,000 VND and 100,000,000 VND shall be imposed on the electricity generating Unit having the total installed capacity of power plants greater than 25% of the total installed capacity of power plants with a capacity greater than 30 MW in the power system.

5. In addition to the main forms of sanction, the electricity generating Unit shall be subject to the following remedial measures:

- a) Coercive use of equipment which has been tested and met the technical standard and regulations for the acts specified in Clause 2 of this Article;
- b) Coercive separation to reduce the total installed capacity of less than 25% of the total installed capacity of power plants with a capacity greater than 30 MW of electrical systems for the acts specified in Clause 4 of this Article.

Article 8. Violation of regulations on electricity transmission

1. A fine of between 10,000,000 VND and 20,000,000 VND shall be imposed on the electricity transmitting Unit for the acts of failure to provide information on the carrying capacity, operation mode of transmission grid and the provision of equipment and information related to the electricity transmission upon a written request of the national electricity system dispatching Unit, the electricity market transaction operating Unit or the electricity regulating Organ.

2. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the electricity transmitting Unit for one of the acts as follows:

- a) Permission for connection to the power transmission grid of the equipment which has not met the prescribed technical standard and regulation.
- b) Use of electricity metering equipment which has not been tested under regulation or does not meet the technical standard and regulation prescribed for the electricity metering equipment of the power transmission grid.

3. A fine of between 30,000,000 VND and 40,000,000 VND shall be imposed on the electricity transmitting Unit for one of the acts as follows:

- a) Failure to comply with the technical process and regulations on grid operation;
- b) Failure to provide the electricity transmission services upon requirements of the grid using unit, except for cases of overloaded grid under the certification of the electricity regulating Organ;
- c) Provision of incorrect information on the operation of grid causing damage to the electricity transmission operation.

4. A fine of between 40,000,000 VND and 50,000,000 VND shall be imposed on the electricity transmitting Unit for one of the acts as follows:

- a) Failure to take the remedial measures and restore the working state of the power transmission grid under regulation causing interruption to the power supply or overloading of electrical equipment on the power transmission grid within the prescribed time limit under the Regulation on power transmission system without plausible reasons.
- b) Failure to stop or require the national electricity system dispatching Unit to reduce the power transmission in case there are risks of threatening people's lives and safety of equipment.

5. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the electricity transmitting Unit for one of the acts as follows:

- a) Failing to build or delay the building of power grid from the connection point of the electricity generating Unit and electricity distributing Unit when such units have met the conditions and technical standard and regulation on connection to the national electricity system without plausible reason certified by the electricity regulating Organ.
- b) Failing to provide transmission services improperly as specified in the Regulation on transmission power system, causing damage to the power generating Unit, the power distributing Unit or customers using electricity directly connected to the power transmission grid, except for overloading of power grid as certified by the electricity regulating Organ.
- c) Contributing capital to establish the electricity generating Unit or purchase shares of the electricity generating Unit.

6. In addition to the main forms of sanction, the electricity transmitting Unit shall be subject to the following remedial measures:

- a) Coercive use of equipment which fully meets the technical standard and regulation for the acts specified at Point b, Clause 2 of this Article;
- b) Coercive recovery of capital contributed or purchased of the electricity generating Unit for the acts specified at Point c, Clause 5 of this Article;

Article 9. Violation of regulations on electricity distribution

1. A fine of between 1,000, 000 VND and 3,000,000 VND shall be imposed on one of the acts as follows:

- a) Removal or installation of electricity metering equipment when not on duty;
- b) There is no record of removal or hanging upon installation or replacement of electricity metering equipment;
- c) There is no professional card upon adjustment of electricity metering equipment on the grid;
- d) There is no verification Certificate or verification stamp or mark upon verification of electricity metering equipment;
- e) No acceptance at the proper time limit after installation, replacement, repair or adjustment of electricity metering equipment;

2. A fine of between 6,000,000 VND and 8,000,000 VND shall be imposed on the electricity distributing Unit for one of the following acts:

- a) Failing to complete the testing, repair or replacement of electricity metering equipment or have replacement solution within 03 working days from the time of receiving the written request of the electricity buyer;
- b) Failing to deal with incidents within 02 hours from the time of detection or receipt of notice of the electricity buyer of the grid incident managed by the electricity seller in order to restore the power supply without any plausible reason.
- c) Stopping or reducing the power supply inconsistently with the contents of notice announced
- d) Using the electricity metering equipment which has not been tested under regulation or has been tested but not meet the technical standard and regulation specified for the electricity metering equipment for the electricity distribution grid;
- e) Using the electricity metering equipment which is not consistent with the National Standard (TCVN) or has not been tested and sealed by the state management organ or organization appointed for measurement.

3. A fine of between 8,000,000 VND and 10,000,000 VND shall be imposed on the electricity distributing Unit for one of the following acts:

- a) Stopping or reducing the power supply without notice under regulation on the order of stoppage or reduction in power supply;
- b) Arbitrarily using the electricity works which are not under their management to supply power to other organizations and individuals using electricity;
- c) Stopping or reducing the power supply to the customers subject to the priority status upon power shortage, except in cases of risks of causing serious and unsafe incidents to people, electrical equipment and system.

4. A fine of between 10,000,000 and 20,000,000 VND shall be imposed on the electricity distributing Unit for one of the acts as follows:

- a) Failing to make report on the readiness for operation, the reserve level of grid and power distribution equipment and the need of electricity use in their operation area at the request of the national electricity system dispatching Unit, the electricity market transaction operating Unit or the electricity regulating Organ or the competent state authority;
- b) Failing to provide correct information effecting the safety and damage to the power supply;
- c) Failing to provide the power distribution services to the customers, power retailer or power wholesaler that have met the technical standards and regulations, quality of services and safety under the contracts, except for case of overloading of electricity distribution grid with certification from the electricity regulating organ or authorized organ.

5. A fine of 20,000,000 VND and 30,000,000 VND shall be imposed on the electricity distributing Unit for the acts of stopping the power supply due to technical incident, violation of operation process or equipment not being tested under regulation.

6. A fine of 30,000,000 VND and 40,000,000 VND shall be imposed on the electricity distributing Unit for the acts of permitting the connection to the electricity distribution grid with the equipment which is not consistent with the technical standards and regulations under regulation.

7. In addition to the main forms of sanction, the electricity distributing Unit shall be subject to the following remedial measures:

- a) Coercively using the electricity metering equipment which has been tested and meet the technical standard and regulation for the acts specified at Point Article and dd, Clause 2 of this Article;
- b) Coercively compensating for the amount of damage for the acts specified at Point d and dd, Clause 2 of this Article.

Article 10. Violation of regulations on power purchase and wholesale

1. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the power wholesaler for not selling power at the price specified by the competent authority.
2. A fine of between 30,000,000 VND and 40,000,000 VND shall be imposed on the electricity Unit for the acts of power purchase and wholesale of which the contract for power purchase and wholesale has not complied with the regulations of law on the power sale contract with definite time.
3. A fine of between 40,000,000 VND and 50,000,000 VND shall be imposed on the power wholesaler for the acts of power sale with the units having no electricity operation Permit.
4. A fine of between 60,000,000 VND and 70,000,000 VND shall be imposed on the power wholesaler for the acts of power import and export without power import and export Permit.
5. In addition to the main forms of sanction, the power wholesaler is also subject to the remedial measures to coercively make payment to the state budget of the amount illegally obtained from the acts of electricity export without electricity export specified in Clause 4 of this Article;

Article 11. Violation of regulation on electricity retailing

1. A warning or a fine of between 300,000 VND and 500,000 VND shall be imposed on the acts of inspecting organizations and individuals without producing electricity inspector card or without having inspection Decision of the electricity Unit.
2. A fine of between 2,000,000 VND and 6,000,000 VND shall be imposed on the power retailer for one of the acts as follows:
 - a) Failing to publicly post up at the power trading places the regulations of law on electricity tariff; procedures for power supply, metering, meter reading, collection of electricity charge and completion of electricity services; regulations on stoppage and reduction in power supply; instruction about electricity safety;
 - b) Failing to sign the electricity sale contract after 07 working days without plausible reason after the electricity buyer for domestic use ensures the conditions and agrees with the contents in the draft contract.
3. A fine of between 6,000,000 VND and 10,000,000 VND shall be imposed on the power retailer for the acts of preventing the public affair enforcer from examining or inspecting the electricity sale
4. A fine of between 10,000,000 VND and 15,000,000 VND shall be imposed on the power retailer for one of the acts as follows:
 - a) Failing to sign the electricity sale contract except for domestic use after 07 working days without any plausible reason after the electricity buyer for domestic use ensures the conditions and agrees with the contents in the draft contract.

- b) Stopping or reducing the power supply without notice under regulation on the order of stoppage or reduction in power supply;
- c) Selling electricity without sale contract with customers using power.

5. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the electricity retailer for failing to sell the electricity at the price specified by the competent authority.

6. A fine of between 30,000,000 VND and 40,000,000 VND shall be imposed on the acts of occupational abuse to harass organizations and individuals using power for benefits.

7. A fine of between 40,000,000 VND and 50,000,000 VND shall be imposed on the electricity retailer for the acts of buying electricity from the electricity Unit which does not have its electricity operation Permit.

8. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the electricity retailer for the acts of electricity import, export without electricity import, export Permit.

9. In addition to the main forms of sanction, the electricity retailer is also subject to the remedial measures to coercively make payment to the state budget of the amount illegally obtained from the electricity export without Permit specified in Clause 8 of this Article;

Article 12. Violation of regulations on electricity use

1. A warning or a fine of between 500,000 VND and 1,000,000 VND shall be imposed on the acts of preventing competent person from inspection of use of electricity.

2. A fine of between 1,000,000 VND and 2,000,000 VND shall be imposed on one of the following acts:

- a) Unintentionally causing fault to the electric system of the electricity seller;
- b) Arbitrarily supplying power to the organizations and individuals subject to power supply suspension due to violation of regulations on use of electricity and regulations of law on construction and environmental protection.

3. A fine of between 2,000,000 and 4,000,000 VND shall be imposed on one of the following acts:

- a) Arbitrarily installing, energization, cutting, repair, removal and replacement of electrical equipment and electrical works of the electricity seller;
- b) Failing to notify the electricity seller 15 days in advance when having need of termination of electricity sale contract in case of buying electricity for other purposes other than domestic purposes.

4. A fine of between 4,000,000 and 5,000,000 VND shall be imposed on the acts of arbitrary energization for use when the electrical works of the electricity buyer has not been accepted or

during the time of suspension of power supply due to violation of regulations on the use of electricity and regulations of law on construction and environmental protection.

5. A fine of between 5,000,000 and 7,000,000 VND shall be imposed on one of the following acts:

- a) Causing damage, arbitrarily removing the electricity metering system (including the meter protection cabinet, the seals and wiring diagram);
- b) Using equipment the purpose of interference causing damage to the equipment of data transmission, measurement and protection of electrical system.

6. A fine of between 7,000,000 VND and 10,000,000 shall be imposed on the lessor who collects the electricity charge from the tenant higher than the prescribed price in case of buying electricity at retailing price for domestic use.

7. A fine of between 10,000,000 VND and 15,000,000 shall be imposed on the lessor who collects the electricity charge from the tenant higher than the prescribed price in case of buying electricity at retailing price for production, business and services..

8. A fine of between 20,000,000 VND and 30,000,000 shall be imposed on one of the major customer's acts as follows:

- a) Failing to comply with regulations on use of electricity in accordance with the requirement of the national electricity system dispatching Unit in case the system is limited its capacity without any measure to ensure the voltage standard agreed in the electricity sale contract;
- b) Using electric devices and connection equipment which do not meet the standards (technical regulation and standard on electrical safety for connection to the national electrical grid;
- c) Failing to carry out the operation order of the national electricity system dispatching Unit;
- d) Failing to carry out the cutting and reduction in electric consumption upon the requirement from the electricity seller due to the unforeseen faults.

9. A fine shall be imposed on the acts of electricity theft in any form as follows:

- a) A fine of between 2,000,000 and 5,000,000 VND shall be imposed on the electricity theft with an amount of less than 1,000 kWh;
- b) A fine of between 5,000,000 and 10,000,000 VND shall be imposed on the electricity theft with an amount from 1,000 kWh to less than 2,000kWh;
- c) A fine of between 10,000,000 and 15,000,000 VND shall be imposed on the electricity theft with an amount from 2,000 kWh to less than 4,500kWh;

- d) A fine of between 15,000,000 and 20,000,000 VND shall be imposed on the electricity theft with an amount from 4,500 kWh to less than 6,000kWh;
- e) A fine of between 20,000,000 and 25,000,000 VND shall be imposed on the electricity theft with an amount from 6,000 kWh to less than 8,500kWh;
- f) A fine of between 25,000,000 and 30,000,000 VND shall be imposed on the electricity theft with an amount from 8,500 kWh to less than 11,000kWh;
- g) A fine of between 30,000,000 and 35,000,000 VND shall be imposed on the electricity theft with an amount from 11,000 kWh to less than 13,500kWh;
- h) A fine of between 35,000,000 and 40,000,000 VND shall be imposed on the electricity theft with an amount from 13,500 kWh to less than 16,000kWh;
- i) A fine of between 40,000,000 and 45,000,000 VND shall be imposed on the electricity theft with an amount from 16,000 kWh to less than 18,000kWh;
- j) A fine of between 45,000,000 and 50,000,000 VND shall be imposed on the electricity theft with an amount from 18,000 kWh to less than 20,000kWh;

10. In case of electricity theft from 20,000 kWh or more and the record of this case is transferred for criminal prosecution under the provisions of Clause 1, Article 44 of this Decree, but then there is a decision on no criminal prosecution or decision on annulment of decision on criminal prosecution, decision on suspension of investigation or case from the competent authority or return of record, the time limit for sanction shall be applied under the provisions in Article 63 of the Law on handling of administrative violation, the rate of fine specified at Point k, Clause 9 of this Article and the remedial measures specified at Point Article, Clause 12 of this Article;

11. In addition to the main forms of sanction, the organizations and individuals committing violation are also subject to the additional forms of sanction such as confiscation of exhibit and means used to commit the violation for the acts specified in Clause 5 and 9 of this Article.

12. In addition to the main forms of sanction, organizations and individuals committing violation shall also be subject to the remedial measures as follows:

- a) Coercive restoration to the initial state for the acts specified at Point a, Clause 3 and 5 of this Article;
- b) Coercive payment to the state budget of the entire illegal amount of money obtained due to acts specified in Clause 6 and 7 of this Article;
- c) Coercive use of equipment which meet the technical regulations and standard for the acts specified at Point b, Clause 8 of this Article;
- d) Coercive compensation for the amount of damage for the acts specified at Point a, Clause 5 and 9 of this Article;

Article 13. Violation of regulations on electric system dispatching

1. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the regional electricity system dispatching Unit and the regional electricity system dispatching Unit due to no compliance with the relevant process and regulations but no causing of fault in the electric system without plausible reason.

2. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed the national electricity system dispatching Unit and the regional electricity system dispatching Unit for one of the following acts:

- a) Dispatching the electric system inconsistently with the approved operation plan causing fault in the electrical system without plausible reason;
- b) Committing violation of Process of manipulation of national electric system causing fault in the electrical system;
- c) Failing to comply with the Process of handling of fault of national electric system resulted in the expanded scope of fault.
- d) Contributing capital to establish the electricity Unit and purchasing shares of the electricity generating Unit.

3. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the electricity generating Unit and the electricity transmitting Unit for the acts of failure to report to the electricity system dispatching Unit on the fault and the state of abnormal working of the equipment at risk of causing fault and stopping the operation of power plant and electricity transmission grid.

4. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the electricity generating Unit and the electricity transmitting Unit for one of the acts as follows:

- a) Failing to comply with the dispatching order of the electricity dispatching Unit under the regulations of the Process of dispatch of national electric system and the relevant process and regulation, except for implementation of dispatching order which causes the unsafety to people and equipment;
- b) Failing to comply with the Process of manipulation of national electric system, the Process of black booting, Process of handling of fault of national electric system, Process of restoration of national electric system, Process of operation of equipment and other relevant processes and regulations resulted in causing fault in the power plant and on the power transmission grid.

5. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the electricity distributing Unit for one of the following acts:

- a) Failing to comply with the dispatching order from the electricity system dispatching Unit under the provisions in the Process of dispatching of national electricity system, except for implementation of dispatching order, causing the unsafety to people and equipment.

- b) Failing to comply with the Process of manipulation of national electricity system, Process of manipulation of electricity distribution grid and Process of operation of equipment causing fault on the power transmission grid.
- c) Failing to comply with the Process of handling of fault of national electric system and the Process of handling of fault of electricity distribution grid resulted in the expanded scope of fault.

6. In addition to the main forms of sanction, the national electricity system dispatching Unit and the regional electricity system dispatching Unit are also subject to the remedial measures to coercively re-sell the capital contributed or purchased from the electricity generating Unit for the acts specified at Point Article, Clause 2 of this Article.

Article 14. Violation of regulations on electricity market

1. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the electricity transmitting Unit for the act of failing to provide information on the plan for repair of grid for the electricity system dispatching Unit, the electricity market transaction operating Unit in a timely manner specified in the Regulation on the competitive electricity market and Regulation on electricity transmission system.

2. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the electricity transmitting Unit for the acts of failing to provide information or provide incorrect information for the planning of annual electricity system operation and the schedule of monthly and weekly electricity capacity mobilization under the provisions of Regulation on competitive electricity market.

3. A fine of between 30,000,000 VND and 40,000,000 VND shall be imposed on the electricity market transaction operating Unit for one of the following acts:

- a) Violation of regulations on publication of information specified in the Regulation on competitive electricity market;
- b) Use of input data and data for the annual operational planning of electricity system without the permission from the competent authority under the Regulation on the competitive electricity market.

4. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the electricity market transaction operating Unit and the electricity system operating Unit for one of the acts as follows:

- a) Committing violation of regulations on information confidentiality specified in the Regulation on the competitive electricity market;
- b) Failing to provide information for inspection of electricity market, settlement of dispute and handling of violation on the electricity market completely and in a timely manner under the Regulation on competitive generation market operation and Regulation on electricity market monitoring.

- c) Failing to comply with the regulation on scheduling of generating sets specified in the Regulation on the competitive electricity market and Regulation on electricity transmission system.
- d) Failing to comply with regulation on implementation of schedule of capacity mobilization of generating sets specified in the Regulation on electricity transmission system.
- e) Interfering in the operation of electricity market without complying with the provisions in the Regulation on competitive electricity market and Regulation on electricity transmission system.
- f) Violating the order, procedures and method of calculation of annual electricity output for the generating Units under the Regulation on competitive electricity market and Regulation on sample electricity sale contract;
- g) Losing data used for preparing dossier to make payment of electricity traded on the market during the storage under the Regulation on competitive electricity market;
- h) Making an agreement with the electricity generating Unit in price offer for the generating sets of the electricity generating Unit to be scheduled inconsistently with the order and procedures specified in the Regulation on competitive electricity market.

5. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the electricity generating Unit for one of the acts as follows:

- a) Failing to prepare and send dossier for participation in the electricity market under the Regulation on competitive electricity market.
- b) Failing to invest in the electricity market information connection system, SCADA/EMS, power metering to meet the requirement for electricity system and market operation.

6. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the electricity generating Unit for one of the acts as follows:

- a) Failing to provide information or provide incorrect information for the planning of annual electricity system operation and the schedule for mobilization of monthly and weekly electricity system capacity; for settlement of dispute and handling of violation on electricity market under the Regulation on competitive electricity market.
- b) Making an agreement with other electricity generating Units in price offering for scheduling;
- c) Making a direct or indirect agreement with other units in limitation or control of capacity offered for sale on the market in order to increase price on the spot market resulted in effect on power supply security;
- d) Making an agreement with the electricity market transaction operating Unit in the price offering for improper scheduling.

7. A fine of between 30,000,000 VND and 40,000,000 VND shall be imposed on the electricity wholesaler for one of the acts as follows:

- a) Failing to provide information or provide incorrect information for the planning of annual electricity system operation and the schedule for mobilization of monthly and weekly electricity system capacity; for settlement of dispute and handling of violation on electricity market under the Regulation on competitive electricity market.
- b) Failing to comply with regulation on order, procedures for assessment and approval for electricity sale contract.

8. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the metered data managing Unit and the metering system operation managing Unit for the acts of failing to take remedial measures of fault of electricity metering system; system of collection, processing and storage of electricity metering data within the time limit under the Regulation on electricity metering on the competitive electricity generating market;

9. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the electricity metering equipment testing Unit for the acts of violation of regulation on confidentiality of password levels of electricity meter under the Regulation on electricity metering on the competitive electricity generating market.

10. In addition to the main form of sanction, the electricity generating units are also subject to the remedial measures to coercively make payment to the state budget of the amount illegally obtained due to committing acts specified at Point h, Clause 4, Point b, c and d, Clause 6 of this Article;

Article 15. Violation of regulation on electricity safety

1. A fine of between 1,000,000 VND and 5,000,000 VND shall be imposed on one of the acts of violation as follows:

- a) Entering the electricity station or climbing on power pole when not on duty;
- b) Growing trees or let the trees cause violation of the safety distance to the overhead power transmission lines or power stations;
- c) Installing TV antenna, clothes line, scaffolding, advertising light box at the place that may impact on the grid upon collapse or falling.
- d) Flying kite or anything that can cause fault to the power grid.

2. A fine of between 5,000,000 VND and 10,000,000 VND shall be imposed on one of the acts of violation as follows:

- a) Using any part of the grid for other purposes without agreement with the grid operation managing Unit;

- b) Discharging or covering raw materials, wastes, supplies or equipment under electrical wire of overhead power transmission lines with the distance from the electrical wire to the materials, waste, supplies or equipment smaller than the safety distance of electricity discharge by voltage level;
- c) Using any part of the houses and works which are permitted for existence in the protection safety corridor of overhead electric wire for other purposes in violation of safety distance of electricity discharge by voltage level;
- d) Building or renovating houses and works in the protection safety corridor of overhead electric wire when there is no agreement or failure to comply with the agreements to ensure the safety during the building and renovation of houses and works with the line operation managing unit;
- e) Loading goods, raw materials, supplies, tree planting, anchoring within the safety protection corridor of underground electric cable;
- f) Building houses and works infringing the doorway and air gate of electricity station and power plant;

3. A fine of between 10,000,000 VND and 20,000,000 VND shall be imposed on one of the acts of violation as follows:

- a) Performing works underground or dredging the rivers, lakes and ponds within the safety protection corridor of underground electric cable without prior notice to the cable operation managing unit under regulation;
- b) Failing to place the safety signs and signals about the grid and power plant under regulation;
- c) Cutting trees and letting them fall into the grid;
- d) Building houses and works on the safety protection corridor of underground electric cable;
- e) Having no work ticket or work order upon performing work specified in the work ticket or work order

4. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on one of the acts of violation as follows:

- a) Digging hole or driving pile in the safety protection corridor of underground electric cable;
- b) Operating equipment, devices and means or other activities in violation of safety distance of electricity discharge by voltage level;
- c) Removing any part of grid and power plant when not on duty;
- d) Tossing, throwing, shooting or casting any object causing damage to parts of grid or power plant or causing fault to the grid and power plant;

- e) Using electricity to trap, catch animals or as a means of direct protection in contradiction with the law;
- f) Failing to issue complete procedures and regulations on electricity safety under regulation;
- g) Failing to take complete safety measures under regulation when working under the work ticket or work order resulted in causing accident or incident;
- h) Employing persons are not trained on electric profession or electricity safety, or are not issued with electricity safety card to carry out work of management, operation, repair of grid or power plant.

5. A fine of between 30,000,000 VND and 40,000,000 VND shall be imposed on one of the acts of violation as follows:

- a) Designing, installing and putting into operation the power grid or power plant which does not meet the technical regulation and electricity safety;
- b) Failing to test the lightning and earthing system of the power plant and electricity station;
- c) Laying and storing explosives and erosive matters within the grid safety protection corridor.

6. A fine of between 40,000,000 VND and 50,000,000 VND shall be imposed on one of the acts of violation as follows:

- a) Digging the earth causing subsidence and collapse of pole of power transmission lines or equipment of electricity station and power plant;
- b) Exploding mine causing damage to any part of grid and power plant;
- c) Using means of performance shocking and damaging grid and power plant;

7. In addition to the main forms of sanction, organizations and individuals committing violation are also subject to the additional form of sanction as confiscation of exhibit and means used to commit acts of violation specified in Clause 2; Point a, c and d, Clause 3; Points a, b, c, d and dd, Clause 4; Point c, Clause 5; Point a and c, Clause 6 of this Article.

8. In addition to the main forms of sanction and additional sanction, organizations and individuals committing must take remedial measures as follows:

- a) Coercively restoring the initial state for the acts specified at Point b and c, Clause 1, 2, Points c and Article, Clause 3; Point a, c and d, Clause 4; Point c, Clause 5 and 6 of this Article;
- b) Coercively removing means and equipment of performance out of the safety corridor of high voltage grid for the acts specified at Point dd, Clause 2; Point a, Clause 3; Point b, Clause 4; Point a and c, Clause 6 of this Article;

- c) Coercively separating the power transmission lines and electrical equipment which do not meet the technical standard and safety for the acts specified at Point a, Clause 5 of this Article;
- d) Coercively suspending work until there is work ticket or fully taking appropriate safety measures for the acts specified at Point dd, Clause 3 and Point g, Clause 4 of this Article.

SECTION 2. FIELD OF SAFETY OF HYDROELECTRIC DAMS

Article 16. Violation of regulations on operation management of hydroelectric dams

1. A fine of between 3,000,000 and 7,000,000 VND shall be imposed on the acts of failing to register the safety of hydroelectric dam under regulations of law on safety management of hydroelectric dam.

2. A fine of between 20,000,000 and 25,000,000 VND shall be imposed on the acts of having no procedures for equipment operation and procedures for maintenance of hydroelectric dam;

3. A fine of between 30,000,000 and 35,000,000 VND shall be imposed on one of the acts as follows:

- a) Having no procedures for hydroelectric reservoir operation or operation failing to operate consistently with the procedures for hydroelectric reservoir operation approved by the competent authority;
- b) Failing to install the monitoring equipment of hydroelectric dam under the approved design;
- c) Failing to monitor, process or store the monitoring data;
- d) Failing to make report on safety state of hydroelectric dam to the competent state authority;

4. A fine of between 45,000,000 and 50,000,000 VND shall be imposed on one of the acts as follows:

- a) Failing to maintain the hydroelectric dams and equipment installed at the hydroelectric dams under regulation;
- b) Failing to prepare the reserve resources, materials and supplies for the prevention of floods and storms to ensure the safety of hydroelectric dams under the approved plan;
- c) Failing to prepare the reserve resources, materials and supplies for the prevention of floods for the downstream areas of hydroelectric dams under the approved plan;

5. A fine of between 65,000,000 and 75,000,000 VND shall be imposed on the acts of having backup power or having but cannot be used for operation of spillway gates;

6. A fine of between 90,000,000 and 100,000,000 VND shall be imposed on the acts of failing to implement the safety inspection of dams under regulation.

7. In addition to the main forms of sanction, organizations and individuals committing acts of violation specified in Clause 6 of this Article are also subject to the additional sanction such as suspended water retention of hydroelectric reservoir until the completion of safety inspection of hydroelectric dam but not exceeding 24 months.

Article 17. Violation of regulations on safety assurance of hydroelectric dam in downstream areas

1. A fine of between 15,000,000 and 20,000,000 VND shall be imposed on one the acts as follows:

- a) Failing to set up boundary landmark within the scope of protection vicinity of hydroelectric dam or failing to perform the management and repair of boundary landmark within the scope of protection vicinity of hydroelectric dam;
- b) Having no plan for protection of hydroelectric dam and plan for flood and storm prevention to ensure the safety for hydroelectric dam approved by the competent state authority;

2. A fine of between 25,000,000 and 30,000,000 VND shall be imposed on one the acts as follows:

- a) Failing to maintain the mode of communication and mode of report to the superior Steering Committee for Flood and Storm prevention and the competent state management authority under regulation;
- b) Failing to give prior warning or notice to the residents and local authority of flood discharge of hydroelectric reservoir;
- c) Having no flood prevention plan for the downstream area of hydroelectric dam due to urgent flood discharge or scenery of break of hydroelectric dam approved by the competent authority;

Article 18. Violation of regulation on safety assurance of protection vicinity of hydroelectric dam

1. A fine of between 5,000,000 VND and 10,000,000 VND shall be imposed on the acts of anchoring boats, rafts within the hydroelectric dam or dam abutment, except for the means used for inspection, maintenance or repair of hydroelectric dam.

2. In addition to the main forms of sanction, organizations and individuals committing acts of violation shall also be subject to the additional forms of sanction such as confiscation of violating means for the acts specified in Clause 1 of this Article;

SECTION 3. FIELD OF EFFICIENT AND EFFECTIVE USE OF ENERGY

Article 19. Violation of key energy using facilities on energy audit

1. A warning shall be imposed on the acts of failing to completely carry out the contents of audit report under the prescribed forms;

2. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the acts of failing to conduct the energy audit under regulation.

Article 20. Violation of regulation on training and issue of energy auditor certificate

1. For organizations which provide training courses and issue certificate of completion of course of energy auditor which does not ensure the prescribed conditions:

- a) A fine of between 10,000,000 VND and 15,000,000 VND shall be imposed on the violation of regulation on teaching contingent;
- b) A fine of between 15,000,000 VND and 20,000,000 VND shall be imposed on the acts of failing to comply with the contents of training;
- c) A fine of between 20,000,000 VND and 25,000,000 VND shall be imposed on the acts of violation of regulations on material facilities;
- d) A fine of between 25,000,000 VND and 30,000,000 VND shall be imposed on the acts of training organization without permission from the competent authority.

2. A fine of between 30,000,000 VND and 40,000,000 VND shall be imposed on the organizations having acts of issue of certificate of completion of course of energy auditor inconsistently with the regulations on training and issue of certificate of energy management and energy auditor.

3. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the organization conducting the examination for issue of energy auditor certificate inconsistently with the training and issue of certificate of energy management and energy auditor.

4. In case of recidivism of acts specified at Point b and c, Clause 1 of this Article, in addition to the main forms of sanction, the violating organization are also subject to the additional forms of sanction such as deprivation of certificate of eligibility for being an energy auditor training establishment from 06 months to 12 months.

5. In addition to the main forms of sanction, the violating organizations are also subject to the remedial measures as follows:

- a) Coercively invalidating the certificate of completion of course of energy auditor and announcing the list of violating certificates to the organizations issuing the energy auditor certificate for the acts specified at Points b, c and d, Clause 1 and 2 of this Article;
- b) Coercively refunding the collected amount of money to the learners and bearing all costs for the refunding for the acts specified at Point b, c and d, Clause 1 and 2 of this Article;
- c) Coercively revoking the issued energy auditor certificate for the acts specified in Clause 3 of this Article;

Article 21. Violation of regulation on energy audit

1. A fine of between 10,000,000 VND and 15,000,000 VND shall be imposed on one of following acts:

- a) Using fake auditor certificate;
- b) Leasing or lending auditor certificate for performance of audit.

2. A fine of between 15,000,000 VND and 30,000,000 VND shall be imposed on the key energy using facilities for one of the acts of self performance of energy audit or leasing of audit organization for performance of energy audit when there is no contingent of energy auditors who are issued with the energy auditor certificate; no appropriate technical means and equipment for the energy audit.

3. A fine of between 30,000,000 VND and 40,000,000 VND shall be imposed on the acts of intentionally falsifying the energy audit report.

4. In addition to the main forms of sanction, the violating individuals shall also be subject to the additional sanction such as depriving the right to use the energy audit certificate from 06 to 12 months for the act specified at Point b, Clause 1 of this Article;

Article 22. Violation of regulation on efficient and effective use of energy in industrial production

A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the acts of failing to perform technical regulations and management measures and required technology to use energy efficiently and effectively.

Article 23. Violation of efficient and effective use of energy in production and energy supply

1. A fine of between 60,000,000 VND and 70,000,000 VND shall be imposed on organizations having acts of failing to remove the generating sets with backward technology and low performance under the roadmap stipulated by the competent authority.

2. A fine of between 90,000,000 VND and 100,000,000 VND shall be imposed on organizations installing the generating sets with backward technology and low performance without being built under regulation.

3. In addition to the main forms of sanction, the violating organizations shall also be subject to the additional sanction such as depriving the right to use the construction permit from 12 to 24 months for the acts specified in Clause 2 of this Article;

4. In addition to the main forms of sanction, the violating organizations shall also be subject to the remedial measures such as removing such generating set for the acts specified in Clause 1 of this Article;

Article 24. Violation of efficient and effective use of energy in public lighting

1. A fine of between 5,000,000 VND and 10,000,000 VND shall be imposed on the acts of improperly managing and operating the public lighting system and letting the lighting system operate beyond the time framework on a seasonal and regional basis under regulation.
2. A fine of between 10,000,000 VND and 20,000,000 VND shall be imposed on the acts of repair, replacement or use of lighting equipment of improper technical regulation on the efficient and effective use of energy in public lighting.
3. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the acts of new installation of public lighting system using the lighting equipment of improper technical regulation on the efficient and effective use of energy in public lighting.
4. In addition to the main forms of sanction, the violating organizations and individuals are also subject to the remedial measures such as coercively using the lighting equipment of proper technical regulations on efficient and effective use of energy in public lighting for the acts of specified in Clause 2 and 3 of this Article;

Article 25. Violation of efficient and effective use of energy in constructional activities.

1. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the acts of failing to comply with regulations on norm of energy use, technical regulations in design, performance and use of constructional materials for efficient of energy.
2. In addition to the main forms of sanction, the violating organizations and individuals are also subject to the remedial measures such as coercively comply with regulations on norm of energy use, technical regulations in design, performance and use of constructional materials for efficient of energy.

Article 26. Violation of regulations on efficient and effective use of energy in transportation

1. A fine of between 4,000,000 VND and 6,000,000 VND shall be imposed on the acts of using means of transportation included in the List of means and equipment to be removed under regulation.
2. A fine of between 30,000,000 VND and 40,000,000 VND shall be imposed on the acts of manufacturing equipment and means of transportation without compliance with the technical regulations and norm of energy consumption on efficient and effective use of energy in manufacturing of equipment and means of transportation.
3. A fine of between 90,000,000 VND and 100,000,000 VND shall be imposed on the acts of importing the equipment and means of transportation without compliance with the technical regulations and norm of energy consumption on efficient and effective use of energy for the equipment and means of transportation.

4. In addition to the main forms of sanction, the violating organizations and individuals are also subject to the remedial measures as follows:

- a) Coercively circulating or destroying such equipment and means of transportation for the acts specified in Clause 1 of this Article.
- b) Coercively re-exporting or destroying such imported equipment and means of transportation for the acts specified in Clause 3 of this Article.

Article 27. Violation of efficient and effective use of energy in agricultural production

For the acts of using fishing means and equipment of backward technology and low performance included in the List of means and equipment to be removed under the roadmap issued by the competent authority:

1. A warning shall be imposed on unserious acts of violation.
2. A fine of between 5,000,000 VND and 10,000,000 VND shall be imposed on the acts of recidivism after 06 months from the date of warning.
3. In addition to the main forms of sanction, the violating organizations and individuals are also subject to the remedial measures such as terminating the circulation of such means and machinery.

Article 28. Violation of regulation on training and issue of energy management certificate

1. For the acts of organization of training courses for issue of certificate of completion of energy management training courses which do not ensure the conditions under regulation:
 - a) A fine of between 10,000,000 VND and 15,000,000 VND shall be imposed on the acts of violation of regulation on contingent of lecturers;
 - b) A fine of between 15,000,000 VND and 20,000,000 VND shall be imposed on the acts not comply with the training contents under regulation or the acts of violation of teaching materials;
 - c) A fine of between 20,000,000 VND and 25,000,000 VND shall be imposed on the violation of regulation on material facilities;
 - d) A fine of between 25,000,000 VND and 30,000,000 VND shall be imposed on the acts of training organization without the permission from the competent authority.
2. For the acts of improper issue of energy management certificate:
 - a) A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the violation of regulation on examination and issue of certificate under regulation;
 - b) A fine of between 30,000,000 VND and 40,000,000 VND shall be imposed on the violation of issue of certificate without the permission from the competent authority.

3. In case of acts of recidivism specified at Point b and c, Clause 1 of this Article, in addition to main forms of sanction, such organizations and individuals are also subject to the additional forms of sanction such as depriving the right to use the certificate of eligibility for energy management training facilities from 06 to 12 months.

4. In addition to the main forms of sanction, the violating organizations and individuals are also subject to the remedial measures as follows:

- a) Coercively revoking the issued certificate of completion of energy management training courses for the acts specified at Points b, c, d, Clause 1 of this Article;
- b) Coercively refunding the collected money and bearing all cost of the refunding for the acts specified at Points b, c, d, Clause 1 of this Article;
- c) Coercively revoking the issued energy management certificate for the acts specified in Clause 2 of this Article;

Article 29. Violation of regulation on application of energy management model

1. A warning shall be imposed on the head of the key energy using facilities for failing to fully comply with the contents of energy management model.

2. A fine of between 5,000,000 VND and 10,000,000 VND shall be imposed on the acts of failing to appoint or appointing ineligible energy manager;

3. A fine of between 10,000,000 VND and 20,000,000 VND shall be imposed on the acts of failing to formulate the plan for efficient and effective use of energy for every year and 05 years; acts of failing to comply with the regulation on prescribed reporting and report on the implementation result of annual and 5-year plan.

Article 30. Violation of regulation on energy labeling and use of energy label

1. A fine of between 5,000,000 VND and 10,000,000 VND shall be imposed on the acts of failing to report or truthfully report to the competent state authority on the amount and types of manufactured and imported means and equipment that must be affixed with energy label.

2. A fine of between 10,000,000 VND and 15,000,000 VND shall be imposed on the acts of violation of regulation on improper use of energy label such as attaching the energy label on means or equipment or packages with inappropriate size, change of size by increase or decrease inconsistently with the ratio or the acts of obscuring or confusion affecting the information stated on the energy label under regulation.

3. A fine of between 15,000,000 VND and 20,000,000 VND shall be imposed on the acts of continued energy labeling for the means and equipment when the energy labeling certificate of such means and equipment is expired.

4. For the acts of failing to carry out the energy labeling for the means and equipment that must be affixed with energy label.

- a) A warning shall be imposed for the 1st violation;
- b) A fine of between 10,000,000 VND and 20,000,000 VND shall be imposed on the acts of failing to affix energy label for the means and equipment that must be affixed with energy label after the warning under the provision at Point a of this Clause.

5. A fine of between 30,000,000 VND and 40,000,000 VND shall be imposed on the acts of providing wrong information about the energy efficiency on the energy label compared with the energy labeling certificate of the means and equipment issued by the competent authority.

6. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the acts of energy labeling for the means and equipment inconsistently with the energy labeling certificate or the acts of energy labeling for the means and equipment without being issued with the energy labeling certificate;

7. In addition to the main forms of sanction, the violating individuals and organizations are also subject to the remedial measures as follows:

- a) Coercive revocation of energy labeling certificate issued for the acts specified in Clause 1 of this Article;
- b) Suspension of energy labeling for the acts specified in Clause 3 of this Article within 06 months;
- c) Coercive revocation of products affixed with energy labeling for the acts specified in Clause 6 of this Article;

Article 31. Violation of regulation on testing and certification of energy efficiency

1. A fine of between 20,000,000 VND and 30,000,000 VND shall be imposed on the organizations issuing certificate of standard conformity and testing result meeting the standard of energy efficiency to the substandard means and equipment;

2. In addition to the main forms of sanction, the violating organizations are also subject to the remedial measures as follows:

- a) Coercive revocation of certificate and the testing result issued and compensation for damage for the acts specified in Clause 1 of this Article;
- b) Deletion of name from the List of standard laboratories eligible for implementation of test of energy efficiency for the acts of recidivism specified in Clause 1 of this Article;

Article 32. Violation of regulations on the List of means and equipment to be affixed with energy label, application of minimum energy level and implementation roadmap

1. A fine of between 10,000,000 VND and 20,000,000 VND shall be imposed on the violation of regulation on energy labeling in production, import and distribution of energy-consuming means and equipment included in the List of means and equipment to be affixed with energy label;
2. A fine of between 50,000,000 VND and 60,000,000 VND shall be imposed on the production and import of energy-consuming means and equipment included in the List of means and equipment to be removed;
3. In addition to the main forms of sanction, the violating individuals and organizations are also subject to temporary seizure of violating means and equipment or subject to additional sanction such as confiscation of violating exhibit, means and equipment for the acts specified in Clause 1 and 2 of this Article;
4. In addition to the main forms of sanction, the violating individuals and organizations are also subject to the remedial measures as follows:
 - a) Coercive re-export of imported means and equipment; prohibition of circulation on the market of means and equipment locally produced for the acts specified in Clause 2 of this Article;
 - b) Coercive energy labeling under regulation for the acts specified in Clause 1 of this Article;
5. The violating individuals and organizations must bear all costs for the remedial measures specified in Clause 4 of this Article;

Chapter 3.

AUTHORITY AND PROCEDURES FOR SANCTION

Section 1. Authority to sanction in the field of electricity

Article 33. Authority to sanction of Chairman of People's Committee at all levels

The Chairman of People's Committees at all levels has the authority to impose sanction against administrative violation in the field of electricity occurring at localities within their management as follows:

1. The Chairman of communal People's Committee has the right to impose sanction against the acts specified in Article 12 and Clause 1, Article 15 of this Decree as follows:
 - a) Imposes a warning;
 - b) Imposes a fine of between 5,000,000 VND and 10,000,000 VND on organizations;
 - c) Confiscates the exhibits and means used to commit violation with a value not exceeding the rate of fine specified at Point b of this Clause for the acts of violation under the authority to sanction specified in Article 12 of this Decree.

- d) Applies the prescribed remedial measures to the acts under the authority to sanction as prescribed at Point a, Clause 12, Article 12 and Point a, Clause 8, Article 15 of this Decree.

2. The Chairman of district People's Committee has the right to impose sanction against acts specified in Clause 1, 2 of Article 9, 11, 12; Clause 1, 2 and 3, Article 15 of this Decree as follows:

- a) Imposes a warning;
- b) Imposes a fine of between 25,000,000 VND and 50,000,000 VND on organizations;
- c) Confiscates the exhibits and means used to commit violation with a value not exceeding the rate of fine specified at Point b of this Clause for the acts of violation under the authority to sanction specified in Article 12 and 15 of this Decree.
- d) Applies the prescribed remedial measures to the acts under the authority to sanction as prescribed in Article 9, 11, 12 and 15 of this Decree.

3. The Chairman of provincial People's Committee has the right to impose sanction against acts specified in Article 5 and 6, Clause 2 and 3, Article 9; Clause 1, Article 10, 11, 12 and 15 of this Decree as follows:

- a) Imposes a warning;
- b) Imposed a fine up to 50,000,000 VND on individuals and up to 100,000,000 VND on organizations;
- c) Applies additional forms of sanction prescribed for acts of violation under the authority to sanction as prescribed in Article 12 and 15 of this Decree;
- d) Applies the prescribed remedial measures to the acts under the authority to sanction as prescribed in Article 5, 6, 9, 10, 11, 12 and 15 of this Decree.

Article 34. Authority to sanction of Inspector

Inspectors in charge of the electricity sector under the Ministry of Industry and Trade have the authority to sanction against acts of violation in the field of electricity nation-wide. Inspectors in charge of the electricity sector under the Department of Industry and Trade of provinces and centrally-run cities have the authority to sanction against acts of violation in the field of electricity occurring within localities under their management;

1. Inspectors and inspection officers in charge of the electricity sector on duty have the right to:

- a) Impose a warning;
- b) Impose a fine of up to 500,000 VND on individuals and up to 1,000,000 VND on organizations;

2. Chief Inspector of Department of Industry and Trade and Head of specialized delegation team at department level have the right to impose sanction on the acts specified in Article 5 and 6, Clause 1, 2, 3 of Article 9; Clause 1 of Article 10, 11, 12 and 15 of this Decree as follows:

- a) Impose a warning;
- b) Impose a fine of up to 25,000,000 VND on individuals and up to 50,000,000 VND on organizations;
- c) Confiscate exhibit and means used to commit violation with a value not exceeding the rate of fine specified at Point b of this Clause for the acts of violation under the authority to sanction specified in this Decree;
- d) Apply the prescribed remedial measures to the acts of violation under the authority to sanction specified in this Decree;

3. Head of specialized inspection team of the state management organ assigned tasks of specialized inspection has the right to impose sanction against acts specified in Article 5, 6; Clause 2 and 3, Article 9; Clause 1, Article 10, 11, 12 and 15 of this Decree as follows:

- a) Imposes a warning;
- b) Imposes a fine up to 25,000,000 VND on individuals and 50,000,000 VND on organizations;
- c) Confiscates the exhibits and means used to commit violation with a value not exceeding the rate of fine specified at Point b of this Clause for the acts of violation under the authority to sanction specified in this Decree.
- d) Applies the prescribed remedial measures to the acts of violation under the authority to sanction specified in this Decree;

4. Chief Inspector of the Ministry of Industry and Trade has the right to:

- a) Impose a warning;
- b) Impose a fine up to 50,000,000 VND on individuals and 100,000,000 VND on organizations;
- c) Confiscates the exhibits and means used to commit violation with a value not exceeding the rate of fine specified at Point b of this Clause for the acts of violation under the authority to sanction specified in this Decree.
- d) Applies the prescribed remedial measures to the acts of violation under the authority to sanction specified in this Decree;

5. Head of specialized inspection team at ministerial level has the right to::

- a) Impose a warning;
- b) Impose a fine up to 35,000,000 VND on individuals and 70,000,000 VND on organizations;

- c) Confiscates the exhibits and means used to commit violation with a value not exceeding the rate of fine specified at Point b of this Clause for the acts of violation under the authority to sanction specified in this Decree.
- d) Applies the prescribed remedial measures to the acts of violation under the authority to sanction specified in this Decree;

6. Director of Department of safe engineering and industrial environment has the right to impose a fine to the maximum, additional sanction and apply remedial measures on individuals and organizations committing acts of violation in the field of electricity as prescribed in Article 15 of this Decree nation-wide.

Article 35. Authority to sanction of the Head of electricity regulating organ

Head of electricity regulating organ has the right to impose a warning and a fine to the maximum, additional sanction and apply remedial measures on individuals and organizations committing acts of violation in the field of electricity as prescribed in Article 5; Clause 3, 4 of Article 6, 7, 8; Clause 4, 5, 6 of Article 9, 10; Clause 7, 8 of Article 11; Clause 8, Article 12, 13 and 14 of this Decree nation-wide.

Article 36. Authority to sanction of other forces

The following persons, upon detection of acts of violation in the field of electricity specified in this Decree in their management area have the right to impose sanction as follows:

1. Head of team of soldiers of the People's Police has the right to impose a sanction against acts of violation specified in Clause 1, Article 12 of this Decree;
2. Head of district police has the right to impose a sanction against acts of violation specified in:
 - a) Clause 1, Article 6 of this Decree;
 - b) Clause 3, Article 11 of this Decree;
 - c) Clause 1, Article 12 of this Decree;
 - d) Points a and d, Clause 1; Points a, b and dd, Clause 2; Clause 7; Points a and b, Clause 8, Article 15 of this Decree.
3. Director of provincial police has the right to impose a sanction against acts of violation specified in:
 - a) Clause 1, Article 6 of this Decree;
 - b) Clause 3, Article 11 of this Decree;
 - c) Clause 1, Article 12 of this Decree;
 - d) Points a and d, Clause 1; Points a, b and dd, Clause 2; Clause 7; Points a and b, Clause 8, Article 15 of this Decree.

4. Chief Inspector of Construction Department in the scope of management and Chief Inspector of Construction Ministry has the right to impose a sanction against acts of violation as prescribed at Point d and e, Clause 2, Point d, Clause 7, Point a, Clause 8, Article 15 of this Decree;

SECTION 2. AUTHORITY TO SANCTION IN THE FIELD OF SAFETY OF HYDROELECTRIC DAM

Article 37. Authority to sanction of the Chairman of People's Committee

1. Chairman of district People's Committees has the right to impose a fine up to 50,000,000 VND on individuals and 100,000,000 VND on organizations and apply additional forms of sanction against acts of violation under the authority to sanction specified in Clause 1, 2, 3 and 4, Article 16, 17, 18 of this Decree within their scope of management.

2. Chairman of provincial People's Committees has the right to impose a fine up to the maximum and apply additional forms of sanction to organizations and individuals having acts of violation in the field of safety of hydroelectric dam within their scope of management.

Article 38. Authority to sanction of Inspector

1. Chief Inspectors of the Department of Industry and Trade has the right to impose a fine up to 50,000,000 VND on individuals and 100,000,000 VND on organizations and apply additional forms of sanction against acts of violation under the authority to sanction specified in Clause 1, 2, 3, 4 of Article 16, 17, 18 of this Decree within their scope of management.

2. Head of specialized inspection team at departmental level and head of specialized inspection team of state management organ assigned tasks of specialized inspection have the right to impose a fine up to 50,000,000 VND on individuals and 100,000,000 VND on organizations and apply additional forms of sanction against acts of violation under the authority to sanction specified in Clause 1, 2, 3,4 of Article 16, 17, 18 of this Decree within their scope of management;

3. Chief Inspector of the Ministry of Industry and Trade has the right to impose a fine to the maximum and applies the additional forms of sanction to organizations and individuals committing acts of violation in the field of safety of hydroelectric dams nation-wide.

4. Head of specialized inspection team at ministerial level has the right to impose a fine up to 70,000,000 VND on individuals and 140,000,000 VND on organizations and applies the additional forms of sanction to acts of violation under the authority to sanction as prescribed in Clause 1, 2, 3, 4, 5, Article 16, 17 and 18 of this Decree nation-wide.

5. Director of Department of safe engineering and industrial environment has the right to impose a fine to the maximum and apply additional forms of sanction to organizations and individuals having acts of violation in the field of safety of hydroelectric dams nation-wide.

Article 39. Authority of people's police

1. Head of district police and Head of provincial police division including: Head of administrative management of social order division, Head of order police division, Head of economic security division have the right to impose sanction against acts of violation specified in Article 18 of this Decree within their scope of management;
2. Directors of provincial police has the right to impose sanction against acts of violation under the provisions in Article 18 of this Decree within their scope of management;
3. Director of economic security Department, Director of administrative management of social order Department have the right to impose sanction against acts of violation specified in Article 18 of this Decree nationwide.

SECTION 3. AUTHORITY TO SANCTION IN THE FIELD OF EFFICIENT AND EFFECTIVE USE OF ENERGY

Article 40. Authority to sanction violation of People's Committee at all levels

1. Chairman of district People's Committee has the right to impose sanction against acts of violation in the field of efficient and effective use of energy at localities within their scope of management as follows
 - a) Imposes a warning;
 - b) Imposes a fine of 50,000,000 VND on individuals and 100,000,000 VND on organizations;
 - c) Confiscates the exhibits and means used to commit violation with a value not exceeding the rate of fine specified at Point b of this Clause for the acts of violation under the authority to sanction specified in Article 32 of this Decree.
 - d) Deprives the right to use the construction Permit and Certificate with a definite time for the acts of violation under the authority to sanction specified in Articles 20, 21, 23 and 28 of this Decree.
 - e) Applies the prescribed remedial measures to the acts of violation under the authority to sanction as prescribed in Article 20, 22, 23, 24 and 25, Point a, Clause 4, Article 26, 27, 28, Point a and b, Clause 7, Article 30 and 31 and Point b, Clause 4, Article 32 of this Decree.
2. Chairman of provincial People's Committee has the right to impose sanction against acts of violation in the field of efficient and effective use of energy at localities within their scope of management as follows:
 - a) Imposes a warning;
 - b) Imposes a fine of 100,000,000 VND on individuals and 200,000,000 VND on organizations;
 - c) Applies additional forms of sanction prescribed for acts of violation under the authority to sanction as prescribed in Article 20, 21, 23 and 28 of this Decree;

- d) Applies the prescribed remedial measures to the acts of violation under the authority to sanction as prescribed in Article 20, 22, 23, 24, 25, 26, 27, 28, 30, 31 and 32 of this Decree.

Article 41. Authority to sanction of inspector

1. Chief Inspectors of Department of Industry and Trade has the right to impose a warning and a fine of 50,000,000 VND on individuals and 100,000,000 VND on organizations and applies additional forms of sanction and remedial measures to the acts of violation under the authority to sanction specified in Articles 21, 22, 24, 26, 27, 28, 29, 30, 31 and 32 of this Decree within their management;

2. Chief Inspectors of Department of Construction has the right to impose a fine up to 50,000,000 VND on individuals and 100,000,000 VND on organizations and applies remedial measures for the acts specified in Article 24, 25 of this Decree within their management;

3. Chief Inspectors of Department of Construction has the right to impose a fine up to 50,000,000 VND on individuals and 100,000,000 VND on organizations and applies remedial measures for the acts specified in Article 1 and Point a, Clause 3, Article 26 of this Decree within their management;

4. Head of specialized inspection team and the head of specialized inspection team of the state management organ assigned task of specialized inspection have the right to impose sanction against acts of violation occurring at localities under their management as follows:

- a) Impose a warning;
- b) Impose a fine up to 50,000,000 VND on individuals and 100,000,000 VND on organizations;
- c) Confiscate the exhibits and means used to commit violation with a value not exceeding the rate of fine specified at Point b of this Clause for the acts of violation under the authority to sanction specified in this Decree.
- d) Apply the prescribed remedial measures to the acts of violation under the authority to sanction specified in this Decree;

5. Chief Inspector of the Ministry of Industry and Trade has the right to impose a fine to the maximum and applies the additional forms of sanction to organizations and individuals committing acts of violation in the field of efficient and effective use of energy nation-wide.

6. Chief Inspector of the Ministry of Construction has a the right to impose a fine to the maximum and applies the additional forms of sanction to organizations and individuals committing acts of violation specified in Article 24 and 25 of this Decree nation-wide.

7. Chief Inspector of the Ministry of Construction has a the right to impose a fine to the maximum and applies the additional forms of sanction to organizations and individuals committing acts of violation specified in Article 26 of this Decree nation-wide.

8. Head of specialized inspection team has the right to:

- a) Impose a warning;
- b) Impose a fine up to 70,000,000 VND on individuals and 140,000,000 VND on organizations;
- c) Confiscate the exhibits and means used to commit violation with a value not exceeding the rate of fine specified at Point b of this Clause for the acts of violation under the authority to sanction specified in this Decree.
- d) Apply the prescribed remedial measures to the acts of violation under the authority to sanction specified in this Decree;

9. Persons having the authority of the market management organ within their functions, duties and power specified in Article 45 of the Law on handling of administrative violation and other relevant regulations of law have the right to impose a sanction against:

- a) Acts of violation of regulation on production, import and circulation of energy-consuming means and equipment included in the List of means and equipment to be removed;
- b) Other acts of violation are specified in Clause 3,4,5 and 6, Article 30 and 32 of this Decree;

SECTION 4. SANCTION PROCEDURES

Article 42. Authority to make record of administrative violation and record of temporary seizure of violating exhibit and means

1. Persons having the authority to impose sanction against violation are specified in Chapter III of this Decree and the specialized inspectors have the right to make record of administrative violation in the field of electricity and safety of hydroelectric dam, efficient and effective use of energy.

2. Electricity inspectors on duty has the right to make record of administrative violation in the field of electricity and record of temporary seizure of violating exhibit and means in case of detection of power theft.

Article 43. Coercive measures to stop power supply

1. Individuals and organizations using power are sanctioned but fail to voluntarily comply with the sanctioning decision. In this case, besides the coercive measures specified in Clause 86 of the Law on handling of administrative violation, they can be imposed the coercive measures by suspension of power supply.

2. Chairman of communal, district and provincial People's Committees shall make a decision on sanctioning administrative violation in the field of electricity by the measures to suspend the

power supply under their authority or at the proposal of the person authorized to sanction specified in Article 34, 35 and 36 of this Decree.

Article 44. Transfer of record of power theft for criminal prosecution

1. In case of acts of power theft from 20.000 kWh or more, the competent person must transfer the record immediately to the competent procedure-*conducting* organs;
2. The Ministry of Industry and Trade shall assume the prime responsibility and coordinate with the Ministry of Public Security, the Supreme People's Procuratorate, the Supreme People's Court to provide the guidelines specified in Clause 1 of this Article.

Article 45. Notification to the competent organ issuing the power operation Permit

The persons authorized to impose sanction shall notify in writing the organ which has issued the power operation Permit for considering the revocation of the power operation Permit specified in Article 37 and 38 of the Electricity Law upon sanctioning acts of violation specified at Point c and d, Clause 7, Article 5 of this Decree.

Chapter 4.

IMPLEMENTATION PROVISION

Article 46. Effect

1. This Decree takes effect from December 01, 2013. Other relevant contents which are not specified in this Decree shall comply with the provisions of the Law on handling of administrative violation and the other directing documents;
2. Decree No. 68/2010/ND-CP dated June 15, 2013 of the Government stipulating the sanction of law violation in the field of electricity and Decree No. 73/2011/ND-CP dated August 24, 2011 of the Government stipulating the sanction of administrative violation in the field of efficient and effective use of energy shall be expired from the date this Decree takes effect.
3. Transitional provision
 - a) The provision at Point b, Clause 1, Article 17 of this Decree shall take effect 06 months after this Decree takes effect;
 - b) The provision at Point c, Clause 2, Article 17 of this Decree shall take effect 06 months after this Decree takes effect;
 - c) The acts of violation which have occurred before the effective date of this Decree but have been detected and recorded after the effective date of this Decree shall be handled according to the provisions in this Decree;
 - d) The acts of violation recorded before the effective date of this Decree shall be applied with the Decree No. 68/2010/ND-CP dated June 15, 2010 of the Government stipulating

the sanction of law violation in the field of electricity and Decree No. 73/2011/ND-CP dated August 24, 2011 of the Government stipulating the sanction of law violation in the field of efficient and effective use of energy or the Decree sanctioning the administrative violation in the relevant fields for sanction. If the issue of sanctioning decision is at the same time of effective date of this Decree, this Decree shall be applied in case this Decree does not stipulate the sanction or forms of sanction and the sanctioning level is lighter for such acts of violation;

- e) The acts of violation have occurred but ended after the effective date of this Decree shall be applied with the provisions of this Decree for sanction;

Article 47. Implementation responsibility

1. The Ministry of Industry and Trade is responsible for

- a) Providing the guidelines on method to determine the electricity output thieved and the loss money specified at Point d, Clause 12, Article 12 of this Decree;
- b) Defining the order of verification and sanctioning of violation in the field of electricity under the authority of the Head of electricity regulating organ;

2. Ministers, heads of ministerial-level agencies, heads of government-attached organs and Chairman of People's Committees of provinces and centrally-run cities are liable to execute this Decree./.

**ON BEHALF OF GOVERNMENT
PRIME MINISTER**

Nguyen Tan Dung

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