

No.: 36/2013/QH13

Hanoi, June 20, 2013

LAW
Amending and Supplementing a Number of Articles
of the Law on Residence

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under Resolution No. 51/2001/QH10;

The National Assembly promulgates the Law Amending and Supplementing a Number of Articles of Law No. 81/2006/QH11 on Residence.

Article 1. To amend and supplement a number of articles of the Law on Residence

1. To amend and supplement Clause 8, Article 8, and supplement Clauses 10 and 11 to Article 8 as follows:

“8. Hiring, leasing, forging, modifying or falsifying household registration books, temporary residence books or other papers related to residence; using forged residence papers; providing false information and documents on residence; falsifying conditions for registration of permanent residence.”

“10. Settling the registration of residence when clearly knowing that the person who is granted the registration of residence does not live in that domicile.

11. Allowing another person to register residence at one’s domicile for self-seeking purpose or in reality, the person registering residence does not live in that domicile.”

2. To amend and supplement Article 20 as follows:

“Article 20. Conditions for registration of permanent residence in centrally run cities

Citizens falling in one of the following cases may register their permanent residence in centrally run cities:

1. Having a lawful domicile; and having temporarily resided for at least one year in a centrally run city, if registering permanent residence in a rural district or town of such city, and having temporarily resided for at least two years in a

centrally run city, if registering permanent residence in an urban district or a ward of such city;

2. Obtaining the consent of the person who possesses the household registration book to have their names entered in such book if falling into one of the following cases:

a/ Wife returns to live with her husband; husband returns to live with his wife; child returns to live with his/her father, mother; father, mother returns to live with his/her child;

b/ Person who is beyond the working age, has retired or left his/her job for loss of working capacity or quit his/her job returns to live with his/her sibling;

c/ Person who is disabled, loses working capacity or suffers a mental disease or another ailment which deprives him/her of the capacity to perceive or control his/her acts returns to live with his/her sibling, aunt, uncle or guardian;

d/ Minor whose parents are deceased or whose parents are incapable of nurturing him/her returns to live with his/her paternal grandparents, maternal grandparents, sibling, aunt, uncle or guardian;

dd/ Single adult returns to live with his/her paternal or maternal grandparents, sibling, aunt or uncle;

e/ Paternal or maternal grandparent returns to live with his/her grandchild.

3. Being transferred or recruited to work in an agency or organization, salaried from the state budget or working under a contract with an unspecified term and having a lawful domicile;

4. Having previously registered permanent residence in a centrally run city and now returning to live in this city at a lawful domicile;

5. For citizens specified in Clauses 1, 3 and 4 of this Article, if registering permanent residence at lawful domiciles that are leased, lent or allowed for free-of-charge stay by individuals or organizations, the following conditions must be fully met:

a/ Ensuring the average area condition set by the municipal People's Council;

b/ Obtaining the certification by the commune, district or township People's Committee of the average area condition;

c/ Possessing a written consent of the lessor or lender or the individual or organization allowing free-of-charge stay;

6. The registration of permanent residence in inner areas of Hanoi complies with Clause 4, Article 19 of the Law on the Capital City.”

3. To amend and supplement Clause 1, Article 23 as follows:

“1. Persons who have registered their permanent residence but change their lawful domiciles shall, if fully satisfying the conditions for permanent residence registration, within 12 months after their movement to the new lawful domiciles, carry out procedures to change their registered places of permanent residence.

4. To amend and supplement Clause 4, Article 30 as follows:

“4. Commune/ward/township police chiefs shall, within three working days after receiving all papers specified in Clause 3 of this Article, grant temporary residence books made according to a form set by the Ministry of Public Security.

Temporary residence books granted to households or individuals having registered their temporary residence are valid for determination of citizens’ temporary residence places for a maximum period of 24 months. Thirty days before the expiration of their temporary residence term, citizens shall carry out extension procedures at police offices that have granted temporary residence books.

The modification of temporary residence books complies with the provisions of Article 29 of this Law. Temporary residence books which are damaged or lost may be re-granted. In case of temporary residence in another commune, ward or township, re-registration must be made.”

5. To amend and supplement Clause 2, Article 31 as follows:

“ 2. Representatives of private houses, apartments, medical treatment establishments, hotels, motels and other establishments where persons come to stay shall notify the stay of such persons to commune/ward/township police offices. In case of persons staying in private houses or apartments whose owners have not yet registered their permanent residence in the commune, ward and township concerned, these persons shall notify their stay to the commune/ward/township police office. The notification of stay may be made in person or by telephone or via the Internet and the computer network. Commune/ward/township police offices shall notify the address of the place, website and telephone number for receiving stay notifications to local people.”

Article 2. This Law takes effect on January 1, 2014.

This Law was passed on June 20, 2013, by the XIIIth National Assembly at its 5th session.-

Chairman of the National Assembly

(Signed)

NGUYEN SINH HUNG