

GOVERNMENT

SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom – Happiness

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DECREE

PROVIDING FOR SECURITY AND ORDER CONDITIONS FOR A
NUMBER OF CONDITIONAL BUSINESS SECTORS

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

Pursuant to the Law on Investment dated November 26, 2014;

Pursuant to the Law on Enterprises dated November 26, 2014;

Pursuant to the Law on People's Public Security Forces dated November 27, 2014;

At the request of Minister of Public Security;

The Government promulgates a Decree to provide for security and order conditions for a number of conditional business sectors.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Decree provides for security and order conditions, the state management and responsibilities of organizations and individuals in business sectors subject to security and order conditions in the territory of Vietnam.

Article 2. Regulated entities

This Decree applies to Vietnamese agencies, organizations and individuals, and foreign entities involved in conditional business activities, and the establishment, permission, registration and management of business sectors subject to security and order conditions.

Article 3. Business sectors subject to security and order conditions and scope of management

1. Seal production, consisting of: Production of the seals bearing the national Emblem of the Socialist Republic of Vietnam, the seals bearing symbol as well as those without it in accordance with regulations of the law on management and use of seals.
2. Combat gear trading, consisting of: Production, assembly, import, export and trading in combat gears, bullets and accessories of combat gears; repair of combat gears.
3. Firecracker trading, consisting of: Production, processing, import, export and trading in fireworks, other firecrackers and powder in accordance with regulations of the law on management and use of firecrackers.
4. Pawnshop services, consisting of: Providing loans to borrowers who must put their legitimate property in ledge at pawnshop service providers.

5. Massage services, consisting of: Use of physical therapies for massage or manual therapies to improve human health.

Massage services provided by health facilities for medical treatment and employment centers for providing jobs to the disabled are not governed by this Decree.

6. Trading of warning devices of emergency vehicles, consisting of: Production, assembly, import, export and trading of vehicle warning flags, lights and sirens.

7. Security services, consisting of: Protecting people, assets, subjects and legal activities of agencies, organizations and individuals.

Security services which are provided to protect subjects/objects under the Government's List of subjects/objects protected by People's Public Security Forces and People's Army Forces, and security activities at agencies or enterprises as referred to in the Decree No. 06/2013/ND-CP dated January 09, 2013 providing for the security at agencies and enterprises are not governed by this Decree.

8. Trading of paintball guns, consisting of: Production, assembly, import, export and trading of paintball guns, paintballs or pellets and accessories of paintball guns; repair of paintball guns; supply of paintball shooting services.

9. Electronic casino game services for foreigners.

10. Debt collection services, consisting of: Collection of debts in cash or in kinds for agencies, organizations or individuals under authorization contracts.

11. Casino business, consisting of: Games of chance in casino business.

12. Betting services, consisting of: Types of betting services.

13. Gas business, consisting of: Gas business activities provided for in the Decree No. 19/2016/ND-CP dated March 22, 2016 on gas business.

14. Industrial explosive business, consisting of: Production, import, export, trading, recycling, maintenance, transportation and destruction of industrial explosives.

Research, development and testing on industrial explosives are not governed by this Decree.

15. Explosive precursor business, consisting of: Production, import, export, trading, maintenance, transportation and destruction of ammonium nitrate of high content (98.5% or higher) (hereinafter referred to as explosive precursors).

16. Business operations with use of industrial explosives and explosive precursors, consisting of: Operations with use of industrial explosives for construction of works, exploration and exploitation of minerals and petroleum; use of explosive precursors for production of industrial explosives.

17. Blasting services, consisting of: Provision of services with use of industrial explosives to serve the construction of works, exploration and exploitation of minerals and petroleum to agencies, organizations or individuals on their legitimate demand.

18. Printing services, consisting of: Prepress, press and postpress activities (except for screen printing establishments and photocopy establishments) for producing the following products:

a) Publications (except for Braille books, audio or video recordings which are used as substitutes or illustrations for books);

b) Newspapers, magazines and other press publications as prescribed by the press law;

c) Paper forms and other papers with legal effect, issued by state agencies, political organizations and socio-political organizations;

d) Anti-counterfeit stamps;

dd) Packages, stamps and labels of pharmaceuticals, pharmaceutical chemicals, medicines and functional foods (except for the cases where producers of pharmaceuticals, pharmaceutical chemicals, medicines and functional foods themselves carry out package, stamp and label printing);

e) Financial invoices; papers with pre-printed face value or for inscription of face values.

19. Trading in mobile phone jammers, consisting of: Production, import, export and trading in devices used to prevent mobile phones from receiving signals from base stations.

20. Plastic surgery services, consisting of: Using medical techniques to perform surgery for the purpose of alternation of shape or appearance of body parts.

21. Karaoke and dance club business:

a) Karaoke services, consisting of: Singing activities along with prerecorded music with images or with aid by other audio and video recording technologies;

b) Dance club business, consisting of: Dancing activities at dance club service providers as prescribed by laws.

Activities of dance classes are not governed by this Decree.

22. Accommodation services, consisting of: Accommodation establishments as referred to by regulations of the Law on Tourism and other types of accommodation renting services (on an hour or overnight basis) provided on the land or on cruise ships.

Leasing of houses by organizations or individuals to Vietnamese people or foreigners (with house lease agreements) for the purpose of residence, study or working is not governed by this Decree.

23. Trading in military clothing and equipment of the armed forces, military weapons, technologies, devices, and vehicles for the military forces and police forces; parts, components, supplies, specialized equipment, and technologies for manufacturing thereof, consisting of:

a) Production and trading in military clothes and hats; army badges and insignia of People's Military Forces and People's Public Security Forces;

b) Production, assembly, import, export, trading, transportation and repair of small-size military handguns as referred to by regulations of the law on management and use of weapons, explosives and combat gears, radar speed guns to inspect speed of motor vehicles, breathalyzers, GSM phone trackers and other types of phone trackers.

Parts, components, supplies, specialized equipment, and technologies for manufacturing small-size military handguns, radar speed guns, breathalyzers, GSM phone trackers and other types of phone trackers.

Article 4. Interpretation of terms

In this Decree, these terms are construed as follows:

1. Security and order are the abbreviations of the phrase "national security, social order and security".

2. Business sectors subject to security and order conditions refer to business sectors mentioned in Article 3 of this Decree, which have complicated factors occurring in the course of business in connection with security and order, and are easily exploited to commit crimes and other violations against the laws.

3. Business establishments in business sectors subject to security and order conditions refer to business establishments that engage in business sectors mentioned in Article 3 of this Decree (hereinafter referred to as business establishments), consisting of:

a) Enterprises;

b) Cooperatives, cooperative unions;

c) Branches and subsidiaries of enterprises, cooperatives and cooperative unions;

d) For-profit administrative units that are affiliated to agencies or organizations and engage in business sectors subject to security and order conditions;

dd) Household business establishments.

4. Multiple business establishments with a single location mean that several business establishments use the same business address or locate in the same business precinct.

5. Persons in charge of security and order of business establishments are:

a) Legal representatives or managers of business establishments or proprietors of business establishments whose names are registered in documents prescribed in Clause 2 Article 19 of this Decree;

b) Persons whose names are specified in Certificates of satisfaction of security and order conditions upon the authorization of persons mentioned in point a of this Clause.

6. Competent police authorities are provided for in Article 24 of this Decree.

7. Security guard certificate is a document granted by a competent police authority to a security guard who has been successful in the testing.

8. Legitimate copies are copies which have been compared to the originals thereof or printed from the National Business Registration Portal with certification of the application-receiving officers, or copies taken from the master registers or copies authenticated by competent authorities.

Article 5. Operating rules and the management of business sectors subject to security and order conditions

1. Any Vietnamese or foreign entities engaging in business sectors subject to security and order conditions that meet conditions in this Decree and comply with other regulations of relevant laws are eligible to carry out business activities and obtain Certificates of satisfaction of security and order conditions.

2. The management of business sectors subject to security and order conditions must be carried out in a transparent and openness manner. Security and order must be ensured in order that business activities may be conducted in an effective manner.

Article 6. Prohibited acts

1. The business establishment carries out business activities when it does not apply for issuance of Certificate of satisfaction of security and order conditions or has its Certificate of satisfaction of security and order conditions revoked.

2. Take advantage of business sectors subject to security and order conditions to perform acts that infringe on security and order, or are inconsistent with the morals, or infringe on the national habits and customs.

3. Lend, rent, buy or sell a Certificate of satisfaction of security and order conditions.

4. Forge a Certificate of satisfaction of security and order conditions; forge the application dossiers for the issuance of Certificate of satisfaction of security and order conditions; alter or erase any contents in the Certificate of satisfaction of security and order conditions.

5. Use security services to infringe on lawful rights and interests of an entity.

6. Security services with use of force or threat to use force in order to jeopardize, hinder or cause difficulties to routine activities or to infringe upon lawful rights and interests of an entity.

7. Collect debts without authorization contract signed by a creditor or giving notice to the police authority of commune/ward/commune-level town where the debt collection is made before collecting debts.

8. Make obstacle or fail to comply with the inspection or settlement of violations by a competent police authority or regulatory body.

9. Make corrupt use of position and rights to reject the application for issuance of Certificate of satisfaction of security and order conditions or issue a Certificate of satisfaction of security and order conditions inconsistently with regulations in this Decree; cause obstacle or trouble or infringe on the entity's freedom of business; screen illegal acts committed by a person who involves in activities of a business establishment in business sector subject to security and order conditions.

Chapter II

SECURITY AND ORDER CONDITIONS

Article 7. General security and order conditions for all business sectors

1. A business establishment must be registered, licensed or established under the law of Vietnam.

2. The person in charge of security and order of a business establishment must not be one of the following subjects:

a) Vietnamese citizens:

A person has been criminally prosecuted and being under the investigation, prosecution or adjudication by a Vietnamese or foreign procedural body.

A person has a criminal record on infringing upon the national security or deliberate commission of a crime liable to a prison term of 03 years or more which has not yet been expunged; or is suspended from serving a prison sentence; or is serving a non-custodial rehabilitation; or is under the mandatory supervision, or the prohibition from residence or holding certain position or running a business sector subject to security and order conditions upon the court's decision.

A person is liable to the compulsory educational measures at the community; is waiting for a decision on imposition of an administrative penalty granted; is addicted to drug; is suspended from the compliance with a decision on serving a sentence in correctional institution or rehabilitation center; or has faced an administrative penalty but the period for being considered as not yet facing an administrative penalty is not satisfactory as regulated;

b) Vietnamese people who hold foreign passport and reside abroad, and foreigners:

A person is not permitted by a competent authority of Vietnam to stay in Vietnam.

3. Conditions on fire prevention and fighting have been satisfied as referred to by the law on fire prevention and fighting.

Article 8. Business sectors requiring security and order guarantee plan

1. A business establishment that engages in any of the following business sectors must have a security and order guarantee plan.

a) Trading in combat gears;

b) Firecracker trading;

c) Trading in paintball guns;

d) Providing electronic casino game services for foreigners;

dd) Casino service;

e) Betting services;

g) Trading in industrial explosives;

h) Trading in explosive precursors;

i) Business lines with use of industrial explosives and explosive precursors;

k) Blasting services;

l) Dance club services;

m) Accommodation service (if the business establishment is an enterprise);

n) Trading in small-size military handguns.

2. A security and order guarantee plan must include the following basic contents:

a) Identification of specific regions/subjects requiring intensive security and order measures;

b) Security and order measures;

c) Regular security and order forces;

d) Facilities;

dd) Organizational and instructional measures;

e) The cooperation with the local competent authorities where the business activities are carried out;

g) Presumptions when an event related to security and order occurs; mobilization of people and facilities; handling measures.

Article 9. Security and order conditions for pawnshop service

Apart from conditions mentioned in Article 7 of this Decree, a business establishment that provides pawnshop service must satisfy the following conditions:

The person in charge of security and order of a business establishment providing pawnshop service must have at least 05 years of registered permanent residence at the commune/ward/commune-level town where the business location is registered, and within 05 years preceding the business registration date, has not faced any administrative penalty for any of the following violations: resistance of law enforcement officers, disturbance of public order, deliberate infliction of injuries, usury, gambling, organization of gambling or gambling-dens, theft, obtaining property by fraud, or illegal impoundment of property.

Article 10. Security and order conditions for providing debt collection services

Apart from conditions mentioned in Article 7 of this Decree, a business establishment that provides debt collection service must satisfy the following conditions:

The person in charge of security and order of a business establishment providing debt collection service must have at least 05 years of registered

permanent residence at the urban (or suburban) district/ district-level town/ provincial city where the business location is registered, and within 05 years preceding the business registration date, has not faced any administrative penalty for any of the following violations: resistance of law enforcement officers, disturbance of public order, deliberate infliction of injuries, usury, gambling, organization of gambling or gambling-dens, or insults to another person.

Article 11. Security and order conditions for providing security service

Apart from conditions mentioned in Article 7 of this Decree, a security service provider must satisfy the following conditions:

1. It must be an enterprise.
2. The person in charge of security and order of the security service provider must possess a three-year associate degree or higher, and within 24 immediately preceding months, did not hold the same position at another security service provider that has Certificate of satisfaction of security and order conditions revoked for indefinite period (except for cases prescribed in Clause 2 Article 22 of this Decree).
3. A Vietnamese security service provider sets up a joint venture with a foreign security service provider:

The Vietnamese security service provider is only allowed to set up a joint venture with a foreign security service provider in case where it requires the investment in machinery and/or technical facilities provided that the foreign

security service provider shall only contribute capital to purchase machinery and/or technical facilities to serve security works.

4. A foreign security service provider contributes capital to a Vietnamese security service provider:

a) It must be an enterprise that has been providing security service for at least 05 consecutive years;

b) The representative of the capital contributed by the foreign security service provider has never faced any administrative penalty from warnings or higher level for violations against regulations on security service by a competent law enforcement agency in a foreign country where security service is provided;

c) The capital amount contributed by foreign security service provider is only spent on purchase of machinery and/or technical equipment to serve security works. The minimum capital contributed by the foreign security service provider is USD 1,000,000 (one million US dollars). The valuation of machinery/technical equipment shall be conducted by the competent valuation authority at district level or higher, and the security service provider must pay valuation fees.

Article 12. Conditions for organization of security guard training courses

1. Only the following entities may organize security guard training courses:

- a) Security service providers mentioned in Clause 3 of this Article;
- b) Vocational training centers affiliated to people's police schools;
- c) Professional improvement and training centers affiliated to police authorities at provincial level or higher;
- d) If security service providers mentioned in Clause 3 of this Article want to train security guards for other security service providers, they must comply with regulations of the law on vocational education.

2. Security guard training establishments mentioned in points b,c and d Clause 1 of this Article must submit documents granted by competent authorities to prove their functions to provide security guard training courses, enclosed with security guard training curricula and programs to the competent police authorities mentioned in Article 24 of this Decree. Contents of the training curriculum are provided for in point d Clause 3 of this Article.

3. If a security service provider itself organizes security guard training courses, it must satisfy the following conditions:

- a) Classrooms and training places must be available for trainee security guards;

b) That security service provider must have at least 03 years of experience in security service sector. The security guard training board must be established;

c) It must have at least 300 security guards or above;

d) Teachers of security guard training classes must be available or contracted. Such teachers must have appropriate qualifications and possess three-year associate degrees or higher (except for kung fu);

dd) It must have security guard training program and curriculum. The training curriculum includes basic contents about politics, law, professional skills of a security guard, communication skills, fire prevention and fighting, first aid skills, management and use of combat gears, basic kung fu movements for self-defense and controlling attackers, and other contents according to actual requirements by protected subjects. The minimum duration of a security guard training course is 30 days.

4. Security guard training establishments are only allowed to organize security guard training courses after their training curricula/programs have been approved by the Police Department for Administrative Management of Social Order directly under Ministry of Public Security. Upon the completion of each training course, a security guard training establishment must submit a written request to the competent police authority to carry out a testing and issue security guard certificates (using Form No. 04 stated in the annex herein) to trainee security guards who have been successful in the testing.

Article 13. Business conditions for certain business sectors

Apart from conditions mentioned in Article 7 and Article 8 of this Decree, a number of business establishments must satisfy the following conditions:

1. Only business establishments that are affiliated to Ministry of Public Security are eligible for produce seals bearing the national Emblem of the Socialist Republic of Vietnam and those bearing police symbol. Only business establishments that are affiliated to Ministry of National Defence are eligible to produce the seals bearing military symbol, except for business establishments that have carried out business operations before the effective date of this Decree.

2. Only business establishments that are affiliated to Ministry of National Defence or Ministry of Public Security may carry out business activities in paintball guns (except for business establishments providing paintball shooting services); military clothing and equipment of the armed forces, military weapons, technologies, devices, and vehicles for the military forces and police forces; parts, components, supplies, specialized equipment, and technologies for manufacturing thereof.

3. Only business establishments that are not affiliated to the armed forces or the police forces but have obtained written approval from the competent bodies of the armed forces or the police forces in accordance with regulations by Ministry of National Defence or Ministry of Public Security, or have entered into contracts as referred to by regulations of applicable laws are eligible to trade in military clothing and equipment of the armed forces, military weapons, technologies, devices, and vehicles for the military forces and police forces; parts, components, supplies, specialized equipment, and technologies for manufacturing thereof.

4. Only business establishments that are affiliated to Ministry of National Defence or Ministry of Public Security are eligible to trade in mobile phone jammers.

5. Only business establishments that are affiliated to Ministry of National Defence are eligible to trade in firecrackers.

Chapter III

CERTIFICATE OF SASTISFACTION OF SECURITY AND ORDER CONDITIONS

Article 14. Certificate of sastisfaction of security and order conditions

Certificates of satisfaction of security and order conditions (Form No. 01 stated in the annex herein) are issued by competent police authorities to business establishments that engage in business sectors mentioned in Article 3 of this Decree.

Article 15. Validity of certificate of sastisfaction of security and order conditions

1. A certificate of sastisfaction of security and order conditions shall not have expiry date, except for the cases mentioned in Clause 2 of this Article.

2. The validity of a certificate of satisfaction of security and order conditions must be defined in the following cases:

a) If a business establishment has a fixed operating duration as referred to by the law or as defined in the documents mentioned in Clause 2 Article 19 of this Decree or the Permit granted by the sector authority to that business establishment with fixed operating duration, the validity of Certificate of satisfaction of security and order conditions shall not exceed duration specified in the said documents;

b) If a business establishment engages in a business sector with use of industrial explosives for construction of works, exploration and exploitation of minerals or petroleum, the validity of Certificate of satisfaction of security and order conditions must conform to the period specified in the document about such construction of works, exploration and exploitation of minerals or petroleum.

3. If documents/permits prescribed in Clause 2 of this Article are valid for 10 years or more, certificates of satisfaction of security and order conditions shall not have expiry date.

4. Relevant business establishments are responsible for providing documents/permits specifying operating duration to competent police authorities.

Article 16. Persons authorized to act as holders of Certificates of satisfaction of security and order conditions

If persons mentioned in point a Clause 5 Article 4 of this Decree unstably or irregularly reside in Vietnam, they must make letters of authorization to give powers to qualified persons of business establishments to act as holders of certificates of satisfaction of security and order conditions.

If the authorization is made outside the territory of Vietnam, the letter of authorization must be legalized by relevant overseas diplomatic mission of Vietnam. Both principal and attorney must bear responsibility for compliance with regulations on security and order in this Decree and other relevant regulations of the law of Vietnam.

Article 17. Management and use of certificate of satisfaction of security and order conditions

1. The person in charge of security and order of the business establishment shall properly manage the issued Certificate of satisfaction of security and order conditions and present it to the competent police authorities or regulatory bodies at their request.

2. The person in charge of security and order of the business establishment shall maintain the Certificate of satisfaction of security and order conditions during the period when business activities of such business establishment are suspended. A Certificate of satisfaction of security and order conditions is invalid in case the business establishment is declared bankrupt or stops its operations. The business establishment must return the issued Certificate of satisfaction of security and order conditions to the competent police authority within 05 days from the date it was declared bankrupt or stopped its operations.

Article 18. Revocation of Certificate of satisfaction of security and order conditions

A certificate of satisfaction of security and order conditions shall be revoked in the following cases:

1. Permanent revocation:

a) Use forged documents or provide false information to falsify the nature of documents in the application for issuance of certificate of satisfaction of security and order conditions;

b) After granting a Certificate of satisfaction of security and order conditions, the competent police authority conducts verification and discovers that the business establishment fails to meet conditions in this Decree and within 40 days from the date on which a written conclusion that security and order conditions are unsatisfied, it does not implement remedial measures;

c) After 06 months from the issued date of Certificate of satisfaction of security and order conditions, the business establishment does not carry out business activities;

d) A business establishment is dissolved or declared bankrupt in accordance with the laws;

dd) Business activities are suspended or the business establishment has any of its documents mentioned in Clause 2 Article 19 of this Decree revoked by a competent authority;

e) A Certificate of satisfaction of security and order conditions is lent, rent or sold;

g) A Certificate of satisfaction of security and order conditions is permanently revoked at the request of a competent authority because business activities of the business establishment are exploited to infringe on the security and order;

h) The capital contributed by foreign party in a security service provider with foreign investment to purchase machinery and technical facilities to serve provided security services is unsatisfied as regulated in this Decree.

2. Revocation for 03 to 06 months:

a) The business establishment carries out business activities or has business location other than those specified in the issued certificate of satisfaction of security and order conditions;

b) After 30 days from the date on which an administrative penalty is imposed for failure to maintain security and order conditions prescribed in Articles 7, 8, 11 and 12 of this Decree, the business establishment still fails to implement remedial actions;

c) Contents in the issued Certificate of satisfaction of security and order conditions are altered or erased;

d) A business establishment has faced administrative penalties for violations against regulations on security and order for 02 times or more per year;

dd) A business establishment fails to submit quarterly report to the competent police authority as regulated for 04 consecutive quarters.

3. Competent police authorities shall revoke Certificate of satisfaction of security and order conditions in cases referred to in Clause 1 and Clause 2 of this Article by granting revocation decisions.

The police authority must send a written notice of the revocation to the business registration agency or the competent authority that granted operation license to the business establishment.

Chapter IV

APPLICATION DOSSIERS, PROCEDURES AND POWER TO ISSUE CERTIFICATE OF SATISFACTION OF SECURITY AND ORDER CONDITIONS, AND SECURITY GUARD CERTIFICATE

Article 19. Application dossiers for issuance of new certificates of satisfaction of security and order conditions for all business sectors

1. The application form for issuance of Certificate of satisfaction of security and order conditions made by the business establishment (Form No. 03 stated in the Annex herein).

2. Legitimate copy of any of the following documents:

a) Business registration certificate; Certificate of enterprise registration; Certificate of investment registration; Certificate of operation registration of enterprise's branch or affiliate; Certificate of registration of cooperative or cooperative union; Certificate of registration of branch or business location of cooperative or cooperative union; Operation License of competent authority of Vietnam; Certificate of registration of household business; Written approval for the establishment or operations enclosed with written notice of tax code of for-profit administrative unit;

b) If documents mentioned in point a of this clause do not include business sectors, the business establishment must supplement a document proving its business sectors which have been approved by the business registration agency or the competent authority and shall be specified in the Certificate of satisfaction of security and order conditions (if the applicant is an enterprise, the police authority may extract this document from the National Business Registration Portal).

3. Legitimate copies of documents proving the satisfaction of fire safety conditions at business locations and warehouses, consisting of:

a) The written record of the acceptance of fire safety conditions if the applicant is any of the business establishments in the list stated in Annex IV of the Decree No. 79/2014/ND-CP dated July 31, 2014 detailing the

implementation of certain articles of the Law on fire prevention and fighting and the Law on amendments to certain articles of the Law on fire prevention and fighting (hereinafter referred to as Decree No. 79/2014/ND-CP);

b) The written record of the inspection of fire safety conditions made by the fire department if the applicant is not a subject prescribed in point a Clause 3 of this Article but is in the list stated in Annex I enclosed with the Decree No. 79/2014/ND-CP;

c) The following business establishments must not submit documents mentioned in Points a & b Clause 3 of this Article: Producers of seals; producers and traders in vehicle warning flags, lights and sirens; security service providers; debt collection service providers; betting service providers; traders in mobile phone jammers; plastic surgery service providers; traders in radar speed guns, breathalyzers, GSM phone trackers and other types of phone trackers;

d) If a business establishment does not have a warehouse to store materials or products as regulated, it must enter into a contract for lease of a warehouse which must satisfy fire safety conditions provided for in Points a & b Clause 3 of this Article;

dd) With regard to business establishments that engage in business sectors with the use of industrial explosives and explosive precursors, documents proving the satisfaction of fire safety conditions shall be documents about warehouses of industrial explosives and explosive precursors.

4. The curriculum vitae (Form No. 02 stated in the Annex herein), enclosed with the Criminal record statement or Individual declaration (Form No. 02b stated in the Annex herein), of the person in charge of security and order of the business establishment. To be specific:

a) The curriculum vitae and the criminal record statement (except for officials of state agencies, the armed forces, political organizations or socio-political organizations) of the person in charge of security and order, who is the holder of Certificate of satisfaction of security and order conditions, are required if he/she is a Vietnamese citizen residing in Vietnam;

If the person mentioned in this point is working at the state agency, the armed forces, political organization or socio-political organization, his/her curriculum vitae must be certified by the managing agency/organization (except for the business establishment). The curriculum vitae of the person other than the said subject must be certified by people's committee of commune/ward/district-level town where his/her permanent residence is registered;

b) If the person in charge of security and order is a Vietnamese who holds a foreign passport and resides abroad, or a foreigner, the Individual declaration shall be enclosed to the legitimate copy of his/her passport, permanent resident card or temporary resident card or visa which must be valid for stay in Vietnam;

c) If there are several legal representatives of a business establishment, the curriculum vitae and the criminal record statement or individual declaration of the person who is the holder of Certificate of satisfaction of security and order conditions shall be submitted.

Article 20. Application dossiers for issuance of new certificates of satisfaction of security and order conditions for certain business sectors

Apart from documents mentioned in Article 19 of this Decree, the following business establishments must supplement the following documents in their applications for issuance of new certificates of satisfaction of security and order conditions:

1. The security service provider that does not have foreign investment must supplement the legitimate copy of graduation diploma proving the qualification of the person in charge of security and order, who acts as the holder of Certificate of satisfaction of security and order conditions.

2. If a security service provider has foreign investment, the following documents must be supplemented:

a) The legitimate copy of graduation diploma proving the qualification of the person in charge of security and order, who acts as the holder of Certificate of satisfaction of security and order conditions;

b) Documents proving that the foreign enterprise has satisfied conditions in Points a & b Clause 4 Article 11 of this Decree, which must be legalized by the diplomatic missions of Vietnam in the country or territory where the head office of that foreign enterprise is located.

3. If a security service provider has function to provide security guard training courses, it must supplement the security guard training curriculum/program.

4. With regard to the following business establishments: producers of industrial explosives; traders in explosive precursors; business establishments in business sectors with use of industrial explosives for exploration/exploitation of minerals/petroleum; traders in small-size handguns; casino service providers; providers of electronic casino game services for foreigners; betting service providers, the written approval for operations made by sector authority is required.

Article 21. Replacement/ issuance of Certificate of satisfaction of security and order conditions

1. A certificate of satisfaction of security and order conditions is replaced if it is damaged or expired, or information in the certificate of satisfaction of security and order conditions is incorrect or changed.

The application for replacement includes the following documents:

a) The application form for replacement of Certificate of satisfaction of security and order conditions submitted by the business establishment (Form No. 03 stated in the Annex herein) to the competent police authority;

b) Legitimate copies of documents proving the change in information specified in Certificate of satisfaction of security and order conditions (if any);

c) Documents prescribed in Clause 4 Article 19 of this Decree if there is a change in the holder of Certificate of satisfaction of security and order conditions;

d) The original of the issued Certificate of satisfaction of security and order conditions.

2. A certificate of satisfaction of security and order conditions shall be re-issued in case of loss.

If the issued certificate of satisfaction of security and order conditions is lost, the business establishment shall apply for the re-issuance. The application requires the following documents:

a) The application form for reissuance of Certificate of satisfaction of security and order conditions submitted by the business establishment to the competent police authority (Form No. 03 stated in the Annex herein);

b) Receipt of payment of fines as referred to by applicable laws (if any).

Article 22. Application and period for re-issuance of Certificate of satisfaction of security and order conditions after being revoked

The reissuance of Certificate of satisfaction of security and order conditions after being revoked as referred to in Clause 1 and Clause 18 of this Article shall be carried out as follows:

1. Within 06 months from the date on which the certificate of satisfaction of security and order conditions is revoked as referred to in Points b, c and h Clause 1 Article 18 of this Decree, the business establishment that wants to continue its business activities after having satisfied all conditions in this Decree may submit the application for re-issuance of certificate of satisfaction of security and order conditions to the competent police authority. The application consists of:

a) The application form for re-issuance of Certificate of satisfaction of security and order conditions submitted by the business establishment to the competent police authority (Form No. 03 stated in the Annex herein);

b) Legitimate copies of documents proving that the business establishment has satisfied all business conditions (if any).

2. If a certificate of satisfaction of security and order conditions is revoked as referred to in Points a and e Clause 1 Article 18 of this Decree, the business establishment that fails to appoint another person to take charge of security and order shall only submit the application for re-issuance of certificate of satisfaction of security and order conditions after 12 months from the issued date of the revocation decision.

The application for re-issuance of Certificate of satisfaction of security and order conditions shall be the same as that for issuance of new certificate as regulated in Article 19 or Article 20 of this Decree.

3. If a certificate of satisfaction of security and order conditions is revoked as referred to in Point g Clause 1 Article 18 of this Decree, the business

establishment that fails to appoint another person to take charge of security and order shall only submit the application for re-issuance of certificate of satisfaction of security and order conditions after 24 months from the issued date of the revocation decision, except for the cases where the Court's decision applies.

The application for re-issuance of Certificate of satisfaction of security and order conditions shall be the same as that for issuance of new certificate as regulated in Article 19 or Article 20 of this Decree.

4. The business establishments that have certificates of satisfaction of security and order conditions revoked as referred to in Clause 2 and Clause 3 of this Article may submit the application for re-issuance of Certificate of satisfaction of security and order conditions which is the same as that for issuance of new certificates as regulated in Article 19 or Article 20 of this Decree after they have made change in persons in charge of security and order.

Article 23. Procedures for application submission and period for issuance of Certificate of satisfaction of security and order conditions

1. Application procedures:

a) The business establishment shall submit one set of applications dossiers for issuance/replacement/re-issuance of Certificate of satisfaction of security and order conditions as referred to Articles 19, 20, 21 and 22 of this Decree to the competent police authority;

b) If a business establishment engages in several business sectors at the same business location but the issuance of Certificates of satisfaction of security and order conditions for those business sectors is under the competence of different police authorities, that business establishment shall submit one set of application dossiers to the highest-level police authority to issue one Certificate of satisfaction of security and order conditions for all those business sectors;

c) If there are several business establishments engage in different business sectors at the same business location but the issuance of Certificates of satisfaction of security and order conditions for those business sectors is under the competence of different police authorities, each business establishment shall submit one set of application dossiers for issuance of Certificate of satisfaction of security and order conditions to the highest-level police authority;

d) If a business establishment has established branches/affiliates that have business locations other than that of the main business establishment, each branch/affiliate shall submit one set of application dossiers for issuance of Certificate of satisfaction of security and order conditions to the police authority competent to manage that branch/affiliate.

2. Form of application submission:

A business establishment may choose one of the following forms to submit its application:

a) The application is directly submitted at the competent police authority;

b) The application is submitted by post;

c) The application is submitted online via the Ministry of Public Security's portal for management of business sectors subject to security and order conditions.

If an application is submitted online via the Ministry of Public Security's portal for management of business sectors subject to security and order conditions, the business establishment must send documents prescribed in Articles 19, 20, 21 and 22 of this Decree to the competent police authority when it receives the Certificate of satisfaction of security and order conditions.

3. The period for issuance of Certificate of satisfaction of security and order conditions as of the receipt of valid application is as below:

a) Within 05 working days if the application is one of the cases prescribed in Articles 19, 20 and Clauses 2, 3, 4 Article 22 of this Decree;

b) Within 04 working days if the application is submitted for replacement or re-issuance as prescribed in Article 21 and Clause 1 Article 22 of this Decree.

4. If an application for Certificate of satisfaction of security and order conditions is rejected, the police authority shall send a written notice of reasons thereof to the business establishment within 04 working days.

Article 24. Power to issue certificate of satisfaction of security and order conditions, and security guard certificate, and verify and approve for security guard training curriculum/program

1. The Police Department for Administrative Management of Social Order directly under Ministry of Public Security shall assume the following responsibilities:

a) Issue Certificates of satisfaction of security and order conditions and manage the following business establishments: traders in small-size handguns; traders in industrial explosives; traders in explosive precursors; blasting service providers; business establishments engaging in business sectors with use of industrial explosives for exploration/exploitation of minerals/petroleum in the continental shelf of Vietnam; providers of accommodation rated at 05 stars or above; traders in combat gears; traders in paintball guns (except for paintball shooting service providers); traders in firecrackers; casino service providers; providers of electronic casino game services for foreigners; security service providers with foreign investment and those with functions to provide security guard training courses; business establishments affiliated to Ministry of Public Security;

c) Take charge of testing and issue Security guard certificates to qualified security guards who have been trained at business establishments with function to provide security guard training courses, vocational training centers affiliated to people's police schools or professional improvement and training centers of units that are affiliated to Ministry of Public Security and have function to provide security guard training courses;

c) Verify and approve security guard training curricula and programs submitted by security guard training establishments referred to in Clause 1 Article 12 of this Decree.

2. The Police Offices for Administrative Management of Social Order directly under Police authorities of central-affiliated cities or provinces shall assume the following responsibilities:

a) Issue Certificate of satisfaction of security and order conditions and manage the following business establishments (except for business establishments provided for in Point a Clause 1 of this Article), consisting of:

Producers of seals; business establishments engaging in business sectors with use of industrial explosives; producers and traders in military clothes and hats, army badges and insignia of People's Military Forces and People's Public Security Forces.

Traders in the following types of machinery and equipment (including parts, components and equipment for manufacturing thereof): radar speed guns, GSM phone trackers and other types of phone trackers, breathanalyzers; betting service providers and printing service providers.

Traders in mobile phone jammers, and providers of plastic surgery service, dance club service, accommodation service, debt collection service and security service.

Business establishments affiliated to the Army and for-profit administrative units of central-affiliated agencies/organizations in their management provinces.

Other business establishments that are not mentioned in point a clause 1 and clause 3 of this Article, and business establishments upon the authorization in writing by the Police Department for Administrative Management of Social Order directly under Ministry of Public Security.

b) Take charge of testing and issue Security guard certificates to qualified security guards who have been trained at professional improvement and training centers that are affiliated to local police authorities and have function to provide security guard training courses.

3. Police authorities of districts affiliated to central-affiliated cities or provinces shall issue Certificates of satisfaction of security and order conditions and manage the following business establishments (except for business establishments provided for in Point a Clause 1 and Point a Clause 2 of this Article), consisting of:

a) Paintball shooting service providers; karaoke service providers; massage service providers; pawnshop service providers; traders in warning devices of emergency vehicles; gas business establishments;

b) Business establishments that are not providers of accommodation service and printing service;

c) For-profit administrative units that are affiliated to district-level agencies or organizations and engage in business sectors with security and order conditions.

Chapter V

RESPONSIBILITIES OF BUSINESS ESTABLISHMENTS

Article 25. General responsibilities of all business establishments

1. The person in charge of security and order of a business establishment must be responsible for ensuring security and order conditions, comply with all regulations on security and order in this Decree and other regulations of relevant laws.
2. The business establishment must send a written notice, enclosed with Certificate of satisfaction of security and order conditions, to the competent police authority of commune/ward/district-level town where business activities are carried out within 05 days from the date on which its business is commenced.
3. Security and order conditions prescribed in this Decree must be maintained during the business process.
4. The business establishment is not allowed to take advantage of its business location to perform acts that violate the law, infringe on security and order, infringe on the morals or national habits and customs.

5. Any doubtful acts or matters relating to security and order at the business establishment should be promptly informed to competent police authorities.

6. If a Certificate of satisfaction of security and order conditions is lost, a written notice of that loss must be sent to the competent police authority within 03 working days.

7. Business establishments must make quarterly or irregular reports on security and order status as regulated by Ministry of Public Security.

8. Business establishments must bear the inspection and incur penalties imposed by competent police authorities and regulatory bodies.

9. Employees working in business establishments must be enough 18 years old or older, have full capacity of civil acts and must be not drug addicts. Business establishments shall not contract persons who are under the investigation, prosecution or adjudication; suspended from serving prison sentences; are under conditional parole or serving non-custodial rehabilitation.

10. Within 20 days from the date on which business activities are commenced, the business establishment shall provide the following documents to the competent police authority:

a) The list of its employees;

b) The curriculum vitae and individual declaration of the person in charge of security and order of the business establishment, except for the holder of Certificate of satisfaction of security and order conditions;

c) Documents proving that the business establishment has satisfied all conditions for each business sector as referred to in Articles 8, 11 and 12 of this Decree;

d) The list of facilities and equipment in service of security (if any);

dd) Diagram of business location of a trader in industrial explosives, trader in explosive precursors, the business establishment engaging in business sectors with use of industrial explosives and explosive precursors, blasting service provider, trader in combat gears, trader in paintball guns, trader in firecrackers, casino service provider, provider of electronic casino game services for foreigners, accommodation service provider, karaoke service provider, dance club service provider, massage service provider or pawnshop service provider.

11. An application for reissuance or replace of certificate of satisfaction of security and order conditions must be submitted to the competent police authority in case where the issued certificate of satisfaction of security and order conditions is lost, damaged or expired, or the business establishment wants to make change in information specified in the issued certificate of satisfaction of security and order conditions.

12. Business establishments must organize training courses in security and order guarantee for their security guards and other involved employees as regulated by competent police authorities.

13. The business establishment must send written notice at least 10 days before it temporarily suspends its business activities to the competent police authority and the police authority of commune/ward/district-level town where its business activities are carried out, in which reasons and suspension period must be specified.

14. If business establishments in small-size handguns, industrial explosives, explosive prosecutors, business sectors with use of industrial explosives and explosive prosecutors, blasting service, combat gears, and paintball guns stop their business, they must send the list of unsold handguns, industrial explosives, explosive prosecutors, combat gears, and paintball guns (if any) and request the police authorities or military authorities at provincial level or higher to handle them in accordance with law regulations.

15. Business establishments must prepare books for managing their business activities in corresponding to each business sector by using the form adopted by Ministry of Public Security.

16. Business establishments must pay fees for verification of Certificates of satisfaction of security and order conditions, and fees for testing and issuance of security guard certificates in accordance with the law regulations.

Article 26. Responsibilities of a seal producer

Apart from responsibilities mentioned in Article 25 of this Decree, a seal producer must:

1. Post in the public the process for receiving the seal production documents and the seal carving price at its business location.
2. Produce seals by use of extremely durable and firm materials.
3. Strictly manage and transfer the produced seals to competent police authorities to carry out the seal registration as regulated; not deliver the produced seals directly to customers, except for the seals of enterprises that are not under the management of police authorities as referred to by regulations of the law on management and use of seals.
4. Not provide sample seal designs of agencies/organizations to unauthorized persons.
5. Inform the police authorities to verify and clear up any doubts about the production of seals inconsistently with regulations.

Article 27. Responsibilities of traders in combat gears and traders in paintball guns

Apart from responsibilities in Article 25 of this Decree, traders in combat gears and traders in paintball guns must:

1. Have warehouse for maintaining combat gears/ paintball guns that meet safety conditions as referred to by law regulations.

2. Make and post the internal regulations on the guarantee of security, order, fire and explosion prevention and fighting at a noticeable and legible place in the warehouse of combat gears/ paintball guns.

3. Buy combat gears, paintball guns, pellets and accessories for production of combat gears/ paintball guns which have legitimate and clear origin, and sell combat gears, paintball guns, pellets used for combat gears/ paintball guns to entities that have been licensed by competent police authorities.

4. Repair combat gears/ paintball guns for agencies/organizations after having obtained permission from police authorities.

5. Ensure safety while providing paintball shooting service to customers and only provide this service to persons aged 18 years or older.

6. While providing paintball shooting service to customers, medical staff must be available for taking actions against any unexpected events.

Article 28. Responsibilities of firecracker traders

Apart from responsibilities in Article 25 of this Decree, a firecracker trader must:

1. Have warehouse for storing materials for manufacturing firecrackers and warehouse for finished firecrackers in accordance with regulations of the law on management and use of firecrackers.

2. Make and post the internal regulations on the guarantee of security, order, fire and explosion prevention and fighting at a noticeable and legible place.

3. Only produce, process and sell types of firecrackers in accordance with regulations of the law on management and use of firecrackers.

4. Produce, store and transfer firecrackers in accordance with regulations on combustible and explosive goods.

5. Import and export firecrackers and materials for firecracker production after having obtained a license from competent authorities in accordance with regulations of the law on management and use of firecrackers.

6. Only sell fireworks to entities that have obtained written approval for use of fireworks from competent authorities.

7. Establish councils for summation and destruction of discharged firecrackers in accordance with regulations of the law.

Article 29. Responsibilities of pawnshop service providers

Apart from responsibilities in Article 25 of this Decree, a pawnshop service provider must:

1. Check personal identification papers of the person who pawns his/her property at the pawnshop, consisting of: ID card or citizen identity card or passport or other personal identification paper with photo which is issued by competent authority and still valid, and retain a copy thereof at the pawnshop.

2. Make contract for pledge of property as referred to by law regulations.

3. With regard pledged property which requires ownership certificate as referred to by law, the pawnshop service provider shall only accept that property if it has legitimate ownership certificate and the original thereof shall be retained at the pawnshop during the period that property is pledged.

4. If the pledged property is under the ownership of a third party, the legal letter of authorization made by the owner of that property is required.

5. The property with unclear origin or obtained from illegal acts shall not be accepted for pawn.

6. The interest rate of loans provided when receiving pledged property shall not exceed the interest rate regulated in the Civil Code.

7. Have qualified warehouse for storing pledged property.

Article 30. Responsibilities of massage service providers

Apart from responsibilities in Article 25 of this Decree, a massage service provider must:

1. Have safe place for storing and keeping customers' jewelry and property.
2. Massage rooms for men must be separated from those for women.

Article 31. Responsibilities of traders in warning devices of emergency vehicles

Apart from responsibilities in Article 25 of this Decree, a trader in warning devices of emergency vehicles must:

1. Not import or produce devices inconsistently with sound and light standards for horns and lights as regulated in the Decree No. 109/2009/ND-CP dated December 01, 2009 providing for signals of emergency vehicles. Traded products must have documents proving their legitimate origin.
2. Sell warning devices of emergency vehicles to buyers in conformity with the quantity and types specified in the licenses granted by competent authorities as regulated.

Article 32. Responsibilities of security service providers

Apart from responsibilities in Article 25 of this Decree, a security service provider must:

1. Select and use security guards who meet the following standards:

a) Have full capability of civil acts; have no criminal record on murder or deliberate infliction of injuries or offences against rights of property;

b) Have clear curriculum vitae which must be certified by people's committee of commune/ward/district-level town where his/her permanent residence is registered;

c) Have health certificate granted by medical center or hospital at district level or higher to certify he/she is fit for working;

d) Possess a graduation diploma of secondary school or higher;

dd) A foreigner or Vietnamese person who resides abroad shall not appointed as the person in charge of security and order or directly managing business activities or as a security guard of the security service provider.

2. Use security guards who have been trained and obtained security guard certificates.

3. Enter into labour contracts with security guards as referred to by law regulations.

4. Organize security guard training courses after the competent police authority gives a written approval for its security guard training curriculum/program.

5. Grant signs and uniforms (with logo registered at the competent police authority) to its security guards.

6. Enter in economic contracts before providing security services.

7. Not provide security service to persons or subjects or activities in violation of the law.

8. Within 05 days from the date on which a security service is provided to protect a subject at a central-affiliated city or province outside the scope of its head office, the security service provider must send a written notice, enclosed with the legitimate copy of the Certificate of satisfaction of security and order conditions, the list of security guards, and the list of number and types of combat gears (if any) at the protected subject, to the police authority of commune/ward/district-level town where the security service is provided.

9. Within 20 days from the date on which business activities are commenced, the security service provider with foreign investment must send the list of machinery and technical facilities invested by foreign party, enclosed with records of valuation of such machinery and technical facilities made by the valuation authority at provincial level or higher, to the competent police authority.

Article 33. Responsibilities of providers of casino services and electronic casino game services for foreigners

Apart from responsibilities in Article 25 of this Decree, providers of casino services and electronic casino game services for foreigners shall also assume the following responsibilities:

1. Make and post the internal regulations (in both Vietnamese and foreign language) on the guarantee of security, order, fight against social evils, fire and explosion prevention and fighting at the door at the business location.
2. Check and retain copies of personal identification papers of customers, and record customers' information in monitoring books.
3. Make and send the list of number and types of electronic gaming machines to the competent police authority, enclosed with legitimate copies of documents proving their origin.
4. Prohibit unlicensed persons from playing electronic casino games and casino at the business establishments providing casino services and electronic casino game services for foreigners in accordance with

regulations of the law on casino services and electronic casino game services for foreigners.

5. Report to the police authorities on a timely manner when discovering that any customer carries weapons, explosives or combat gears into the business area.

6. At least 30% of security guards of a provider of electronic casino game service for foreigners or casino service are provided by security service providers.

Article 34. Responsibilities of debt collection providers

Apart from responsibilities in Article 25 of this Decree, a debt collection service provider must:

1. Select and use employees who must have no criminal record on murder, disturbance of public order, deliberate infliction of bodily harm, insults to another person and offences against rights of property.

2. Only provide debt collection service within the scope permitted by the law and through authorization contracts signed with creditors.

3. Within 03 days before executing a debt collection contract, the debt collection service provider must give a written notice to the police authority of commune/ward/district-level town where the debt is collected.

4. When collecting debts, it's prohibited from use of violence or threat of violence and use of facilities that cause influence on public order.

5. It's not allowed to use persons who are not employees of the debt collection service provider to collect debts.

Article 35. Responsibilities of betting service providers

Apart from responsibilities in Article 25 of this Decree, a betting service provider shall assume the following responsibilities:

1. Make and post the internal regulations on the guarantee of security and order at a noticeable and legible place at the business location.

2. A betting service provider shall not contract employees who have criminal records on gambling, organization of gambling or gambling-dens, or usury.

3. Report to the police authorities on a timely manner when discovering that any person carries weapons, explosives, combat gears or inflammable matters into the business area.

Article 36. Responsibilities of gas business establishments

Apart from responsibilities in Article 25 of this Decree, a gas business establishment must:

1. Make and post the internal regulations on fire prevention and fighting at a noticeable and legible place.
2. Strictly comply with regulations on fire and explosion safety.
3. Strictly and sufficiently comply with processes of production, storage and transportation of highly combustible and explosive goods.

Article 37. Responsibilities of business establishments in industrial explosives and explosive precursors

Apart from responsibilities in Article 25 of this Decree, business establishments in industrial explosives and explosive precursors shall also assume the following responsibilities:

1. Make and post the internal regulations on the guarantee of security, order, fire and explosion prevention and fighting at a noticeable and legible place.
2. Have warehouses for storing industrial explosives and explosive precursors which must comply with regulated standards; not store explosives or explosive precursors together with combustible matters in the same warehouse.

3. Strictly comply with regulations of the law on storage and transportation of dangerous goods during the storage and transportation of industrial explosives or explosive precursors.

4. Only sell industrial explosives and explosive precursors to entities who have obtained Certificates of satisfaction of security and order conditions and Permit to use industrial explosives or written approval from the General Department of Police affiliated to Ministry of Public Security (if the purchase of industrial explosives or explosive precursors is not for commercial purposes).

Article 38. Responsibilities of business establishments in business sectors with use of industrial explosives and explosive precursors, and blasting service providers

Apart from responsibilities in Article 25 of this Decree, business establishments in business sectors with use of industrial explosives and explosive precursors, and blasting service providers shall also assume the following responsibilities:

1. Make and post the internal regulations on the guarantee of security, order, fire and explosion prevention and fighting at a noticeable and legible place in the industrial explosives storage and use areas.

2. Have warehouses for storing industrial explosives and explosive precursors which must satisfy standards adopted by sector authorities; not store explosives, explosive precursors and combustible matters in the same warehouse.

3. If a business establishment needs using industrial explosives but wants to hire blasting service, it shall only hire a blasting service provider that has obtained Certificate of satisfaction of security and order conditions and Blasting Permit and must not implement regulations in Clauses 1 & 2 of this Article.

4. Within 06 days before the blasting, the business establishment must give a written notice to the police authority of district where blasting activities are carried out in order to cooperate in security and order guarantee.

5. The remaining industrial explosives must be stored in the warehouse for management or re-sold to industrial explosive provider.

6. The purchase of industrial explosives or explosive precursors from an entity that is not licensed to sell these products is prohibited.

Article 39. Responsibilities of printing service providers

Apart from responsibilities in Article 25 of this Decree, a printing service provider must:

1. Make and post the internal regulations on the guarantee of security, order, fire prevention and fighting at a noticeable and legible place.

2. Store printing materials and products in conformity with regulations on fire safety.

3. Only carry out prepress, press and postpress activities when procedures, legal documents and economic contracts thereof are performed in accordance with the law regulations.

4. Not print documents whose contents are inconsistent with the morals or the national habits and customs, and other documents in violation of law.

Article 40. Responsibilities of traders in mobile phone jammers

Apart from responsibilities in Article 25 of this Decree, a trader in mobile phone jammers shall also assume the following responsibilities:

1. Only sell mobile phone jammers with clear and legitimate origin.

2. Have qualified warehouse for storing mobile phone jammers.

3. Only sell mobile phone jammers to entities that have obtained written permission from competent authorities of the Police Forces or Army Forces as regulated by Ministry of Public Security and/or Ministry of National Defence or entities that have obtained permit to use from the Prime Minister.

4. Send quarterly reports, enclosed with the list of buyers of mobile phone jammers, to competent police authorities.

5. Destruct damaged mobile phone jammers.

Article 41. Responsibilities of plastic surgery service providers

Apart from responsibilities in Article 25 of this Decree, a plastic surgery service provider shall also assume the following responsibilities:

1. Check and retain copies of personal identification papers of its customers in records. Personal identification paper may be one of the following types:

ID card or Citizen identity card or Passport of customer aged 14 years or older; Birth Certificate of customer aged under 14 years.

2. If the plastic surgery makes change in features of the face of a customer aged 14 years or older, the plastic surgery service provider must take and retain 4x6 cm portrait photographs of that customer before and after the medical records of that customer.

3. Send quarterly reports, enclosed with copies of personal identification papers and photographs of customers as referred to in Clause 1 and Clause 2 of this Article, to competent police authorities.

Article 42. Responsibilities of karaoke service providers

Apart from responsibilities in Article 25 of this Decree, a karaoke service provider must:

1. Make and post the internal regulations on the guarantee of security, order, fight against social evils, and fire prevention and fighting at a noticeable and legible place.

2. Report to the police authorities on a timely manner when discovering that any customer carries weapons, explosives, combat gears or flammable matters into karaoke room or any customer was suspected of drug addiction.

Article 43. Responsibilities of dance club service providers

Apart from responsibilities in Article 25 of this Decree, a dance club service provider must:

1. Make and post the internal regulations on the guarantee of security, order, fight against social evils, and fire prevention and fighting at a noticeable and legible place.

2. Use at least 30% of security guards who are supplied by security service providers.

3. Report to the police authorities on a timely manner when discovering that any customer carries weapons, explosives, combat gears or flammable matters into the dance club or any customer was suspected of drug addiction.

Article 44. Responsibilities of accommodation service providers

Apart from responsibilities in Article 25 of this Decree, an accommodation service provider must:

1. Make and post the internal regulations on the guarantee of security, order, fight against social evils, and fire prevention and fighting at a noticeable and legible place.
2. Check personal identification papers of customers, including one of the following types: ID card, citizen identity card, passport, permanent resident card or temporary resident card (if customer is a foreigner), or other personal identification papers with photo issued by competent authorities of Vietnam.

If a customer fails to present his/her personal identification paper, the accommodation service provider must report to the police authority of commune/ward/district-level town or local police station after delivering accommodation to that customer.

3. Record all information of customers in monitoring book (or store information on computer) before delivering rooms to customers.
4. Report the stay of Vietnamese people or register the temporary residence of foreigners (who stay overnight or according to hours) with the police authority of commune/ward/district-level town or local police station before 23:00 PM daily. If receiving a customer after 23:00 PM, the said

report must be made before 08:00 AM of the next day. The said report may be carried out under the following forms:

a) With regard to Vietnamese people, if the internet network is available, the accommodation service provider shall report to the police authority via internet; if the internet network is unavailable, the accommodation service provider may directly report at the police authority or report by call;

b) With regard to foreigners, the accommodation service provider must complete and send Declarations of temporary residence for foreigners to the police authority.

5. Check and manage personal identification papers of persons who visit customers at the accommodation service provider; record information and return such papers when they leave.

6. Retain information of customers and of persons who visit them at their rooms for at least 36 months.

7. If a customer carries weapon or combat gear, the accommodation service provider must request that customer to present the permit to use weapon or combat gear granted by the police authority or army force. If that customer fails to present his/her permit to use weapon or combat gear, the accommodation service provider must report it to the competent police authority in a timely manner.

Article 45. Responsibilities of business establishments in military clothing and equipment of the armed forces, military weapons, technologies,

devices, and vehicles for the military forces and police forces; parts, components, supplies, specialized equipment, and technologies for manufacturing thereof

Apart from responsibilities in Article 25 of this Decree, business establishments in military clothing and equipment of the armed forces, military weapons, technologies, devices, and vehicles for the military forces and police forces; parts, components, supplies, specialized equipment, and technologies for manufacturing thereof shall also assume the following responsibilities:

1. Have warehouse in conformity with regulations on storage of flammable and explosive goods as referred to by the law on fire prevention and fighting.

2. Import, export and trade in materials/goods which have clear and legitimate origin.

3. Only sell or deliver products to entities that have obtained written approval from the military forces or competent police authorities.

4. Products which are damaged or have poor quality must be handled and destroyed in accordance with the law.

5. Within 20 days from the date on which business activities are commenced, the business establishment must send the written approval or the contract referred to in Clause 3 Article 13 of this Decree to the competent police authority.

Chapter VI

RESPONSIBILITIES OF MINISTRIES, MINISTERIAL-LEVEL AGENCIES, AFFILIATES OF THE GOVERNMENT AND PROVINCIAL-LEVEL PEOPLE'S COMMITTEES, AND INSPECTION RESPONSIBILITIES

Article 46. Responsibilities of Ministry of Public Security

Ministry of Public Security shall bear responsibility before the Government for state management of security and order within the national scope in connection with conditional business sectors as regulated in this Decree in order to prevent, discover and take actions against crimes and other illegal acts, and have the following duties and rights:

1. Instruct and provide training in security and order to business establishments in business sectors with security and order conditions as referred to in this Decree, except for security service providers.
2. Promulgate templates to serve the management of security and order by business establishments that engage in business sectors referred to in Article 3 of this Decree.
3. Provide guidelines on samples of trousers, shirts, shoes, hats, shoulder loops, and cap badge, signs for security guards.

4. Provide consistent guidelines on the verification of application dossiers before issuance or revocation of Certificates of satisfaction of security and order conditions; verify persons in charge of security and order, and actual conditions at business establishments; test and issue security guard certificates on the principle of issuing the only security guard certificate to all contents defined in the security guard training curriculum as referred to in this Decree, and take acts to prevent, discover and handle events that take advantage of business sectors subject to security and order conditions to commit crimes and other illegal acts.

5. Propagate and disseminate laws on security and order to business establishments in business sectors prescribed in this Decree, and instruct them to make security and order plans.

6. Take charge and coordinate with ministries/regulatory bodies to inspect and handle complaints or denunciations, prevent, discover and take actions against violations against regulations on security and order in connection with business sectors provided for in this Decree within to their competence.

7. Take charge and coordinate with ministries/regulatory bodies in doing research on information technology applications, constructing electronic database system in service of management and performance of administrative procedures relating to the guarantee of security and order of entities involved in business sectors provided for in this Decree.

8. Make preliminary summing-up and summation of the implementation of legislative documents about the guarantee of security and order for business sectors provided for in this Decree.

9. Suggest or request for amendments and/or supplements to legislative documents about business sectors subjects to security and order conditions.

Article 47. Responsibilities of Ministry of Finance

1. Take charge and coordinate with Ministry of Public Security in providing for the collection rates, management and use of fees for inspection of security and order conditions to issue Certificates of satisfaction of security and order conditions, and fees for testing and issuance of security guard certificates.

2. Coordinate with Ministry of Public Security in making estimates and accounting of expenses for maintaining operations of the Ministry of Public Security's portal for management of business sectors subject to security and order conditions in accordance with regulations of the Law on state budget and its instructional documents.

Article 48. Responsibilities of ministries, ministerial-level agencies, affiliates of the government

Ministries, ministerial-level agencies, affiliates of the Government shall have the following rights and duties:

1. Instruct competent bodies and units involved in in-charge sectors to organize implementation of this Decree.

2. Propagate, disseminate and educate laws on sector management with respect to business sectors with security and order conditions under their management.

3. Coordinate with Ministry of Public Security in inspecting the compliance with security and order conditions by business establishments under their management.

4. Suggest or request for amendments and/or supplements to legislative documents about business sectors subjects to security and order conditions.

Article 49. Responsibilities of people's committees of central-affiliated cities or provinces

Instruct local competent bodies under their management to exercise and discharge the following rights and duties:

1. Perform state management of business sectors subjects to security and order conditions as provided for in this Decree and other legislative documents under their management.

2. Prevention, discovery, combat and actions against crimes and other illegal acts in connection with business sectors subjects to security and order conditions within provincial scope.

3. Suggest or request for amendments and/or supplements to legislative documents about the management of business sectors subjects to security and order conditions.

Article 50. Inspection

1. Competent police authorities shall carry out comprehensive inspection of the compliance with security and order regulations by business establishments in business sectors subject to security and order conditions on the basis of one inspection yearly or on irregular basis.

The irregular inspection shall be only conducted when a business establishment has violation or denotes violation against regulations on security and order; or any organization or individual files complaint or denunciation for violation against regulations on security and order committed by the business establishment; or the irregular inspection is conducted to strengthen the guarantee of security and order as instructed in writing by competent authorities.

2. Inspection contents:

a) Inspect and verify legal documents; business contents specified in the License and Certificate of satisfaction of security and order conditions issued by competent police authorities to business establishments in comparison with those in reality;

b) Inspect the compliance with regulations in this Decree and other relevant legislative documents;

c) Inspect people and facilities, traded products, and services relating to business activities of business establishments in accordance with the law regulations.

The record of each inspection must be made (according to the form promulgated by Ministry of Public Security), which includes inspection results and shortcomings or violations (if any).

3. Authorities competent to conduct inspection:

a) The police authority that issues Certificate of satisfaction of security and order conditions and directly manages which business establishment shall carry out the yearly or irregular inspection of that business establishment;

b) Competent units affiliated to police authorities at all levels may only conduct the inspection of business establishments in their management areas when they discover that a business establishment has violation or denotes violation against regulations on security and order; or when they receive complaints or denunciations by organizations or individuals in connection with security and order matters at business establishments within their management areas. Upon the completion of an inspection, that competent unit must send written notice of inspection results and the handling of violations (if any) to the police authority that issued Certificate of satisfaction of security and order conditions to that business establishment;

c) Police authorities at all level shall, within the ambit of assigned functions and duties, may conduct irregular inspections in service of performing

political duties or strengthening security and order guarantee provided that such inspections must be conducted with the written approval by police authorities at district level or instructional documents by police authorities of higher levels.

4. Violations discovered from the inspection must be strictly handled in accordance with the law regulations.

Chapter VII

IMPLEMENTATION

Article 51. Effect

1. This Decree takes effect as of July 01, 2016. Decree No. 52/2008/ND-CP dated April 22, 2008 on management of security services and Decree No. 72/2009/ND-CP dated September 03, 2009 providing for security and order conditions for a number of conditional business sectors are abrogated;

2. During the implementation of this Decree, if legislative documents which are referred to in this Decree are amended, supplemented or replaced, the new ones shall be applied.

Article 52. Transitional provision

1. Business establishments that are operating with Certificates of satisfaction of security and order conditions for providing security services granted as referred to in Decree No. 52/2008/ND-CP dated April 22, 2008 on the management of security services or Certificates of satisfaction of security and order conditions as referred to in Decree No. 72/2009/ND-CP dated September 03, 2009 providing for security and order conditions for certain conditional business sectors and business establishments engaging in business sectors as referred to by prevailing laws are allowed to maintain their operations. Within 18 months from the effective date of this Decree, business establishments must implement regulations in this Decree and apply for replacement of certificates of satisfaction of security and order conditions without fees paid.

2. Security guard certificates granted to security guards in accordance with regulations in Decree No. 52/2008/ND-CP dated April 22, 2008 on the management of security services are still valid.

Article 53. Instructions and responsibility for implementation

1. Minister of Public Security shall organize and instruct the implementation of this Decree.

2. Ministers, heads of ministerial-level agencies, heads of affiliates of the Government, Chairpersons of people's committees of central-affiliated cities or provinces and entities involved in business sectors subject to security and order conditions are responsible for implementing this Decree./.

ON BEHALF OF THE GOVERNMENT
PRIME MINISTER

Nguyen Xuan Phuc