

Decree of government N<sub>o</sub> 68/2005/ND-CP dated 20 May 2005

## On chemical safety

Pursuant to the Law of Government Organization dated 25 December 2001;  
At the request of the Minister of the Ministry of Industry.

### DECREEs

#### Chapter I

#### GENERAL PROVISIONS

##### **Article 1.** Scope of amendment

1. This Decree does not provide regulations on safety in producing (including steps of manufacturing, processing, bottling and packing), trading, transporting, storing, using, collecting, destroying and eliminating dangerous chemicals.

2. The safety management for radioactive chemicals, narcotics, psychotropic substances and pre-substances as stipulated in legal documents and acts related does not fall within the amendment scope of this Decree.

##### **Article 2.** Coverage

This Decree applies to all foreign and domestic organizations, individuals using chemicals within the territory of Vietnam except for different regulations in International Treaties in which Vietnam is a signatory or a supporting member;

##### **Article 3.** Concept explanation

In this Decree the concepts below are explained as follows:

1. *Chemicals* are chemical elements and their compounds existing in natural forms or being created from production, by chemical reactions, by extraction and separation, and by refining compounds available in nature.

2. *Dangerous chemicals* are hazardous chemicals and chemicals that cause explosion, burning and strong erosion, endangering human health and wealth, animals and plants, environment, and national security and defence.

3. *A new chemical* is a chemical substance that is used for the first time in Vietnam.

4. *A dangerous chemical threshold* is the limit of a chemical amount or concentration, if being exceeded in a limited space, can lead to death, accidents that negatively affect human health in that environment.

5. *Chemical usage* is the performance of one or a number of the steps of a process to produce, trade, transport, store, use, collect, destroy, eliminate dangerous chemicals and other related activities,

6. *Hazardous waste* is waste that contains one or more dangerous chemicals or chemicals when interacting with other substances can endanger environment, animals, plants and human health.

7. *Chemical risk* is the probability of occurring risks that implicitly endanger human health and wealth, animals, plants, environment and social safety during the chemical usage.

8. *Chemical risk evaluation* is a process that examines and evaluates implicit possibilities relating to the occurrence of a chemical problem and the ability to apply preventative

measures against risk in producing, trading, transporting, storing, using, collecting, destroying and eliminating chemicals.

**Article 4.** Responsibility for ensuring chemical safety

1. Organizations, individuals using chemicals shall be responsible for ensuring safety for their establishments and themselves during the chemical usage as stipulated by the legislation; and applying necessary measures to prevent impacts endangering human health and wealth, ecological system of plants and animals, environment protection, national security and defence.

2. Employees, apprentices and trainees directly involved in managing, producing, trading, storing, collecting, using, destroying and eliminating dangerous chemicals at chemical establishments shall be trained to understand legal regulations; knowledge of safety, technology, health protection at workplace, actions to mitigate cases of emergency. Employees, apprentices and trainees shall be tested for the above requirements before taking the duties assigned and follow the regulations on occupational safety .

## **Chapter II**

### **IDENTIFICATION AND DECLARATION OF CHEMICALS**

**Article 5.** Chemical identification according to chemical names

1. Dangerous chemicals are identified based on their names and criteria stipulated in legal documents, regulations or international codes of practice recognized by Vietnam.

2. The name of a dangerous chemical shall be written under the international name, chemical formula and translated into Vietnamese (if any).

**Article 6.** Declaration of dangerous chemicals

1. Organizations, individuals using chemicals shall declare in written documents to Departments administering dangerous chemical groups. The content of the declaration shall include the chemical name; mechanics, physics and chemical properties; compositions; origin; volume and purpose of chemical usage.

2. Information declared shall be appraised regarding the risk level of a chemical and the ability to apply safety measures in using the chemical.

3. A dangerous chemical purely used for the purpose of scientific research and development shall be exempt from declaration.

4. The Ministry of Industry shall coordinate with relevant Ministries and Industries to provide guidance on declaration procedures for dangerous chemicals.

**Article 7.** Chemical risk evaluation

1. Chemical risk evaluation shall apply to all new chemicals. Before circulating and using a new chemical organizations, individuals shall make a report to evaluate chemical risk and submit the report to a competent State administrator for approval and putting into the chemical list before subsequent activities.

2. A new chemical imported from overseas and used by organizations, individuals in Vietnam shall be enclosed with chemical risk evaluation documents granted by a foreign competent agency. Those documents shall be submitted to a competent State administrator of Vietnam for considering acknowledgement, re-evaluation or additional evaluation.

3. The Ministry of Industry shall guide the procedures and detailed content in reporting chemical risk as stipulated at Points 1 and 2 of this Article.

**Article 8.** Chemical safety sheet for dangerous chemicals

1. Producers, importers of dangerous a chemical shall file a chemical safety sheet when transferring the chemical to organizational, individual receivers. The chemical safety sheet shall be always attached to the chemical during its circulation .

2. A chemical safety sheet shall comprise the details as follows:

- a) Name, origin and production place of the chemical;
- b) Chemical composition and formula;
- c) Physiochemical properties and hazardous features;
- d) Stability and activeness;
- ®) Risk exposure;
- e) Risk level to health;
- g) Risk level to environment;
- h) Impact on human health and requirements for personal protective equipment;
- i) Medical first aid in case of emergency;
- k) Measures against fire;
- l) Preventative measures against risk and accidents;
- m) Storing measures;
- n) Measures of waste management;
- o) Requirements for transportation;
- p) Vietnamese criteria and legal regulations which shall be complied with;
- q) Other important information.

**Article 9.** Labelling dangerous chemicals

1. The label of a dangerous chemical shall comply with the regulations on labelling as stipulated by the legislation and there shall be a warning printed on the outside of the label in accordance with the hazardousness of the chemical inside. The label of a dangerous chemical shall ensure the mechanics and chemistry endurance during the life of the chemical.

2. Organizational, individual chemical users shall update the new regulations on label form and design applicable to dangerous chemicals according to the guidance of competent State administrators in accordance with modifications in international Treaties in which Vietnam is a member.

**Article 10.** Advertisements for dangerous chemicals

1. Advertisements for a product being a chemical shall follow legal regulations on advertising activities.
2. Advertisements for a product being a dangerous chemical shall contain a warning about the hazardousness and danger of the chemical.
3. Advertisements for a chemical of the chemical list prohibited for trading shall be prohibited as stipulated in legal regulations and documents.

### **Chapter III**

#### **SAFETY REGULATIONS ON CHEMICAL USAGE**

**Article 11.** Ensuring chemical safety from investment planning

1. Before starting a project whether in Group A, Group B or Group C as categorized by the current legislation on investment and construction management to produce and store a dangerous chemical, the investor shall prepare a plan to prevent and settle chemical problems. The plan shall be submitted to a competent agency for approval as stipulated at Point 1, Article 25.

2. A plan to prevent and settle chemical problems for a project shall include documents as follows:

- a) A summary of the feasibility study of the project;
- b) Data on physio-chemical properties such as the burning point, self-burning point, flash point, explosion point and hazardousness of a chemical in the form of a material, a semi-finished product or a finished product;
- c) Technical requirements in packing, storing and transporting;
- d) Evaluation on the level of safety and probability of chemical problems;
- e) Actions in case of emergency.

3. After receiving a valid dossier, the Ministry of Chemical Group Administration shall establish a Council to evaluate, appraise and approve the plan of preventing and settling chemical problems at the establishment. In case the plan is not approved a dispatch document clearly stating the rationale for disapproval shall be sent to the establishment

4. After the plan of preventing and settling chemical problems is approved the investor shall be entitled to the investment implementation.

5. The regulations from Point 1 to Point 3 of this Article shall also be applicable to producers and keepers of dangerous chemicals when they have plans to improve or expand facilities for increased production scale and performance scope.

**Article 12.** Safety distance

1. With exception of petrol and gas stations serving transportation means, the distance between transportation means, equipment of dangerous chemicals, producers, keepers and the following locations shall ensure safety distance required for the dangerous chemical threshold:

- a) Resident locations, business centres, parks or other populated locations;

- b) Schools, hospitals, cinemas, stadiums or other public places;
- c) Water-providing sources, hydroplants and reservoirs;
- d) Stations, ports (apart from cases identified as stations, ports specializing in loading and unloading dangerous chemicals), airports, waterway, landway and railway;
- ®) Protected planting areas, animal grazing areas, water areas for catching and raising, establishments processing aquatic products, and breeding farms;
- e) Protected rivers, reservoirs, landscapes and natural areas;
- g) Military areas;
- h) Other areas protected by legal regulations.

2. The Ministry administering a chemical group as stipulated at Point 1 of Article 25 shall examine, set up and supplement documents to guide and stipulate safety distance between a chemical user and the locations as stipulated at Point 1 of this Article.

3. In case equipment installed by a chemical producing and storing establishment does not meet the requirements in Point 1 of this Article, the Department of Natural Resources and Environment shall chair and coordinate with the Department of Chemical Group Administration in the locality where the violation occurs to check, supervise and request the violator to make an alternative plan to meet the requirements as stipulated at Point 1 of this Article. In the case of high level of risk, the Department of Chemical Group Administration shall apply or recommend a competent agency to apply actions as stipulated by legal regulations.

**Article 13.** Conditions of chemical usage for establishments An establishment producing and storing a chemical of a chemical group subject to trading restrictions shall have licence as stipulated by the law and shall maintain the conditions on which the licence is granted during the chemical usage.

**Article 14.** Obligations of dangerous chemical users

1. To restrict chemically dangerous properties an establishment producing and storing a chemical, based on the group and properties of the chemical, shall install equipment necessary for ventilation, temperature control, sunlight control, fire prevention, flame prevention, pressure reduction, hazardousness prevention, decontamination, neutralization, humidity prevention, lightning prevention, static electricity prevention, disinfection, leakage prevention and regular maintenance of the equipment to fully ensure operational safety requirements.

2. An establishment producing, storing and using a chemical shall be fully equipped with an information, communication and alarm system, and ensure the operational stability of that system.

3. An establishment producing and storing a strongly hazardous chemical shall annually evaluate the safety of the establishment's equipment. An establishment producing, storing and using other dangerous chemicals shall evaluate the safety of equipment every two years.

The safety evaluation report shall recommend plans to fix problems and mitigate shortcomings relating to safety of equipment at the establishment. Equipment with indications of danger shall be fixed, replaced and safety measures shall be applied as stipulated.

The safety evaluation report shall be submitted to the administrator of the chemical group.

4. Establishments producing, storing and using strongly hazardous chemicals shall have a daily record system about data on hazardous chemicals taken out, taken in, stored and used. Necessary measures shall be applied to avoid losses, wrong sales and wrong usage of strongly hazardous chemicals. Any case of loss, wrong sale and wrong usage of chemicals with strong hazardousness shall be immediately reported to the Provincial/Municipal Public Securities and the local Department of Chemical Group Administration for settling possible consequences.

5. When a dangerous chemical is finished the producer shall attach, hang or print a safety label on the outside of the package in accordance with the regulations at Point 9; at the same time there shall be a sheet of technical data in accordance with the hazardousness of the chemical inside.

6. Organizational and individual chemical users shall strictly follow the instructions printed on the chemical safety label and the technical data sheet of the product.

**Article 15.** Packages, barrels and tanks used for dangerous chemicals

1. Packages, barrels and tanks used for containing dangerous chemicals shall follow the regulations of legal documents, Vietnamese criteria and international criteria recognized by Vietnam. Packages, barrels and tanks carrying dangerous chemicals shall be sealed with the name and warning on hazardousness of the chemical inside.

2. Packages, barrels and tanks containing dangerous chemicals shall be manufactured by enterprises licensed by competent State organizations. The quality of those containers shall be checked and certified by an organization assigned by the Ministry of Industry. Packages, barrels and tanks manufactured overseas shall be appraised for the quality in accordance with Vietnamese criteria.

Packages, barrels and tanks re-used for containing dangerous chemicals shall be checked and treated. There shall be a checking label and the checking label shall be retained for at least two years at the establishment.

3. The Ministry of Industry shall chair and coordinate with competent organizations in periodically and sporadically examining the quality of packages, barrels and tanks containing dangerous chemicals at establishments producing, storing and using dangerous chemicals.

4. The regulations at Point 3 of this Article shall not apply to the cases of national security and defence.

**Article 16.** Storing dangerous chemicals

1. Dangerous chemicals shall be stored in special warehouses and equipment managed by qualified officials who are appointed. The storing form, storing method and stored quantity shall follow safety codes of practice and relevant legal documents. Conditions of the chemicals stored in warehouses shall be periodically checked.

2. Warehouses and equipment for dangerous chemicals shall meet the requirements of legal codes of practice on safety, fire and explosion prevention. There shall be a notice board listing regulations and guidance on safety measures for the working staff of

warehouses in accordance with the properties of chemicals. The notice board shall be located at a convenient and fixed place. The equipment of a warehouse shall be periodically checked for safety requirements.

3. Persons coming in and out a warehouse shall be checked and registred in a registration book.

4. If the storing of strongly hazardous chemicals with other dangerous chemicals can lead to a new source of danger or an increased risk level, the chemicals shall be stored separately.

5. In the middle of every fourth quarter an establishment storing chemicals shall make a report on the chemical quativity stored, storing places, managing staff and other issues in relation to chemical safety management. The report then shall be submitted to the Department of Chemical Group Administration in the locality.

**Article 17.** Destruction and elimination of dangerous chemicals

1. The destruction, elimination and treatment of dangerous chemicals, packages of dangerous chemicals, chemicals unused due to expiration, toxic chemicals from the war shall strictly follow regulations on dangerous waste management and of legal documents.

2. In the cases of changes in the business registration or operation stoppage, an establishment manufacturing, storing and using a dangerous chemical shall make a plan and apply necessary measures to treat production equipment, storing equipment, products stored and raw materials. A detailed report on the treatment process shall be sent to the Department of Natural Resources and Environment, and the local Department of Chemical Group Administration. The report shall clearly identify possibilities of chemical problems.

**Article 18.** Loading, unloading and transporting dangerous chemicals

1. The loading, unloading and transporting of a dangerous chemical shall follow technical safety codes of practice on loading, unloading and transporting dangerous products and other legal documents on transporting dangerous products by landway, railway, riverway, seaway and airway.

2. When having a dangerous chemical transported the owner shall clearly inform the transporter about the name, quantity, chemical hazardousness, urgent measures in case of emergency and other necessary information. In case other additional substances are needed to reduce the activeness of a chemical or to stabilize the chemical during its transportation the owner shall supply all those substances required and inform the transporter about those requirements. The owner shall not secretly send a dangerous chemical with other common products, deliberately provide incorrect information or declare a dangerous chemical under the name of another common product.

3. When having a dangerous chemical transported the owner shall send an official escort . The offical escort shall be responsible for checking and controlling the product during the transportation. The loaders, unloaders and official escort shall be clearly informed of the danger of the chemical transported, properties of packages and tanks, safety measures and problem settlement. The transporter and official escort shall be provided with all equipment necessary for personal protection and risk mitigation.

4. A dangerous chemical transported shall be packaged under safety technique requirements. Barrels and tanks shall be capable of resisting the pressure from outside and inside in a normal transportation condition to prevent leakage, spillage or other risks in reference to changes in temperature, humidity and pressure during the transportation. There shall be measures to prevent movement of chemical containers made of glass or pressure-resistant barrels. The transportation of dangerous chemicals with human beings, domestic animals and other types of products shall be prohibited except for the transporter and official escort.

5. In case there is loss, spillage or leakage of a strongly hazardous chemical during the transportation or at the loading place the transporter, official escort and establishments where the problem occurs shall apply necessary measures against chemical risks. At the same time an immediate report shall be sent to the Department of Natural Resources and Environment, and the Provincial/Municipal Public Security where the problem happens and the scene where the problem occurs shall be isolated. The Department of Natural Resources and Environment shall be responsible for coordinating with the relevant Department of Chemical Group Administration and sending experts to examine and thoroughly settle consequences at the location where the problem happens.

The chemical user in reference to the chemical problem shall be responsible for coordinating with the organizations mentioned above to thoroughly settle consequences after the problem, simultaneously compensating for damages of persons relating to the problem.

6. Sending a dangerous chemical through post by organizations and individuals shall be prohibited. Behaviours such as concealing, undeclaring a dangerous chemical contained in a mail-box or wrongly declaring, declaring a dangerous chemical under a common product to send the dangerous chemical through post shall be prohibited.

**Article 19.** Loaders, unloaders, transporters and official escort

1. The transporter and the owner of a dangerous chemical shall provide training for drivers of transportation means, managers, loaders, unloaders and official escort to understand the basic safety requirements during the transportation of dangerous chemicals.

2. Drivers of transportation means, managers, loaders, unloaders and official escort of dangerous chemicals shall be tested for basic knowledge of safety. After receiving certificates on meeting requirements of the test, drivers of transportation means, managers, loaders, unloaders and official escort shall be allowed to take duties trained.

3. When transporting dangerous chemicals the transporter, official escort shall avoid populated areas and shall know the addresses to report problems that might occur during the transportation as stipulated at Point 5, Article 18 of this Decree.

**Article 20.** Trading, exporting and importing of dangerous chemicals

1. Organizations, individuals trading, exporting and importing a dangerous chemical subject to the chemical list with trading restrictions shall have licence issued by the Ministry, which administrates the chemical group. During the dossier consideration and licence issuance the Ministry of Chemical Group Administration shall consult with relevant State administrators.
2. Organizations and individuals shall not be allowed to implement the following acts:
  - a) Purchasing a dangerous chemical subject to the chemical list of trading restrictions without licence of producing and processing dangerous chemicals;
  - b) Selling a dangerous chemical without the chemical safety label and technical data sheet of the product;
  - c) Selling a dangerous chemical to organizations, individuals who are not entitled to processing and using that chemical.
  - d) Purchasing a chemical of high hazardousness for personal needs. Selling a chemical of high hazardousness to organizations, individuals unlicensed by the Provincial/Municipal Public Security.
- Ⓜ) Fabricating, self-altering, selling, purchasing, transferring commitment certificates, and receipts of chemicals of high hazardousness.
3. A chemical shop entitled to trading dangerous chemicals shall be allowed to keep an amount enough for its trading during the day.
4. When selling a strongly a hazardous chemical for a customer, a chemical dealer shall record and keep the purchaser's name, address as well as quantity and purposes of usage for at least 1 year. An establishment processing a strongly hazardous chemical shall check the quantity sold during the day. Any case of loss or wrong sale of strongly hazardous chemicals shall be timely reported to the closest Public Security. At the same time organizations and individuals shall be responsible for coordinating with the Public Security and relevant organizations for settlement of possible consequences.
5. Producers, scientific research organizations, health organizations and other organizations having regular demand on a strongly hazardous chemical shall apply for licence of chemical usage at the Provincial/Municipal Public Security. Organizations and individuals sporadically demanding on a strongly hazardous chemical, except for the chemical list licenced, shall apply at the Public Security where the previous registration has been made and clearly state the purpose, name, quantity and usage of the chemical needed.

The Ministry of Public Security shall stipulate the form, content and procedures in issuing and revoking licence on highly hazardous chemicals.

**Article 21.** Chemical safety in laboratories

1. A chemical laboratory shall have internal rules. The internal rules shall be placed at an easily- observed position.

2. A laboratory shall be equipped with occupational protective equipment corresponding to the risks of chemicals. The safety regulations for a laboratory shall be strictly followed.

3. Officials working in a laboratory shall understand dangerous properties of chemicals in the laboratory as well as preventative measures against unexpected risks that can occur in the laboratory.

**Article 22.** Temporary suspension of dangerous chemical usage

1. In case a chemical of the list entitled to circulation in the market has indications of endangering human health and wealth, ecological environment or national security and defence the Ministry of Chemical Group Administration shall immediately make a decision on temporary suspension for the chemical.

2. After the chemical suspension decision is issued the Ministry of Chemical Group Administration shall inform the decision to the Ministry of Industry, the Ministry of Natural Resources and Environment, the Ministry of Public Security and relevant organizations for unified immediate action against risk while waiting for additional research on risk evaluation and amendments to the List of Prohibited Chemicals.

## **Chapter IV**

### **STATE ADMINISTRATION OF CHEMICAL SAFETY**

**Article 23.** A State administrator of chemical safety shall be responsible for:

1. Issuing, guiding and organizing the implementation of legal regulations on chemical safety.

2. Stipulating criteria, economic – technical norms, safety codes of practice applied to chemical usage and relevant services.

3. Organizing, administrating scientific and technological research activities relating to chemical safety; organizing and steering the planning, training for scientific researchers, managers and technicians for chemical safety.

4. Organizing the information system for chemical safety.

5. International cooperation in chemical safety.

6. Inspecting and checking the implementation of the legislation on chemical safety; settling claims, law suits and legal violations of chemical safety.

7. Propagating and educating the legislation on chemical safety.

**Article 24.** Content of State administration of chemical safety

1. The Government shall implement the unified administration of chemical safety nationwide.

2. The Ministry of Industry shall be accountable to the Government in implementing the State administration regarding chemical safety and steering the chemical safety-related activities within the responsibility assigned for:

- a) Chairing and coordinating with Ministries, Industries, Provincial/Municipal People's Committees to make and submit chemical safety policies to the Prime Minister; organizing, guiding and checking the implementation process;
- b) Making, submitting to competent State organizations to issue or issuing under the jurisdiction legal documents and acts on chemical safety;
- c) Building and managing the data system of chemical safety within the chemical specialization;
- d) Stipulating and guiding content and procedures on chemical risk evaluation;
- ®) Stipulating and guiding the content of chemical safety sheets, safe distance for establishments producing and storing chemicals;
- e) Coordinating with the Ministry of Science and Technology in stipulating conditions and guiding the appraisal to establishments qualified for chemical usage; making criteria on chemical packages, barrels and tanks; organizing and administrating scientific research, technological development and applications of scientific and technological achievements in chemical safety;
- g) Coordinating with the Ministry of Labour, Invalids and Social Affairs in stipulating safety criteria on equipment for chemical usage;
- h) Coordinating with Ministries of Chemical Group Administration in stipulating the thresholds of dangerous chemicals;
- i) Coordinating with the Ministry of Commerce in making the chemical list subject to product groups with trading restrictions; stipulating and guiding the design of chemical labels;
- k) Appraising, submitting to the Prime Minister to license the importing and using of the chemicals, which are of the chemical list prohibited, to serve the purpose of scientific research and technological development for industrial production;
- l) Chairing, coordinating with Ministries of Chemical Group Administration, Provincial/Municipal People's Committees in making national prevention and mitigation plans against chemical problems and submitting those plans to the Prime Minister for decision, guidance and implementation; checking and inspecting chemical safety.

3. Ministries, Ministry-equivalent organizations, organizations under the Government within their jurisdiction shall be responsible for implementing the State administration contents as stipulated at Article 23 of this Decree.

4. Various People's Committees shall be responsible for implementing the function of State administration for chemical safety in their localities as stipulated by the legislation.

**Article 25.** Jurisdiction in making the list of dangerous chemical groups

1. Ministries of Chemical Group Administration shall make, issue under their jurisdiction or submit to competent organizations to issue detailed lists of dangerous chemical groups and thresholds of dangerous chemicals as stipulated:

- a) The Ministry of Science and Technology shall coordinate with the Ministry of Industry to make the chemical list of hazardous chemicals and products with hazardous chemicals, and the chemical list prohibited for production and trading;
- b) The Ministry of Commerce shall make the list of petrol, oil and gas;
- c) The Ministry of Agriculture and Rural Development shall make the list of chemicals used for veterinary and plant protection;
- d) The Ministry of Health shall make the list of chemicals used for public health, anti-insects and antiseptic regarding domestic use;
- Ⓡ) The Ministry of Aquiculture shall make the list used for production, trading and raising of aquatic products.

2. In case amendments and supplements to the lists are required, the Ministries shall issue documents on amendments, supplements and announce the new lists.

**Article 26.** Requirements on reporting

1. Organizations and individuals using chemicals shall be responsible for reporting chemical safety within their establishments to organizations administrating chemical groups as stipulated in this Decree.

The form of report shall be stipulated by the Ministry of Industry.

2. Ministries of Chemical Group Administration, Provincial/Municipal People's Committees shall annually collect information on safety situation to report the Ministry of Industry for summing up and reporting to the Prime Minister.

## Chapter V

### CHECKING, INSPECTING AND VIOLATION SETTLEMENT

**Article 27.** Checking and inspecting dangerous chemicals

Ministries of Chemical Group Administration shall be responsible for chairing and coordinating with relevant organizations to check, inspect organizational, individual chemical users for the implementation of the regulations of this Decree and other legal documents on chemical safety; and recommend forms of violation settlement.

**Article 28.** Violation settlement

Chemical problems or legal violations by organizations, individuals producing, trading, transporting, storing and using chemicals subject to the product list prohibited for trading shall be administratively penalized or brought for criminal charges depending on situation and degree of misconduct. Damages in reference with violations shall be compensated as stipulated by the current legislation.

**Article 29.** Rewarding and disciplining

1. Organizational, individual chemical users having achievements relating to chemical safety shall be commended and rewarded in State agencies.

2. Persons who take advantage of their positions by violating legal regulations on safety management in producing, trading, transporting, storing, using, destroying and eliminating chemicals; to extort or make acts violating the regulations of this Decree and other relevant legal regulations shall be punished or brought for criminal charges

depending on situation and degree of misconduct. Any damage relating to a violation shall be compensated as stipulated by the current legislation.

## **Chapter VI**

### **IMPLEMENTATION PROVISIONS**

**Article 30.** Implementation validity

This Decree is valid 15 days after being published on the Official Gazette.

**Article 31.** Responsibility for implementation

Ministers, Chairpersons of Ministry-equivalent organizations, Chairpersons of Governmental organizations, Chairpersons of Provincial/Municipal People'Committees shall be responsible for the implementation of this Decree./.

**On behalf of Government**

**Prime Minister**

**Phan Van Khai**

**(Signed)**