

DECREE

ON MANAGEMENT AND USE OF SEALS

Pursuant to the Law on organization of Government dated 19/6/2015;

Pursuant to the Law on People's Police dated 27/11/2014;

At the request of the Minister of Public Security

The Government issues this Decree on management and use of seal.

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

1. This Decree provides for the management and use of seal of state bodies, people's armed forces and bodies of the organizational system of Communist Party of Vietnam, Vietnam Fatherland Front, social – political organizations, economic organizations, association organizations, social funds, charity funds, non-governmental organizations, religious organizations, foreign organizations operating in Vietnam and other organizations established and operating under the laws (hereinafter collectively referred to as bodies and organizations) and state titles.

2. This Decree is not subject to the:

a) Management and use of seal of enterprises which are registered and operating according to the provisions of the Enterprise Law and the Investment Law;

b) Title seals, date seals, official dispatch receipt seals and signature certification seals.

Article 2. Subjects of application

This Decree applies to the Vietnamese bodies, organizations and individuals, missions of the Socialist Republic of Vietnam in foreign countries; foreign organizations and individuals operating in Vietnam pertaining to the management and use of seal.

Article 3. Interpretation of terms

In this Decree, the terms below are construed as follows:

1. Seal is a special means which is registered, managed and used by the competent state authorities to be affixed on documents and papers of bodies and organizations or titles of the state.

The seal specified in this Decree comprises of the seals bearing the national Emblem, symbol as well as those without it, which are used in forms of wet seal, embossed seal, small-sized seal and wax seal.

2. Seal bearing national Emblem is the one which bears the national Emblem of the Socialist Republic of Vietnam on its surface.

3. Seal bearing symbol is the one which bears the symbolic image of the bodies or organizations and is recognized by law or stipulated in international agreements in which Vietnam is member.

4. Seal without symbol is the one which has no national Emblem or symbolic image on its surface as stipulated in Paragraphs 2 and 3 of this Article.

5. Wet seal is the one which has the prescribed content of information, form and size on its surface and is used with ink material to affix on documents and papers bearing the content of information on its surface.

6. Embossed seal is the one which has information on its surface like the wet seal. When affixed on documents or papers, the information on the surface of seal shall be embossed.

7. Small-sized seal is the type of wet seal or embossed seal but it is smaller.

8. Wax seal is the one which has content of information like the wet seal, when g the seal made of wax material to seal, the content of information on the seal surface shall be printed.

9. Seal sample is the regulation on the content of information, form and size on the seal surface stipulated by the competent state body.

10. Seal sample registration body is the state body having the authority to register the seal sample of the state bodies, organizations or titles.

11. Registration of seal sample means the body, organization or title of the state uses seal to register the seal sample with the seal sample registration body.

12. Certificate of seal sample registration is the seal sample registration body's document which certifies the bodies, organizations or titles of the state have registered their seal sample before use.

13. Competent body is the one which has the right to decide on establishing or issuing the operation registration certificate or certificate of operation or recognizing the operation and permitting the bodies, organizations or titles of the state to use their seals according to regulations.

14. Economic organization specified in this Decree is the enterprise, cooperative, union of cooperatives established and operating according to the laws: Public notarization, lawyer, judicial expertise, insurance and securities business and cooperative.

Article 4. Principles of management and use of seal

1. Comply with Constitution and laws.

2. Ensure the openness, transparency and create favorable conditions for bodies, organizations and individuals to carry out the seal procedures.

3. The registration and management of seal and permission for the use of seal must ensure the conditions in accordance with the provisions of this Decree.

4. The seal specified in this Decree is round with red ink.

Article 5. Conditions for the use of seal

1. The bodies, organizations or titles of the state are only permitted to use their seals upon regulations on the permission for use of seal in the legal normative documents or decision from the competent bodies; must register their seal sample before use.

2. The use of seal with national Emblem must be stipulated in the laws, Ordinance, Decree or Decision of the Prime Minister stipulating the functions, duties, power and organizational structure of organizations and bodies or stipulated in the international agreements in which Vietnam is a member.

3. The bodies, organizations or titles of the state having functions of issuing diplomas, certificates and papers with photo or sealing documents according to regulations of law are permitted to use the embossed seal, small-sized seal or wax seal.

4. The bodies, organizations or titles of the state only use one seal under the sample stipulated by the competent state body.

In necessary cases of additional use of seal like the issued one (wet seal, embossed seal, small-sized seal or wax seal), comply with the following provisions:

a) The bodies, organizations or titles of the state must be permitted by the competent body if using additional wet seal;

b) The bodies, organizations or titles of the state can decide by themselves the additional use of embossed seal, small-sized seal or wax seal;

c) The economic organizations can decide by themselves the additional use of seal by themselves.

Article 6. Prohibited acts

1. Forge seal or use fake seal.

2. Illegally buy and sell or destroy seal.

3. Use invalid seal.

4. Intentionally distort or modify the content of registered seal sample.

5. Fail to hand in seal as decided by the competent body or seal sample registration body.

6. Borrow, lend, rent, lease, pledge, mortgage seal or use seal of another body or organization for operation.

7. Illegally occupy or appropriate seal.

8. Use seal without registration of seal sample.

9. Forge, modify or distort the content of information in the Certificate of seal sample registration.

10. Affix seal on the signature of person having no authority.

11. Fail to comply with the seal inspection and fail to present seal upon requirement for inspection of the seal sample registration body.

12. Take advantage of assigned duties during the settlement of seal procedure to harass, disturb or infringe the legitimate rights and interests of bodies, organizations and individuals.

13. Other acts as prescribed by law.

Chapter II

SPECIFIC PROVISIONS

Section 1. SEAL WITH NATIONAL EMBLEM, SYMBOL AND SEAL WITHOUT SYMBOL

Article 7. Bodies, organizations or titles of the state using seals with national emblem

1. State President, Chairman of the National Assembly, Prime Minister, Secretary General of National Assembly.
2. National Assembly, Standing Committee of National Assembly, National Election Council, Ethnic Council and Committees of National Assembly, the bodies of Standing Committee of National Assembly, Office of National Assembly, State Audit, National Assembly delegations of provinces and centrally-run cities.
3. Government, ministries; ministerial-level bodies, governmental bodies, Ho Chi Minh National Academy of Politics, General Departments or equivalent units
4. Office of the State President.
5. Supreme People's Court, Superior People's Court, People's Courts of provinces and centrally-run cities, People's Courts of districts, towns and provincial cities and the equivalents, Central Military Court, Military Court of Military Zone and the equivalents, Military Court of Area.
6. Supreme People's Procuracy, Superior People's Procuracy, People's Procuracy of provinces and centrally-run cities, People's Procuracy of districts, towns and provincial cities and the equivalents, Central Military Procuracy, Military Procuracy of Military Zone and the equivalents, Military Procuracy of Area.
7. People's Council and People's Committee at all levels.
8. Management body of civil judgment enforcement under the Ministry of Justice, Management body of civil judgment enforcement under the Ministry of Defense, provincial-level body of civil judgment enforcement, district-level civil judgment enforcement, body of judgment enforcement of military zone and the equivalents.
9. Embassy, Consular Division under the Embassy, Consulate General, Consulate, Honorary Consul General, Honorary Consul, Permanent Delegation, Delegation, Delegation of the permanent observers and bodies with other names performing the representative functions of the State of Vietnam at inter-governmental international organizations or in foreign territories.
10. State Commission on Overseas Vietnamese, National Border Committee, Consular Department, Directorate of State Protocol, Department of External Relations – HCM City under the Ministry of Foreign Affairs.
11. Other bodies which have functions of state management and are permitted to use the seals with national Emblem as stipulated in Paragraph 2, Article 5 of this Decree.

Article 8. Bodies and organizations using the seals with or without symbols

1. The bodies and organizations under the organizational structure of ministries, ministerial bodies, governmental bodies, Standing Committee of National Assembly (except the bodies specified in Article 7 of this Decree), Office of National Assembly, State Audit, Ho Chi Minh National Academy of Politics.
2. The bodies under the organizational structure of ministries and central sectors in localities.
3. The bodies and organizations under the organizational structure of Supreme People's Court, Superior People's Court, People's Courts of provinces and centrally-run cities, People's Courts of districts, towns and provincial cities and the equivalents, Central Military Court, Military Court of Military Zone and the equivalents, Military Court of Area.
4. The bodies and organizations under the organizational structure of Supreme People's Procuracy, Superior People's Procuracy, People's Procuracy of provinces and centrally-run cities, People's Procuracy of districts, towns and provincial cities and the equivalents, Central Military Procuracy, Military Procuracy of Military Zone and the equivalents, Military Procuracy of Area.
5. The investigation bodies of People's Police, People's Army and Supreme People's Procuracy.
6. The management body of criminal judgment enforcement of the Ministry of Public Security and the Ministry of Defense; prison and temporary prison of the Ministry of Public Security and the Ministry of Defense; prison and temporary prison of military zone; temporary prison of provincial-level police; body of criminal judgment enforcement of provincial-level police; body of criminal judgment

enforcement of district-level police; body of criminal judgment enforcement of military zone and the equivalents.

7. Military Steering Committee of the ministries and central sectors; grassroots military steering organization.

8. Office of provincial-level People's Council.

9. Specialized bodies and non-business organizations of the provincial and district-level People's Committees.

10. The bodies of the organizational structure of Communist Party of Vietnam, Vietnam Fatherland Front, social – political organizations, economic organizations, association organizations, social funds, charity funds, non-governmental organizations that are established or issued with operation permit.

11. The foreign organizations which do not have their diplomatic functions legally operate in Vietnam.

12. The enterprises, cooperatives, unions of cooperatives, branches, representative offices of enterprise, cooperative, union of cooperatives which are established and operating according to the laws: Public notarization, lawyer, judicial expertise, insurance and securities business and cooperative.

13. The organizations directly under the enterprises, cooperatives, unions of cooperatives which are established and operating according to the regulations of law.

14. Provincial, district and communal-level Election Commission, Election Committee of National Assembly, Election Committee of deputies to the provincial, district and communal-level People's Council, Election Team.

15. Other organizations which are established and issued with operation Permit by the competent bodies and are permitted to use the seal as stipulated in Article 5 of this Decree.

Section 2. SEAL OF FOREIGN BODIES AND ORGANIZATIONS IN VIETNAM

Article 9. Seal of diplomatic missions of foreign countries

Before using the seals, the diplomatic missions, consular offices and representative offices of international organizations in Vietnam, consular departments, military attache department and other departments under the diplomatic missions of foreign countries in Vietnam shall have to announce their seal sample with the Ministry of Foreign Affairs of Vietnam.

Article 10. Seal of foreign organizations without diplomatic functions

1. The foreign organizations without diplomatic functions can bring their seals from their country into Vietnam for use. These seals must not use the image, symbol and name of the State of Vietnam and the Vietnamese bodies and organizations or violate the historical, cultural and ethical traditions and goods custom of the people of Vietnam. Before using these seals, such foreign organizations shall have register their seal sample at the seal sample registration body specified in Article 12 of this Decree and dossier for seal sample registration is specified in Paragraph 10, Article 13 of this Decree.

2. Where the foreign organizations do not bring their seal into Vietnam but request to make their seals in Vietnam, they shall carry out the procedures for seal sample registration at the seal sample registration body specified in Article 12 of this Decree and dossier for seal sample registration is specified in Paragraph 10, Article 13 of this Decree.

Section 3. REGISTRATION OF SEAL SAMPLE; RECOVERY AND CANCELLATION OF SEAL AND SEAL USE VALUE

Article 11. Order and procedures for submission and receipt of dossier and return of result

1. The bodies, organizations or titles of the State shall submit 01 dossier to request the settlement of seal procedures as stipulated in Articles 13, 14, 15, 16 and 17 of this Decree to the seal sample registration body specified in Article 12 of this Decree by one of the following forms:

a) Submit dossier directly at the reception department of the seal sample registration body;

b) Submit dossier via the website of the seal sample registration body (except the documents and papers which must not be published via the network in accordance with the law).

2. The receiver shall check the information, documents and papers in the dossier and comply with the following provisions:

a) If the dossier is valid, the receiver shall record the date of reception and date of return of result in the receipt and hand it over to the person who is sent to submit dossier by the bodies, organizations or titles of the State;

b) If the dossier is not complete, the receiver shall notify and give instructions to the bodies, organizations or titles of the State to complete their dossier.

- c) If the dossier does not meet the conditions as stipulated in Article 5 of this Decree, the seal sample registration body shall reply in writing to the organizations and bodies according to the time limit specified in Paragraph 7 of this Article on refusal of dossier settlement;
- d) In case of submission of dossier via website, the receiver shall notify the result of dossier settlement for the cases stipulated under Points a, b and c, Paragraph 2 of this Article via the email of bodies, organizations and individuals that have submitted their dossier.
3. The person sent by the bodies, organizations or titles of the State to submit dossier must have the letter of introduction or letter of authorization, present valid ID card or citizen card or Passport.
4. The documents and papers in the dossier are the originals or certified copies or copies with the original for comparison according to the regulations of law.
5. When the bodies, organizations or titles of the State submit dossier for change or re-issue of Certificate of seal sample registration, they have to present the seal previously registered to the body issuing the Certificate for check and prescribed registration.
6. For foreign organizations bringing their seals into Vietnam for use, when submitting dossier, they have to present such seals to the seal sample registration body for check and prescribed registration.
7. Within 03 working days after receiving dossier, the seal sample registration body shall return the result of new seal registration, seal re-registration, additional seal registration or registration of embossed seal, small-sized seal, wax seal and issue, change or re-issue of Certificate of seal sample registration.

Article 12. Seal sample registration body

1. Police Department on administrative management of social order, General Department of Police, Ministry of Public Security shall register the seal sample; issue, change and re-issue the Certificate of seal sample registration for the bodies, organizations or titles of the State, including:
- a) State President, Chairman of the National Assembly, Prime Minister, Secretary General of National Assembly.
- b) National Assembly, Standing Committee of National Assembly, National Election Council, Ethnic Council and Committees of National Assembly and Office of State President;
- c) Government, ministries; ministerial-level bodies, governmental bodies, Office of National Assembly, bodies of Standing Committee of National Assembly, State Audit, Ho Chi Minh National Academy of Politics and the subordinate units of these bodies.
- d) Supreme People's Procuracy, Superior People's Procuracy and the subordinate units of these bodies.
- dd) Supreme People's Court, Superior People's Court and the subordinate units of these bodies.
- e) Management body of civil judgment enforcement under the Ministry of Justice, management body of criminal judgment enforcement under the Ministry of Public Security; prison, temporary prison under the Ministry of Public Security and the subordinate units of these bodies.
- g) Investigation security bodies and investigation police bodies of the Ministry of Public Security; investigation body of Supreme People's Procuracy and the subordinate units of these bodies.
- h) Military Steering Committee of the ministries and central sectors;
- i) Bodies of the organizational structure of Communist Party of Vietnam, Vietnam Fatherland Front, social – political organizations, social – political – occupational organizations, social organizations, social –occupational organizations, religious organizations, social funds, charity funds, non-governmental organizations that are established or issued with operation permit by the central competent authorities and the subordinate organizations of these bodies and organizations;
- k) Economic organizations established or issued with operation registration certificate or operation permit by the central competent authorities and the subordinate organizations;
- l) Embassy, Consular Division under the Embassy, Consulate General, Consulate, Honorary Consul General, Honorary Consul, Permanent Delegation, Delegation, Delegation of the permanent observers and bodies with other names performing the representative functions of the State of Vietnam at inter-governmental international organizations or in foreign territories.
- m) Foreign organizations which do not have their diplomatic functions and are issued with operation permit by the central competent authorities;
- n) Other organizations established or issued with operation permit by the central competent authorities;

2. Police Division on administrative management of social order of police of provinces and centrally-run cities shall carry out the registration of seal sample, issue, change and re-issue of certificate of seal sample registration for the bodies and organizations, including:

- a) People's Council and People's Committee at all levels, National Assembly delegations, Office of National Assembly delegations of provinces and centrally-run cities; Office of provincial-level People's Council;
- b) The bodies under the organizational structure of ministries and central sectors in localities;
- c) People's Procuracy of provinces and centrally-run cities; People's Procuracy of districts, towns, provincial cities and the equivalents and the subordinate units of these bodies;
- d) People's Court of provinces and centrally-run cities; People's Court of districts, towns, provincial cities and the equivalents and the subordinate units of these bodies;
- dd) Police of provinces and centrally-run cities; Police of fire prevention and fighting of provinces and centrally-run cities; Police of districts, towns and provincial cities; Police of communes, wards and townlet and the subordinate units of these bodies;
- e) Bodies of criminal judgment enforcement of provincial-level police; bodies of criminal judgment enforcement of district-level police, temporary prisons under the provincial-level police and the subordinate units of these bodies;
- g) Investigation security bodies and investigation police bodies of the provincial-level police; investigation police bodies of district-level police and the subordinate units of these bodies.
- h) Communal-level military Steering Committee and military Steering Committee of bodies and organizations at grassroots level;
- i) Provincial and district-level bodies of civil judgment enforcement;
- k) Specialized bodies and non-business organizations directly under the provincial and district-level People's Committee and the subordinate units of these bodies and organizations;
- l) Bodies under the organizational system of Communist Party of Vietnam, Vietnam Fatherland Front, social – political organizations, social – political – occupational organizations, social organizations, social –occupational organizations, religious organizations, social funds, charity funds, non-governmental organizations that are established or issued with operation permit by the local competent authorities and the subordinate organizations of these bodies and organizations;
- m) Economic organizations established or issued with operation registration certificate or operation permit and the subordinate organizations.
- n) Foreign organizations which do not have their diplomatic functions and are issued with operation permit by the local competent authorities;
- o) Provincial, district and communal-level Election Commission, Election Committee of National Assembly, Election Committee of deputies to the provincial, district and communal-level People's Council, Election Team.
- p) Other organizations established or issued with operation permit by the local competent authorities;
- q) A number of cases as authorized by the seal sample registration body specified in Paragraph 1 of this Article;

Article 13. Dossier for registration of new seal sample

1. For the bodies, organizations or titles of the State using their seals with the national Emblem: Establishment decision or document defining the organization and operation of the competent authorities.
2. For the bodies with functions of state management and specialized bodies: Establishment decision or document defining the organization and operation from the competent authorities.
3. For the non-business organizations, the dossier comprises of:
 - a) Establishment decision or document defining the organization and operation of the competent authorities.
 - b) Operation permit issued by the competent authorities for the organizations which must register their operation according to regulations of law.
4. For the Vietnam Fatherland Front, social – political organizations, economic organizations, association organizations, social funds, charity funds, non-governmental organizations, the dossier comprises of:
 - a) Establishment decision or operation permit of the competent authorities;
 - b) Operation charter of organizations approved by the competent authorities;

5. Organizations directly under the Vietnam Fatherland Front, social – political organizations, economic organizations, association organizations, social funds, charity funds, non-governmental organizations, the dossier comprises of:

- a) Establishment decision or operation permit of the competent authorities;
- b) Document defining the organization and operation issued to the organization by the competent authorities according to the regulations of law;
- c) Operation permit issued by the competent authorities to the organizations which have to register their fields of operation according to the regulations of law;

6. For religious organization: Organization recognition decision from the competent authorities.

7. For the organizations directly under the religious organizations, the dossier comprises of:

- a) Decision of the religious organizations on establishing their subordinate religious organizations;
- b) Document from the competent authorities approving the establishment of subordinate religious organizations;
- c) Operation permit issued by the competent authorities to the organizations which have to register their fields of operation according to the regulations of law;

8. For enterprises, cooperatives, unions of cooperatives, branches, representative offices of enterprise, cooperative, union of cooperatives: Operation and establishment permit or operation registration certificate or operation permit from issued by the competent authorities according to the regulations of law;

9. For the organizations directly under the enterprises, cooperatives, unions of cooperatives established and operating according to the regulations of law, the dossier comprises of:

- a) Establishment decision from the competent authorities;
- b) Operation permit issued by the competent authorities for the organizations which have to register their fields of operation according to the regulations of law,

10. For foreign organizations having no diplomatic functions are operating legally in Vietnam: Operation permit from the Vietnamese competent authorities.

11. Other organizations established and operating according to the regulations of law: Establishment decision or operation permit from the competent authorities.

Article 14. Dossier for registration of embossed seal, small-sized seal and wax seal

The document defining the bodies, organizations or titles of the State have functions to issue the diplomas, certificates and papers with photo or document sealing from the competent authorities.

Article 15. Dossier for re-registration of seal sample

1. For the bodies, organizations or titles of the State whose seals are deformed, worn-out, damaged or whose material is changed: A written request for re-registration of seal sample from the bodies, organizations or titles of the State which use their seals with the reasons.

2. For the bodies, organizations or titles of the State have change of organization or name, the dossier comprises of:

- a) A written request for re-registration of seal sample from the bodies, organizations or titles of the State which use their seals with the reasons.
- b) Decision on change of organization, name of the bodies, organizations or titles of the State from the competent authorities.

3. For the bodies, organizations or titles of the State that lose their seals, the dossier comprises of:

- a) A written request for re-registration of seal sample from the bodies, organizations or titles of the State which use their seals with the reasons and certification of the direct management body or the competent authorities;
- b) The seal sample registration certificate previously issued.

Article 16. Dossier for registration of additional seal

1. For the bodies, organizations or titles of the State registering additional wet seal: A written permission for use of additional wet seal from the competent authorities.

2. For the bodies, organizations or titles of the State registering additional embossed seal, small-sized seal or wax seal: A written request for registration of additional seal of the head of bodies, organizations or titles of the State.

3. For the economic organizations registering additional embossed seal, small-sized seal or wax seal: A written request for registration of additional seal of the head of economic organization.

Article 17. Dossier for change, re-issue of seal sample registration certificate

A written request for change, re-issue of seal sample registration certificate from the bodies, organizations or titles of the State with reasons.

Article 18. Handover, recovery or cancellation of seal and cancellation of seal use value

1. The bodies, organizations or titles of the State shall have to hand over their seal to the seal sample registration body specified in Article 12 of this Decree in the following cases:

- a) Re-registration of seal sample due to its deformation, wear-out, damage, change of material or when the bodies, organizations or titles of the State have change of their organizations or names;
- b) There is a decision on division, separation, merger, consolidation, dissolution, operational termination or duty termination from the competent authorities;
- c) There is a decision on recovery of establishment and operation, operation registration certificate or operation permit from the competent authorities;
- d) The lost seal has been found after its use value was destroyed;
- dd) There is a decision on temporary suspension or suspension of operation from the competent authorities;
- e) The cases specified in Paragraphs , 2, 3, 4, 5, 6, 7 and 8, Article 6 of this Decree.

2. The handover, recovery, cancellation of seal and cancellation of seal use value shall be done as follows:

- a) For cases specified under Point a, Paragraph 1 of this Article, before receiving the new seal, the bodies, organizations or individuals shall have to hand over their seals previously registered to the seal sample registration body for prescribed recovery and cancellation of seal.
- b) For cases specified under Point b and c, Paragraph 1 of this Article, the bodies, organizations or individuals shall have to hand over their seals previously registered to the seal sample registration body in line with time limit specified in the decision of the competent authorities for prescribed recovery and cancellation of seal.

Where the body, organization or individual does not hand over its seal in line with regulations, the body issuing the seal sample registration certificate shall issue a decision on cancellation of seal use value;

c) For cases specified under Point d, Paragraph 1 of this Article, the bodies, organizations or individuals shall have to hand over their seals to the body previously issuing the seal sample registration certificate right after finding the lost seal for prescribed recovery and cancellation.

d) For cases specified under Point dd, Paragraph 1 of this Article, the body, organization or individual shall hand over its seal to the body previously issuing the seal sample registration certificate in line with the time limit for handover specified in the decision from the competent authorities for seal recovery, particularly:

The body which recovers the seal must secure and manage it. When the body or organization receives the decision on permitted re-operation, the body which has recovered the seal shall hand over it to the body or organization for prescribed use.

Where the body, organization or individual does not hand over its seal in line with regulations, the body issuing the seal sample registration certificate shall issue a decision on cancellation of seal use value;

For cases the body issuing the seal sample registration certificate has issued the decision on cancellation of seal use value but after that the body or organization whose operation is suspended or temporarily suspended is permitted to re-operate, the body or organization permitted to use the seal shall have to re-register its seal sample for prescribed use;

dd) For cases specified in Paragraphs 1, 2, 3, 4 and 5, Article 6 of this Decree, when detecting any act of violation from the bodies, organizations or individuals, the body registering the seal sample shall recover and cancel their seals in line with regulations.

Where the bodies, organizations or individuals violate the provisions in Paragraphs 2, 3, 4 and 5, Article 6 of this Decree, the body registering the seal sample shall issue a decision on cancellation of seal use value;

e) For cases specified in Paragraph 6, Article 6 of this Decree, when detecting any act of violation from the bodies, organizations or individuals, the body issuing the seal sample registration shall issue a notice of seal handover and recover the seal in line with regulations.

Where the bodies, organizations or individuals fail to comply and hand over their seals, the seal sample registration body shall issue a decision on cancellation of seal use value. After the seal sample

registration body has cancelled the seal use value, the bodies, organizations or individuals permitted to use the seal shall have to re-register their seal sample for prescribed use.

g) For cases specified in Paragraph 7, Article 6 of this Decree, when detecting any act of violation from the bodies, organizations or individuals, the body previously issuing the seal sample registration certificate shall issue a notice of seal handover for handling according to regulations of law.

Where the bodies, organizations or individuals fail to comply and hand over their seals, the body previously issuing the seal sample registration certificate shall issue a decision on cancellation of use value of the seal illegally appropriated and re-register the seal sample for the bodies or organizations using the seal according to regulations of law.

h) For cases specified in Paragraph 8, Article 6 of this Decree, when detecting any act of violation from the bodies, organizations or individuals, the seal sample registration body shall issue a notice of seal handover and recover the seal as stipulated.

Where the bodies, organizations or individuals fail to comply and hand over their seals, the seal sample registration body shall deal with this case according to regulations of law.

3. The handover of seal of the bodies specified in Paragraph 9, Article 7 of this Decree shall be decided by the Ministry of Foreign Affairs with a document sent to the Ministry of Public Security on the time limit for seal handover for recovery and cancellation as stipulated.

Chapter III

RESPONSIBILITY OF BODIES, ORGANIZATIONS AND INDIVIDUALS IN MANAGEMENT AND USE OF SEALS

Article 19. Responsibilities of the Ministry of Public Security

1. Helps the Government to unify the state management of seal on a national scale; submits the normative legal documents guiding the implementation of regulations on management and use of seal to the Government for issue or issue under its authority.
2. Unifies the regulations on seal sample of bodies, organizations or titles of the state; forms used in registration and management of seal; management and instructions on seal production.
3. Guides and propagates the regulations of law on management and use of seal.
4. Guides, inspects and settle complaints, denunciation and violation on management and use of seal.
5. Prevents, detects, stops and struggles with acts of violation on management and use of seal.
6. Coordinates with the Party Central Organization Committee to guide the registration, management and use of seal of the bodies under the organizational system of Communist Party of Vietnam.
7. Coordinates with the Ministry of Information and Communications, Ministry of Finance, Ministry of Planning and Investment to study the application of information technology, development of database of management of seal, allocation of funding for implementing the project of database on management of seal.
8. Summarizes and reports the reality and result of implementation of registration and management of seal.

Article 20. Responsibilities of the seal sample registration body

1. Receives dossier for registration, re-registration of seal sample, registration of additional seal; registration of embossed seal, small-sized seal and wax seal; issues, re-issued and changes the Certificate of seal sample registration under the Form 01 in the Appendix issued with this Decree.
2. Recovers seals and Certificate of seal sample registration, cancels seal and seal use value, issues Certificate of seal recovery under the Form 02 in the Appendix issued with this Decree.
3. Gives a notice of cancellation of seal use value in case of seal loss.
4. Provides the seal sample as required by the judicial expertise organization of criminal techniques of people's police for the prescribed expertise.
5. Guides the prescribed production of seal.
6. Guides, inspects and handles violation of law on management and use of seal.

Article 21. Responsibilities of the relevant ministries

1. The Ministry of Home Affairs shall coordinate with the Ministry of Public Security to request the Prime Minister to consider and decide on permitting the retention of invalid seals of a number of bodies, organizations or titles of the State for archive and historical research.

2. The Ministry of Defense shall coordinate with the Ministry of Public Security to stipulate the seal sample, seal carving organization, registration and management of seal of bodies and units at all levels in the Vietnam People's Army.

3. The Ministry of Foreign Affairs shall receive the notice of seal sample of foreign diplomatic missions as stipulated in Article 9 of this Decree.

4. The Ministry of Finance shall coordinate with the Ministry of Public Security to stipulate the collection, payment, management and use of fees and charges of seal sample registration.

Article 22. Responsibilities of People's Committee at all levels

1. The People's Committees at all levels within their duties, power shall propagate, disseminate and educate the laws on registration and management of seal.

2. Organize the compliance with regulations of law on management and use of seal.

Article 23. Responsibilities of the bodies with authority to decide the establishment or issue of operation registration certificate or operation permit or operation recognition to the bodies, organizations or titles of the State

1. The bodies with authority to decide the establishment or issue of operation registration certificate or operation permit or operation recognition and permit the use of seal of the bodies, organizations or titles of the State must comply with the regulations of law.

2. The bodies with authority to issue a decision on division, separation, merger, consolidation, dissolution, operational termination or duty termination; decision on change of organization or name; decision on recovery of registration certificate or operation permit; decision on temporary suspension or suspension of operation must indicate a time limit in the decision for the bodies, organizations or titles of the State to hand over their seals to the body which has issued the seal sample registration certificate while sending this decision to the body which has issued the seal sample registration certificate to know and recover the seal according to regulations.

3. Coordinate with the seal sample registration body specified in Article 12 of this Decree in inspection and settlement of complaints, denunciation and handling of violation in the management and use of seal.

Article 24. Responsibilities of bodies, organizations and individuals in use of seal

1. The titles of the State and the heads of bodies and organizations specified in Article 7 and 8 of this Decree are responsible for managing and inspecting the management and use of seal and issuing regulations on management and use of seal of their bodies and organizations.

2. Register their seal sample and inform it to the relevant bodies and organizations before use.

3. Comply with the inspection and instructions of the seal sample registration body.

4. Hand over their seals and certificate of seal sample registration subject to the case of recovery according to regulations of law.

5. The seal must be closely managed at the head office of bodies and organizations; only the titles of the state and the heads of bodies and organizations have the right to decide on bringing their seals outside their head office for settlement of work.

6. Comply with the regulations of law when affixing seal in documents and papers;

7. In case of loss of seal, the bodies, organizations or titles of the state shall inform in writing within 02 days after detection of loss to the body which has issued the certificate of seal sample registration and the police body of commune, ward, town of place of seal loss.

8. The bodies and organizations that carry out the division, separation, merger, consolidation, dissolution, operational termination or whose operation registration certificate or operation permit or whose operation is temporarily suspended or suspended must hand over their seals and the certificate of seal sample registration previously issued to the body which has issued it according to regulations.

9. If the seals of the bodies or organizations which are in use are deformed, worn out, damages or there is change of organization or name, they have to re-register the seal sample and hand over the seal and certificate of seal sample registration previously issued to the seal sample registration body.

10. If the certificate of seal sample registration is lost, the bodies or organizations shall have to carry out the procedures for its re-issue of procedures for change of certificate of seal sample registration previously issued to the seal sample registration body in case of damage.

11. When the bodies, organizations or titles of the state wish to retain their invalid seals for archive or historical research, they have to send a written request to the Ministry of Home Affairs for report to the Prime Minister for consideration and decision.

12. The printing of seal sample of the bodies, organizations or titles of the state for the purpose of work must be stipulated in the normative legal documents in that area.

Article 25. Inspection of management and use of seal

1. Form of inspection

a) Periodical inspection

The periodical inspection is carried out no more than 01 time in a year. Before the inspection, the body with authority to inspect must give a notice 03 working days in advance to the bodies, organizations or titles of the state to be inspected of the time, content and composition of inspection team.

b) Irregular inspection

The irregular inspection is carried out when the bodies, organizations or titles of the state using their seals are detected to commit signs of law violation or when there is petition for complaint or denunciation related to the management and use of seal. The body with authority to inspect has to inform the reasons upon inspection of seal. The officer assigned to carry out the inspection must present the letter of introduction of the body with authority to inspect.

2. Inspection authority

a) The Police Department on administrative management of social order has the authority to inspect the management and use of seal of the bodies, organizations or titles of the state under its authority to register seal sample;

b) The Police Division on administrative management of social order of provinces and centrally-run cities has authority to inspect the management and use of seal of the bodies, organizations or titles of the state under its authority to register seal sample;

3. The body with authority to carry out the inspection shall have to make the inspection plan on management and use of seal of the bodies, organizations or titles of the state before inspection.

4. The bodies, organizations or titles of the state to be inspected must prepare all contents of inspection notified and arrange persons with authority and responsibility to work with the person responsible for inspection upon receiving the notice of seal inspection.

5. The periodical or irregular inspection of management and use of seal must be made with record of inspection of management and use of seal.

Chapter IV

IMPLEMENTATION PROVISION

Article 26. Effect

1. This Decree takes effect from 01/07/2016.

2. This Decree shall replace the Decree No. 58/2001/ND-CP dated 24/8/2001 of the Government on management and use of seal and the Decree No. 31/2009/ND-CP dated 01/04/2009 on amendment and addition of some articles of the Decree No. 58/2001/ND-CP.

Article 27. Transitional provisions

1. If the seals of bodies, organizations or titles of the state have been registered with the issued certificate of sample seal registration according to the provisions of Decree No. 58/2001/ND-CP and are still in line with the provisions in this Decree, they shall not have to carry out the procedures for re-registration of seal sample, issue, change or re-issue of certificate of seal sample registration.

2. The bodies, organizations or titles of the state that are carrying out the procedures for registration of seal sample as stipulated in the Decree No. 58/2001/ND-CP. When this Decree takes effect, they shall comply with the provisions in the Decree No. 58/2001/ND-CP.

Article 28. Responsibilities for implementation

The Ministers, heads of ministerial-level bodies, heads of governmental bodies, Chairman of People's Committees of provinces and centrally-run cities and the relevant bodies, organizations and individuals are liable to execute this Decree. /

**FOR THE GOVERNMENT
PRIME MINISTER**

Nguyen Xuan Phuc

APPENDIX

(Issued with Decree No. 99/2016/ND-CP dated 01/07/2016 of the Government)

Order of form	Name of form
Form 01	Certificate of seal sample registration
Form 02	Certificate of seal recovery

**CERTIFICATE OF SEAL SAMPLE
REGISTRATION**

No.:/DKMCD date month
year.....

.....
.....

registered the deposit of seal sample of
.....
.....

.....
.....
.....
.....

in Book No.: Sheet No.:

The seal is valid from date month
year.....

**SEAL SAMPLE REGISTERED FOR
DEPOSIT**

**REGISTRATION
OFFICER**

(Signature, full
name)

.....
.....

(Signature, full name and
seal)

.....¹.....
.....
.....².....
.....
.....

**SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom -
Happiness**

No.:³....., date month
...../DKMCD year.....

CERTIFICATE OF SEAL SAMPLE REGISTRATION

*Pursuant to the Decree No...../...../ND-CP
dated.....of the Government on management
and use of seal.*

.....².....
.....

certifies the seal sample below
of.....⁴.....

.....
.....
.....
.....

Has registered with validity from date month
year.....

Registered the seal sample in Book No... ..Sheet No.

**REGISTERED SEAL
SAMPLE**

.....⁵.....
(Signature, full name and
seal)

Note:

- ¹ Name of direct management body.
- ² Name of seal sample registration body.
- ³ Place of issue of certificate.
- ⁴ Name of body, organization or title of the state using their seals.
- ⁵ Power and position of certificate signer.

.....¹.....
.....².....

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No.:/THCD

.....
...³..., date month year.....

CERTIFICATE OF SEAL RECOVERY

Pursuant to the Decree No...../...../ND-CP dated.....of the Government on management and use of seal.

Pursuant to.....⁴.....

At hour date month year.....

at.....

.....².....

recovers the seal below of.....⁵.....

Reasons for recovery:

Full name of person who hands over the seal.....

Citizen card/ID card/Passport No.:

Date of issue:/...../..... Issued by:

RECOVERED SEAL SAMPLE

SEAL SAMPLE AFTER CANCELLATION

PERSON HANDING OVER THE SEAL
(Signature, full name)

OFFICER RECOVERING THE SEAL
(Signature, full name)

.....⁶.....
(Signature, full name and seal)

Note:

¹ Name of direct management body.

² Name of seal sample registration body.

³ Place of issue of certificate.

⁴ Name of document related to the recovery of seal (if any) .

⁵ Name of body, organization or title of the state whose seals are recovered.

⁶ Power and position of certificate signer.

This certificate is made into 02 copies: 01 copy delivered to the person handing over his seal, 01 copy is filed in dossier.

CERTIFICATE OF SEAL SAMPLE REGISTRATION

(Form 01)

1. Printed on paper of size 210 mm x 297 mm (A4).

2. Printed with light pink color with pattern and police symbol in the center of form.