

**NATIONAL ASSEMBLY**

\*\*\*\*\*

No.28/2001/QH10

**SOCIALIST REPUBLIC OF VIETNAM**

**Independence – Freedom – Happiness**

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*Hanoi, 29 June 20011*

**LAW ON  
Cultural heritages**

*Vietnamese cultural heritage is a valuable asset of the community of ethnic groups in Vietnam and a part of the cultural heritage of humanity, playing a great role in the cause of national construction and defense of our people.*

*To protect and promote cultural heritage values, meeting the increasing cultural demands of the people, contributing to the building and development of an advanced Vietnamese culture deeply imbued with national identity and close contribute to the treasure of world cultural heritages;*

*To enhance the effectiveness of government management and raise the people's responsibility to participate in cultural heritage value protection and promotion;*

*Pursuant to the Constitution of the Socialist Republic of Vietnam in 1992;*

*This law regulates cultural heritage.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1**

Cultural heritages defined in this Law include intangible cultural heritages and tangible cultural heritages which are spiritual and material products of historical, cultural or scientific values, which are handed down from generation after generation in the Socialist Republic of Vietnam.

**Article 2**

This Law prescribes the activities of protecting and promoting the values of cultural heritages; defining the rights and obligations of organizations and individuals for cultural heritages in the Socialist Republic of Vietnam.

**Article 3**

This Law applies to Vietnamese organizations and individuals, foreign organizations and individuals and overseas Vietnamese currently operating in Vietnam; In cases where the international treaties to which the Socialist Republic of

Vietnam has signed or joined in contain different provisions, the provisions of such international treaties shall apply.

#### **Article 4**

In this Law, the terms are construed as follows:

1. An intangible cultural heritage means a spiritual product of historical, cultural or scientific value and is kept by memory or script, handed down orally, hand-outs, performance and other forms of preservation and storage, including voice, writing, literary, art, science works, orally handed down philosophy, folk songs, lifestyle, ways of lifestyle, festivals, know-how traditional handicraft, medicine knowledge, traditional medicine and pharmacy, food culture, traditional costumes and other folk knowledge.

2. Tangible cultural heritage means material products of historical, cultural or scientific values, including historical-cultural artifacts, scenic places, artifacts, antiques and national precious objects .

3. Historical-cultural relics are construction works, places and artifacts, antiques and national precious objects belonging to works, places of historical, cultural or scientific value.

4. Scenic landscapes are natural landscapes or places with a combination of natural landscapes and architectural works of historical, aesthetic or scientific values.

5. Artifacts are objects that are handed down, with historical, cultural or scientific values aging more than one hundred years.

6. Antiques are objects handed down, having historical, cultural or scientific value, aging more than one hundred years.

7. National precious objects are the exhibits which are handed down and preserved, with special rare and precious values, typical of the country in terms of history, culture and science.

8. Copies of artifacts, antiques and national precious objects are products made the same as the original in shape, size, material, color, decoration and other characteristics.

9. Collection is a gathering of artifacts, antiques, national precious objects or intangible cultural heritages, systematically collected, preserved and organized under common signs of appearance, content and material to meet the needs of understanding natural and social history.

10. Archaeological exploration and excavation means scientific activities aims at discovering, collecting and studying artifacts, antiques, national precious objects and archaeological sites.

11. Preservation of historical-cultural artifacts, landscapes, artifacts, antiques and national precious objects is an activity aimed at preventing and restricting the risk of damaging without changing the inherent original aspects of the historical-cultural relics, landscapes, artifacts antiques and national precious objects.

12. Renovation of historical-cultural artifacts and places of scenic beauty means activities aims at repairing, consolidating, embellishing the historical-cultural relics, landscapes.

13. Restoration of historical-cultural relics, landscapes is the activity aims at recovering the historical-cultural relics, landscapes which were damaged basing on the scientific data on historical-cultural relics, landscapes.

### **Article 5**

The Government unifies the management of cultural heritages owned by the whole people; recognizes and protects collective ownership, common ownership of the community, private ownership and other forms of ownership of cultural heritage under the law.

Ownership and copyright over cultural heritages are determined under the provisions of this Law, the Civil Code and other relevant provisions of law.

### **Article 6**

All cultural heritages in the land, islands, inland waters, territorial waters, exclusive economic zones and continental shelf of the Socialist Republic of Vietnam are under the ownership of the whole people.

### **Article 7**

For the found cultural heritages the owners of which can't be identified, found in the process of archaeological exploration, excavations are under the ownership of the whole people.

### **Article 8**

1. All cultural heritages in the Vietnamese territory originating in the country or from abroad, in forms of ownership, shall be protected and promoted in terms of value.

2. Vietnamese cultural heritages overseas shall be protected under international practices and under the provisions of international treaties to which the Socialist Republic of Vietnam has signed or joined in.

### **Article 9**

1. The Government shall adopt policies to protect and promote the values of cultural heritages in order to raise the spiritual life of the people and contribute to the

country's socio-economic development; encourage local and foreign organizations and individuals to contribute and sponsor cultural heritage value protection and promotion.

2. The Government protects the legitimate rights and interests of cultural heritages owners. Cultural heritages owners have the responsibility to protect and promote the cultural heritage values.

3. The Government shall invest in the training and retraining the officials, research, science and technology application in protecting and promoting cultural heritages.

### **Article 10**

Governmental agencies, political organizations, socio-political organizations, social organizations, socio-professional organizations, economic organizations and people's armed forces units (herein are called organizations) have the responsibility to protect and promote cultural heritage values.

### **Article 11**

The cultural and mass media agencies are responsible for disseminating, propagandizing widely in the country and abroad the cultural heritage values of the ethnic groups of Vietnam, contributing to raising the sense of protecting and promoting cultural heritage values among the people.

### **Article 12**

Vietnamese cultural heritages are used for:

1. Promoting cultural heritage values for the benefit of the entire society;
2. Promoting the good traditions of the community of ethnic groups in Vietnam;
3. Contribute to the creation of new cultural values, enriching the treasure of Vietnamese cultural heritage and expanding international cultural exchanges.

### **Article 13**

The following actions are strictly forbidden:

1. Appropriating or distorting cultural heritages;
2. Destroying or threatening to destroy cultural heritages;
3. Illegally digging archaeological sites; illegal construction, land encroachment of historical-cultural relics, landscapes;

4. Illegally trading, exchanging and transporting artifacts, antiques, national precious objects of historical-cultural relics, landscapes; illegally bringing artifacts, antiques, national precious objects abroad;

5. Taking advantage of cultural heritage value protection and promotion to commit acts contrary to law.

## **Chapter II**

### **RIGHTS AND OBLIGATIONS OF ORGANIZATIONS AND INDIVIDUALS TO CULTURAL HERITAGES**

#### **Article 14**

Organizations and individuals shall have the following rights and obligations:

1. To legally own of cultural heritages;
2. To visit, do research on cultural heritage;
3. To respect, protect and promote the value of cultural heritage;
4. To promptly notify locations of found artifacts, antiques, national precious objects, historical-cultural relics, landscapes; hand over the artifacts, antiques, national precious objects found to the nearest government authorities;

To prevent or request competent government agencies to prevent and promptly deal with acts of sabotaging, appropriating or illegally using cultural heritages.

#### **Article 15**

Organizations and individuals who are owners of cultural heritage shall have the following rights and obligations:

1. To comply with the provisions of Article 14 of this Law;
2. To take measures to protect and promote cultural heritage values; To promptly notify the competent Government agencies in cases where cultural heritages are in danger of being devalued, damaged or lost;
3. To send collections of intangible cultural heritage, artifacts, antiques, national precious objects to government museums or competent government agencies in case of ineligibility and incapability to protect and promote the values.
4. To create favorable conditions for organizations and individuals to visit, explore and study cultural heritages;
5. To exercise other rights and obligations as prescribed by law.

#### **Article 16**

Organizations and individuals directly manage cultural heritages shall have the following rights and obligations:

1. To protect and preserve cultural heritages;
2. To take measures to prevent and stop in time acts of infringing upon cultural heritages;
3. To promptly notify the owner or nearest competent government agency when the cultural heritages are lost or in danger of being destroyed;
4. To create favorable conditions for organizations and individuals to visit, explore and study cultural heritages;
5. To exercise other rights and obligations as prescribed by law.

### **Chapter III**

#### **PROTECTION AND DEVELOPMENT OF INTANGIBLE CULTURAL HERITAGE VALUES**

##### **Article 17**

The Government encourages and creates conditions for organizations and individuals to conduct research, collection, preservation, teaching and introduction of intangible cultural heritages in order to preserve and promote cultural identities and enrich the treasures of the cultural heritage of the Vietnamese ethnicities.

##### **Article 18**

The President of the People's Committee of the centrally run province or city directly (hereinafter referred to as the President of the provincial People's Committee) shall direct the organization of compilation of the dossier of local intangible cultural heritages in the locality to protect and promote values

The Minister of Culture and Information shall stipulate procedures for compiling scientific records on intangible cultural heritages.

##### **Article 19**

The Prime Minister shall consider and decide on the proposal of the United Nations Educational, Scientific and Cultural Organization (UNESCO) to recognize the typical intangible cultural heritages of Vietnam as world cultural heritages, at the proposal of the Minister of Culture and Information.

Dossiers submitted to the Prime Minister must be appraised in writing by the National Council for Cultural Heritages.

##### **Article 20**

The competent government authority shall take all necessary measures to protect the intangible cultural heritage, prevent the risk of misrepresentation, degradation or preservation loss.

#### **Article 21**

The Government shall adopt policies and create conditions for the protection and development of the languages and handwriting of ethnic groups in Vietnam. All organizations and individuals have the responsibility to keep the clarity of Vietnamese.

#### **Article 22**

The government and society shall protect and promote customs and habits in the lifestyle and ways of life of the nation; Eradicate bad habits harmful to the cultural life of the people.

#### **Article 23**

The Government adopts policies to encourage the collection, compilation, translation, statistics, classification and preservation of literary, artistic, scientific, oral and folklore works of the community Vietnam ethnic groups to locally pass from generation to generation and for cultural exchange with foreign countries.

#### **Article 24**

The government adopts policies to encourage the maintenance, restoration and development of traditional handicrafts of typical values; the research and application of knowledge on traditional medicine and pharmacy; Maintaining and promoting the values of culinary culture, values of traditional costumes and other folk knowledge.

#### **Article 25**

The government create favorable conditions for maintaining and promoting the cultural values of traditional festivals; eliminating bad habits and counteracting negative phenomena, commercializing in festival organization and activities. The organization of traditional festivals must comply with the provisions of law.

#### **Article 26**

The government honors and adopts preferential treatment policies for artisans and artists who hold and merit the dissemination of traditional arts and professional secrets of special value.

#### **Article 27**

Overseas Vietnamese and foreign organizations and individuals may conduct research and collection of intangible cultural heritages in Vietnam after obtaining written consents of the competent government bodies.

## **Chapter IV**

### **PROTECTING AND PROMOTING THE VALUE OF CULTURAL HERITAGE VALUES**

#### **Item 1**

#### **HISTORICAL-CULTURAL RELICS, LANDSCAPES**

##### **Article 28**

Historical-cultural relics must have one of the following criteria:

- a) Construction works, places associated with typical historical events during the process of national construction and defense;
- b) Construction works, places associated with the personalities and careers of national heroes and nation's well-known man;
- c) Construction works and places associated with typical historical events of the revolutionary and resistance periods;
- d) Places of typically archaeological values;
- đ) A group of architectural works or individual architectural works of typical architectural or artistic values of one or more historical periods.

2. Landscapes must have one of the following criteria:

- a) Natural sceneries or places with a combination of natural sceneries and architectural works of typical aesthetic value;
- b) Natural areas of scientific values of geology, geomorphology, geography, biodiversity, specific ecosystems or natural areas containing material traces of the stages of development of the Earth.

##### **Article 29**

Basing on historical, cultural, scientific values, historical-cultural relics, landscapes (hereinafter referred to as relics) are divided into:

1. Provincial-level relics are the ones of typical values of localities;
2. National relics are the ones of typical values of the nation;
3. Special national relics, especially the ones of nation's typical and special values

##### **Article 30**

1. The authority to decide on relic ranking is stipulated as follows:



a) The provincial-level People's Committee presidents shall decide on the ranking of provincial relics;

b) The Minister of Culture and Information shall decide on the ranking of national-level relics;

c) The Prime Minister shall decide on the ranking of special national relics; decide on proposing the United Nations Educational, Scientific and Cultural Organization to consider the typical relics of Vietnam on the list of world heritages.

2. In cases where a relic has been ranked and after which there are enough grounds to determine that it is not qualified or destroyed, which can not be restored, competent person that makes decision on the relic ranking shall have the right to giving decision on canceling the ranking to such relic

### **Article 31**

The relic ranking procedures are regulated as follows:

1. The Chairperson of the provincial level People's Committee prepare the relic dossier for submission to the Minister of Culture-Information to make decision on national relic ranking;

2. The Minister of Culture-Information prepare the relic dossier for submission the Prime Minister for getting decision on special national relic; prepare Vietnamese typical relic dossier for submission the Prime Minister for decision on proposing United Nations Educational, Scientific and Cultural Organization to consider putting in the list of world heritages.

The dossier submitted to the Prime Minister must be appraised in writing by the National Council for cultural heritages.

### **Article 32**

1. The areas of relic protection consist of:

a) The protection area I consists of the relic and the region determined as the original factors constituting relic, must be maintained status quo;

b) The protection area II is the one around the protection area I of the relic, might construct the works serving the promotion of the relic values but not impact the natural architecture, sceneries and ecological environment of the relic.

In case the protection area II can't be determined, then the determination of the only existence of protection area I for the provincial level relic shall be decided by the President of the provincial level People's Committee, by the Minister of Culture-Information for the national relic, and by the Prime Minister for the special national relic.

2. The construction of the works in protection area II stipulated in point b item 1 of this Article for the national relics and the special national relics must be agreed in writing by the Minister of Culture-Information, and must be agreed in writing by the Chairperson of the provincial level People's Committee for provincial level relics.

3. The protection areas stipulated in item 1 of this Article is determined on the cadastral map, attached with the minutes of enclosing the protection areas and must be confirmed by the competent government authorities in the relics dossier.

### **Article 33**

1. Organizations and individuals who are owners or assigned to manage and use relics shall have to protect such relics; In cases where the relics are found to be encroached upon, destroyed or in danger of being destroyed, they must promptly take preventive measures and notify such to the immediate superior managing agencies, the local People's Committees or the nearest competent government agency for culture and information.

2. The local People's Committee or government competent agency in charge of culture and information shall, upon receiving the notice on the destroyed relics or risk of being destroyed, promptly apply preventive measures to prevent, protect and report immediately to the immediate superior.

3. The Ministry of Culture and Information, when receiving notices on relics which are destroyed or in danger of being destroyed, shall have to promptly direct and guide the competent government bodies and relics owners to immediately apply prevention and protection measures; for special national relics, must be reported to the Prime Minister.

### **Article 34**

The preservation, renovation and restoration of relics must be formulated and submitted to the competent government bodies for approval and must ensure the maximum preservation of the original elements of the relics.

The Minister of Culture and Information shall issue regulations on preservation, restoration and restoration of relics.

### **Article 35**

The authority to approve projects on preservation, embellishment and restoration of relics shall comply with this Law and the provisions of law on construction.

When approving projects on the preservation, restoration and restoration of relics, there must be evaluation opinions in writing by the competent government agencies in charge of culture and information.

## **Article 36**

1. When approving projects on renovation or construction of works outside the relics protection areas defined in Article 32 of this Law and considering them likely to adversely affect the natural landscapes and the ecological environment of the relics, this must be evaluated in writing by the competent government agencies in charge of culture and information.

2. In cases where the investor of a project who carries out renovation or construction of works prescribed in Clause 1 of this Article makes a request, the competent government agency in charge of culture-information is responsible for providing relevant documentation and specific requirements on the relics protection to the investor to select appropriate solutions, ensuring the protection and promotion of the relics values.

## **Article 37**

1. Investors of projects on renovation or work construction in places where they affect relics shall have to coordinate with and create conditions for the competent government agencies in charge of culture and information to supervise such renovation and work construction.

2. In the course of renovation or work construction which are likely to adversely affect relics or artifacts, antiques and national precious objects, the project owners shall have to suspend the construction and promptly notify the competent government bodies in charge culture and information.

Upon receiving the notice, the competent government agency in charge of culture and information must take timely handling measures to ensure the construction schedule. In cases where it is deemed necessary to suspend the work construction at such places for protection of the original government of the relics, the competent government agencies in charge of culture and information shall have to report such to competent higher-level agencies for decision.

3. In cases where it is necessary to organize the archaeological exploration and excavation, the exploration and excavation expenditure shall be prescribed by the Government.

## **Article 38**

The archaeological exploration and excavation shall be conducted only after obtaining permits of the Minister of Culture and Information.

In cases where archaeological sites are being destroyed or threatened with destruction, the Minister of Culture and Information shall grant urgent excavation permits.

## **Article 39**

1. Organizations with archaeological research functions who wish to conduct archaeological exploration and excavation must send application dossiers for archaeological exploration and excavation permits to the Ministry of Culture and Information.

2. The Minister of Culture and Information is responsible for granting archaeological exploration and excavation permits within 30 days after receiving the application dossiers for archaeological exploration and excavation permits; In case of refusal to grant permits, the reasons therefor must be clearly stated in writing.

3. The Minister of Culture and Information shall issue regulations on archeological exploration and excavation.

#### **Article 40**

1. The presiding person of the archaeological exploration and excavation shall have to meet the following conditions

a) To a bachelor degree in archeology or a bachelor degree in other field but relating to the archeology

b) To have worked for at least 5 years in archaeological work;

c) Be recommended in writing by the archaeological exploration and excavation applying entity to the Ministry of Culture and Information.

In cases where it is necessary to change the presiding person, the written consent of the Minister of Culture and Information must be obtained.

2. Organizations with the function of studying archeology of Vietnam may cooperate with foreign organizations and individuals to conduct archaeological exploration and excavation in Vietnam under the provisions of law.

#### **Item 2**

### **ARTIFACTS, ANTIQUES, NATIONAL PRECIOUS OBJECTS**

#### **Article 41**

1. All artifacts, antiques and national precious objects obtained during archaeological exploration handed over by such organizations and individuals must be temporarily put into the preservation storage of the provincial-level museums where they are discovered. The provincial-level museums shall receive, manage and report to the Ministry of Culture and Information.

2. Based on the value and requirements of preserving artifacts, antiques and national precious objects specified in Clause 1 of this Article, the Minister of Culture and Information shall decide to hand over the artifacts, antiques and national precious objects to the governmental museum with proper functions.

3. Organizations and individuals who discover and hand over artifacts, antiques and national precious objects shall be entitled to reimbursement of expenses for discovery and preservation, and shall be entitled to a reward under the provisions of law.

#### **Article 42**

1. National precious objects are protected and preserved by special policy. The government allocates appropriate funds to buy national precious objects.

National precious objects must be registered with the competent government agency in charge of culture and information. The government encourages organizations and individuals to register their artifacts and antiques with the competent government agencies in charge of culture and information. The registered artifacts, antiques, national precious objects shall be appraised free of charge, and the professional guidance for preservation and favorable conditions are given by the Government for promoting the values.

The Minister of Culture and Information shall specify the procedures for registration of artifacts, antiques and national precious objects.

3. When there is a change on local owner of national precious object, within 15 days, the former owner must inform the national competent authority of culture and information where the national precious objects are registered on the name and address of the national precious objects of the new owner of the national precious objects from the change of ownership.

#### **Article 43**

1. Artifacts, antiques, national precious objects owned by the whole people, by political organizations or socio-political organizations must be managed in museums and must not be traded or donated; artifacts, antiques belonging to other forms of ownership can be traded, exchanged, donated and bequeathed in the country and abroad under the law; national precious objects of other forms of ownership can only be traded, exchanged, donated and bequeathed in the country under the provisions of law.

The bringing artifacts and antiques abroad must be licensed by the competent government agency in charge of culture and information.

2. The trading of artifacts, antiques, national precious objects are made at agreed prices or auction holding. The government is given priority to purchase artifacts, antiques, national precious objects.

#### **Article 44**

The bringing of artifacts, antiques and national precious objects abroad for display, exhibition, study or preservation must meet the following conditions:

1. There is insurance the receiver of artifacts, antiques, national precious objects;

2. There is a decision of the Prime Minister to allow national precious objects to be sent abroad; the decision of the Minister of Culture and Information allows the bringing of artifacts and antiques abroad.

#### **Article 45**

The competent government agencies shall have to report to the Ministry of Culture and Information on artifacts, antiques and national precious objects confiscated from illegal search, trading, transport, import or export for the Minister of Culture and Information decides hand-over of artifacts, antiques, national precious objects to appropriate functional agencies.

#### **Article 46**

The making of copies of artifacts, antiques, national precious objects must satisfy the following conditions:

1. Having clear purposes;
2. Having original copies for comparison;
3. Having specific signs to distinguish them from the originals;
4. Having consent of the owner of such artifacts, antiques, national precious objects;
5. Having a permit issued by a competent government agency in charge of culture and information

### **Item**

## **MUSEUM**

#### **Article 47**

The Museum is the place to preserve and display collections of natural and social history (hereinafter is called collection) in order to serve the needs of people's study, education, sightseeing and culture enjoyment.

#### **Vietnamese museums include:**

1. The National Museum is the place for preservation and display of collections of typical values throughout the country;
2. Specialized museums are places for preservation and display of collections of typical value in a specialized field;
3. Provincial-level museums are places for preservation and display of collections of typical value in localities;

4. Private museums are places where preservation and display of collections on one or more topics.

#### **Article 48**

The museum has the following tasks and powers:

1. Collect, inventory, preserve and display collections;
2. Do scientific research on cultural heritage;
3. Organize the promotion of cultural heritage values in service of the interests of the entire society;
4. Build professional and skilful officer teams
5. Manage material facilities and technical equipment;
6. Carry out international cooperation under the provisions of law;
7. To perform other tasks and exercise other powers under the provisions of law.

#### **Article 49**

The conditions for a museum set up include:

1. Collections of one or more themes;
2. Have exhibits, warehouses and means of preservation;
3. Persons with professional knowledge appropriate to museum activities.

#### **Article 50**

1. Authority to decide on a museum set up is prescribed as follows:

- a) The Prime Minister shall make decision for the set up of national museums and specialized museums;
- b) The presidents of the provincial-level People's Committees shall make decision for the set up of provincial-level museums and private museums.

2. The procedures for setting up museums are stipulated as follows:

a) Organizations and individuals wishing to set up museums shall send application dossiers for establishment to the competent persons defined in Clause 1 of this Article. An application dossier for a museum set up comprises a written request for the set up or a written certification by a competent government agency of the conditions specified in Article 49 of this Law;

b) Within 30 days after receiving the dossiers, the competent persons competent for giving decision on the museum set up is responsible for considering,

making decision; In case of refusal, the reasons therefor must be clearly stated in writing.

### **Article 51**

1. The museum ranking shall be based on the following criteria:

- a) The quantity and value of collections;
- b) The quality of preservation and display of collections;
- c) Material facilities and technical equipment;
- d) The level of standardization of professional cadres.

2. Basing on the satisfaction of the criteria prescribed in Clause 1 of this Article, the Government shall specify in details the museum classification.

### **Article 52**

Cultural heritage in the traditional house, the memorial house must be protected and promoted under the provisions of this Law.

### **Article 53**

The government encourages owners to organize and display their collection, artifacts, antiques, national precious objects.

When necessary, the competent government agency in charge of culture and information may agree with the owner on the use of artifacts, antiques and national precious objects for research or display at the government museum.

The use conditions, contents and duration of artifacts, antiques and national precious objects shall be agreed upon by the competent government bodies and the owners in writing.

## **Chapter V**

### **GOVERNMENT MANAGEMENT OF CULTURAL HERITAGES**

#### **Item 1**

### **THE CONTENT OF GOVERNMENT MANAGEMENT AND GOVERNMENT MANAGEMENT AGENCIES ON CULTURAL HERITAGES**

### **Article 54**

The contents of government management over cultural heritages include:

1. Formulating and directing the implementation of strategies, plannings, plans and policies for the development of the cause to cultural heritage values protection;



2. Promulgating and organizing the implementation of legal documents on cultural heritages;
3. Organizing and directing the activities of cultural heritage values protection; Propagating, disseminating and educating the law on cultural heritages;
4. Organizing and managing scientific research activities; training and fostering the cadres specialized in cultural heritages;
5. Mobilizing, managing and using resources to protect and promote the cultural heritage values
6. Organizing and directing the award in the cultural heritage values protection and promotion;
7. Organizing and managing international cooperation on cultural heritage value protection and promotion;
8. Inspecting and examining the observance of law, settle complaints and denunciations and handle violations of the legislation on cultural heritages.

#### **Article 55**

1. The Government shall exercise unified government management over cultural heritages.
2. The Ministry of Culture and Information is responsible before the Government for performing the government management over cultural heritages.
3. The ministries, the ministerial-level agencies and the agencies directly under the Government shall have to perform the government management over cultural heritages as assigned by the Government.

The Government shall specify the responsibilities of the ministries, the ministerial-level agencies and the agencies directly under Government in coordinating with the Ministry of Culture and Information in performing the unified government management of cultural heritages.

4. People's Committees at all levels shall, within the scale of their respective tasks and powers, perform the government management of cultural heritages in their respective localities under the Government's decentralization.

#### **Article 56**

The National Council for Cultural Heritages is the Advisory Council of the Prime Minister on cultural heritage.

The Prime Minister prescribes the organization and operation of the National Council of Cultural Heritages.

### **Item 2**

## **RESOURCES FOR PROTECTING AND PROMOTING CULTURAL HERITAGE VALUE**

### **Article 57**

The government encourages and creates favorable conditions for associations of literature and arts, science and technology to participate in activities of protecting and promoting the values of cultural heritages.

The government encourages the socialization of cultural heritage value protection and promotion.

### **Article 58**

The financial resources to protect and promote cultural heritage values include:

1. Government budget;
2. Revenues from activities of using and promoting cultural heritage values;
3. Donations and contributions from organizations and individuals locally and abroad.

### **Article 59**

The government prioritizes investment in funds for the protection and promotion of special national relics values, national museums, national precious objects, revolutionary relics and intangible cultural heritage of typical values

### **Article 60**

Organizations and individuals who own or are assigned to manage and use relics, collectors and museums are entitled to collect entrance fees and charges for the use of relics, collections and museums under law.

### **Article 61**

1. The government encourages organizations and individuals to contribute and sponsor for the protection and promotion of cultural heritage values.
2. The contribution and funding of protection and promotion activities of cultural heritage values shall be considered and recognized in appropriate forms.

### **Article 62**

The financial resources for cultural heritage value protection and promotion must be managed and used properly and efficiently.

### **Item 3**

## **INTERNATIONAL COOPERATION ON CULTURAL HERITAGES**

### **Article 63**

The government adopt policies and measures to promote cooperative relations with foreign countries, organizations and individuals in the protection and promotion of cultural heritage values on the basis of respect for national independence and sovereignty, equality and mutual benefits, under the provisions of Vietnamese law and international treaties to which the Socialist Republic of Vietnam has signed or joined in; contributing to the promotion of the world cultural heritage values, enhancing the friendship and mutual understanding among the nations.

### **Article 64**

The government encourages overseas Vietnamese and foreign organizations and individuals to participate in activities of protecting and promoting Vietnamese cultural heritage values under the provisions of law.

### **Article 65**

The contents of international cooperation on cultural heritages include:

1. Formulate and implement programs and projects on international cooperation on cultural heritage value protection and promotion;
2. Join in international organizations and treaties on cultural heritage value protection and promotion;
3. Do scientific research, application of science and technology transfer in the field of relics preservation, renovation, museum building, archaeological excavation;
4. To exchange exhibitions on cultural heritage;
5. To cooperation in the protection of Vietnamese cultural heritage in foreign countries;
6. To give training, fostering, exchanging information and experience in cultural heritage value protection and promotion.

### **Item 4**

## **INSPECTION AND SETTLEMENT OF COMPLAINTS AND DENUNCIATIONS ON CULTURAL HERITAGES**

### **Article 66**

The Government Inspectorate for Culture and Information shall perform the function of specialized inspectorate on cultural heritage, having the following tasks:

1. To inspect the observance of the legislation on cultural heritages;
2. To inspect the implementation of plannings and plans on protection and promotion of cultural heritage values;

3. To detect, prevent and handle under its competence acts of violating the legislation on cultural heritages;

4. To receive and propose the settlement of complaints and denunciations on cultural heritages

5. To propose measures to ensure the enforcement of the law on cultural heritage

### **Article 67**

The inspected subjects have the following rights and obligations:

1. To request the inspection teams to show inspection decisions and inspectors to show their inspector cards and strictly observe the inspection law;

2. To lodge complaints or denunciations with, or initiate lawsuits with, competent government agencies regarding inspection decisions or inspectors' acts and inspection conclusions, if there are grounds to believe that they are illegal;

3. To claim for damage caused by unlawful handling measures of the inspection team or inspectors;

4. To meet the requirements of the inspection teams and inspectors, and create favorable conditions for the inspectors to perform their tasks; To abide by the handling decisions of the inspection teams and inspectors under the provisions of law.

### **Article 68**

1. Organizations and individuals may lodge complaints or initiate lawsuits against administrative decisions or administrative acts of competent agencies, organizations or individuals in the observance of the legislation on cultural heritages.

2. Individuals have the right to denounce acts of violating the legislation on cultural heritages with competent agencies, organizations and or individuals.

3. The competence and procedures for settling complaints and denunciations and initiating lawsuits shall comply with the provisions of law.

## **Chapter VI**

### **AWARD AND VIOLATION HANDLING**

#### **Article 69**

Organizations and individuals that have achievements in cultural heritage value protection and promotion shall be commended and rewarded under the provisions of law.

#### **Article 70**

Those who discover cultural heritages but don't voluntarily declare or deliberately appropriate or commit acts of damaging or destroying shall, depending on the nature and seriousness of their violations, be administratively sanctioned or investigated on criminal liability; If causing damage, they must pay compensations under the provisions of law; such cultural heritage shall be revoked by the government.

#### **Article 71**

Those who violate the provisions of law on cultural heritage shall, depending on the nature and seriousness of their violations, be administratively sanctioned or investigated on criminal liability; If causing damage, they must pay compensations under the provisions of law.

#### **Article 72**

Those who abuse their positions and powers to violate the provisions of the legislation on cultural heritages shall, depending on the nature and seriousness of their violations, be disciplined or investigated on criminal liability; If causing damage, they must pay compensations under the provisions of law.

### **Chapter VII**

#### **ENFORCEMENT TERM**

#### **Article 73**

This Law shall take effect as from January 1, 2002.

All previous regulations contrary to this Law are hereby abolished

#### **Article 74**

The Government shall specify in details and guide the implementation of this Law.

This Law was passed on June 29, 2001 by the 10<sup>th</sup> National Assembly of the Socialist Republic of Vietnam at its 9th session.

**NATIONAL ASSEMBLY  
PRESIDENT**

*(signed)*

**Nguyen Van An**

