

THE GOVERNMENT

No. 31/2009/ND-CP

SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom - Happiness

Hanoi, April 1, 2009

DECREE

AMENDING AND SUPPLEMENTING A NUMBER OF ARTICLES OF THE GOVERNMENT'S DECREE No. 58/2001/ND-CP OF AUGUST 24, 2001, ON MANAGEMENT AND USE OF SEALS

THE GOVERNMENT

*Pursuant to the December 25, 2001 Law on Organization of the Government;
Pursuant to the November 29, 2005 Law on People's Police;
At the proposal of the Minister of Public Security,*

DECREES:

Article 1. To amend and supplement a number of articles of the Government's Decree No. 58/2001/ND-CP of August 24, 2001, on management and use of seals, as follows:

1. To amend Article 3 as follows:

To annul Clause 9 of Article 3.

2. To amend Clauses 1 and 2, Article 6 as follows:

"1. Each agency, organization or holder of a state title may use only one seal. When it is necessary to use another seal with the content identical to the first one. the second seal must bear a specific mark to be distinguished from the first one.

Agencies and organizations permitted to grant diplomas, certificates, cards, people's identity cards or visas stuck with photos may additionally have embossed or smaller seals to serve their professional operations, but must be permitted by the authorities which have decided on their establishment. Such seals must have contents identical to the first ones.

2. A new seal must have its specimen registered at a police office and may be used only after obtaining the seal specimen registration certificate. An agency or organization which loses its seal specimen registration certificate shall request the certificate issuer to re-grant it. Seal specimen registration is liable to fee under the Ministry of Finance's regulations. Modification of the content of a registered seal is prohibited. When using a new seal, an agency or organization must publicly introduce the seal specimen."

3. To amend and supplement Article 7 as follows:

"Article 7.

1. An agency or organization will have its seal withdrawn when:

a/ It is split, merged, consolidated or dissolved or it completes its task or its ownership is transformed under a decision;

b/ Its business registration certificate is revoked under the decision of a competent agency or it commits violations under law.

The agency which issues the decision to revoke a business registration certificate shall coordinate with a competent police office in withdrawing the seal and its specimen registration certificate:

c/ It finds the seal after having reported on its loss.

The head of an agency or organization subject to seal withdrawal under this Clause shall recover the seal and its specimen registration certificate and return them to the police office where it has registered the seal specimen.

2. When a seal is suspended from use, the agency or organization competent to establish the seal user and permit the use of such seal shall withdraw the seal and its specimen registration certificate and report such to the police office where the seal specimen is registered and concerned agencies and organizations."

4. *To amend and supplement Article 8 as follows:*

"Article 8. The Ministry of Public Security shall uniformly prescribe seal specimens, the engraving of symbols or foreign-language words on seals and the engraving and use of the second seal; keep deposited seal specimens and grant seal specimen registration certificates; manage seal engraving activities; and examine the management and use of seals under this Decree."

5. *To amend and supplement Article 10 as follows:*

"Article 10. Procedures for and dossiers of application for seal engraving are as follows:

1. Agencies, organizations, holders of state titles and non-business agencies and organizations must have decisions on their establishment and permission for use of seal. When such a decision does not cover the permission for use of seal, a supplementary document on such permission must be issued by a competent agency.

2. Socio-political organizations, religious institutions, non-governmental organizations, mass organizations and professional associations must have decisions on their establishment or recognition, and their organization and operation charters approved by competent agencies.

3. Science and technology institutions must have certificates of scientific and technological activity registration. Organizations operating under the Press Law must have operation permits granted by competent information and communication agencies.

4. Economic organizations established under the Enterprise Law and the Investment Law are not required to obtain a permit for seal engraving, but must register their seal specimens at a police office prior to use.

5. An agency, organization or holder of a state title that wishes to engrave its/his/her seal or obtain the seal specimen registration certificate again because its/his/her seal is lost, worn or damaged or the certificate is lost or torn is only required to send a written request to the competent police office clearly stating the reason.

6. Within 2 working days from the date of receiving a valid dossier of an agency or organization, the police office shall refer such agency or organization to a seal engraver under law. Within 2 working days from the date of receiving a police office's letter of reference or an enterprise's request, the seal engraver shall completely engrave the seal and send it to the police office for examination and registration."

6. To amend and supplement Article 14 as follows:

"Article 14.

1. Pursuant to this Decree, the Minister of Defense and the Minister of Public Security shall specifically prescribe seal specimens and the management and use of seals of all levels, organizations and units of the People's Army and People's Police. The use of seals by economic organizations of the People's Army and People's Police must comply with Article 6 of this Decree.

2. The Ministry of Public Security shall coordinate with the Ministry of Home Affairs, political organizations, socio-political organizations, socio-professional organizations, mass organizations and religious institutions in Vietnam in prescribing uniform seal specimens and the management and use of seals in these organizations.

3. The Ministry of Home Affairs shall coordinate with the Ministry of Public Security in submitting to the Prime Minister for decision cases of using seals bearing the national emblem under Clause 12. Article 3 of this Decree."

7. To amend Clause 1, Article 16 as follows:

"1. The Minister of Public Security shall, within the ambit of his functions, tasks and powers, implement, guide and examine the management and use of seals under this Decree."

Article 2. This Decree takes effect on June 1, 2009.

Ministers, heads of ministerial-level agencies, heads of government-attached agencies, presidents of provincial-level People's Committees and seal users shall implement this Decree.-

**ON BEHALF OF THE GOVERNMENT
PRIME MINISTER**

Nguyen Tan Dung