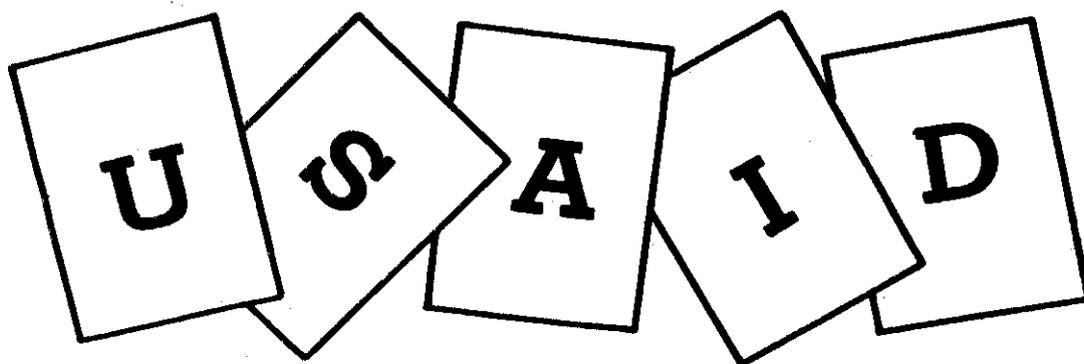


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P R E F A C E

The Public Administration Bulletin for Vietnam is published monthly by the Public Administration Division, Office of the Associate Director for Local Development, Agency for International Development, Saigon, Vietnam. This bulletin attempts to report the latest developments in the legislative, judicial, executive and autonomous branches of the Government of Vietnam. Technical Advisors in the broad field of Public Administration are invited to submit to the Editor of the Bulletin timely material affecting recent evolvments which will contribute to the strengthening of public administration assistance throughout all levels of the local and central government.

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SUPREME COURT LEGISLATION

PART

I

INTRODUCTORY NOTE

The Supreme Court Law was promulgated on September 3, 1968, providing for a court with 15 justices, nine to be elected in 1968 and the balance in 1971. Justices serve a term of 6 years and are eligible for re-election.

Candidates for Justices of the Supreme Court nominate themselves. Candidates must meet the qualifications set in Chapter II, Section I of the Supreme Court Law, which inter alia, require them to have 10 years of professional experience as a judge, lawyer or prosecutor and they must stand for election initially in their related professional association. The election process is accomplished in four steps:

The first step involves the choosing of a 150 man electorate, fifty each, by the Association of Judges, the Association of Lawyers and the Association of Prosecutors. This procedure assures equal voting strength by each of the categories whose membership may be disproportionate.

In the second step, each elector may vote for 30 candidates, not more than 10 in each category. The ten candidates in each association getting the highest number of votes are certified to the National Assembly.

In step three, the National Assembly chooses nine or six candidates, as the case may be, from among the list of 30.

Final appointment by the President completes the process.

The first nine Justices of the Supreme Court were elected by the National Assembly on October 17, 1968. After appointment by the President, they were sworn-in on October 22, 1968.

LAW 007/68 GOVERNING THE ORGANIZATION AND OPERATION
OF THE SUPREME COURT

In accordance with the Constitution of the Republic
of Vietnam promulgated on April 1, 1967:

After debate and decision by the National Assembly:

THE PRESIDENT OF THE REPUBLIC OF VIETNAM promulgates
Law No. 007/68 governing the organization and opera-
tion of the Supreme Court, the text of which follows:

CHAPTER I

JURISDICTION, FUNCTION AND COMPOSITION

Art. 1 - Independent judicial power is vested in the
Supreme Court and exercised by the Justices.

Art. 2 - The Supreme Court is empowered to:

- Interpret the Constitution.
- Decide on the constitutionality or unconstitution-
ality of laws and decree laws and on the constitution-
ality and legality of decree laws, arretes and admin-
istrative decisions.
- Decide on the dissolution of a political party
whose policy and activities oppose the republican
form of government.
- Decide on appeals against definitive judgments
passed by all lower courts.
- Decide on appeals for retrial.
- Determine the jurisdiction among lower courts.

In addition, the Supreme Court has the following
functions:

- Administer the judicial branch.
- Conduct an audit of the personal property of the Chairman of the Inspectorate and the Inspectors.
- Establish the list of Presidential and Vice-Presidential candidates, check the validity of the election and announce the results.
- Witness the swearing-in ceremony of the President.
- Designate one-third of the Inspectorate membership.

Art. 3 - The Supreme Court has an autonomous budget and is empowered to establish regulations governing the judicial branch.

Art. 4 - The Supreme Court consists of fifteen (15) justices chosen by the National Assembly and appointed by the President, based on a list of thirty (30) candidates elected by the Association of Judges (Tham-Phan-Doan), the Association of Prosecutors (Cong-to-Doan) and the Association of Lawyers (I. at-su-doan).

However, during the first phase of its establishment, the Supreme Court will only consist of nine Justices. In order to make up the total number of fifteen (15) Justices, in the middle of the third year of the first term of the Justices of the Supreme Court, an election will be held to select six (6) more Justices.

The term of office of Justices of the Supreme Court is six (6) years. An election will be held every three years to select nine (9) or six (6) Justices, as the case may be, to replace those Justices whose term expires.

CHAPTER II

CANDIDACY, ELECTION AND SELECTION OF SUPREME COURT JUSTICES

Section 1

Conditions for Candidacy

Art. 5 - All judges, prosecutors and lawyers who fulfill the following conditions are eligible to be candidates for Justice of the Supreme Court.

1. Candidates must be Vietnamese citizens by birth or have re-acquired citizenship for at least ten (10) years as of December 31 of the election year.
2. Candidates must have at least ten (10) years of professional experience in the judicial branch.

As far as judges are concerned, the date of appointment will be regarded as the official beginning date of professional practice. The official date of professional practice for a lawyer begins from the day he becomes a regular attorney. Periods of leave without pay, probation, or service in another position cannot be credited as service in the candidate's profession.

3. Candidates cannot have been imprisoned for felonies or misdemeanors, except for those who have been fined or sentenced to imprisonment for three months or less for crimes of carelessness or negligence. However, those guilty of deserting the scene of a traffic accident will lose the right to be a candidate.
4. Candidates cannot have been punished for breach of discipline nor have been demoted or more seriously punished if they are lawyers.

5. Candidates cannot have been involved in activity opposed to the republican form of government, nor pro-communist acts nor pro-communists neutralistic acts.

6. Candidates must have their draft status in order.

Art. 6 - The dossier of the candidates consists of the following documents:

1. An application for candidacy bearing the signature of the candidate, certified by the mayor or province chief, clearly listing date and place of birth, profession, identity card number and date and place of issue, and the (candidate's) selected residence in the capital.

2. A birth certificate or a document replacing it.

3. A bulletin 2 of the record of convictions not older than three months as of the date the application for candidacy is filed.

4. A certificate that the candidate has at least ten years of practice; a certificate that he has not been subject to the punishments set forth in Article 5, paragraph 4. These certificates must be issued by the Chief Justice of the Supreme Court if the candidate is a judge, by the Minister of Justice if he is a prosecutor and by the President (Thu-lanh) of Association of Lawyers if he is a lawyer.

5. A certificate that the candidate has recovered Vietnamese citizenship if it is deemed necessary.

6. A certificate that the candidate has complied with military draft regulations.

7. Two 4x6 photos of the candidate.

Art. 7 - Candidates for Justice of the Supreme Court must file their applications with the Election Council

specified in Article 8 not later than thirty (30) days before election day.

The Secretariat of the Election Council must issue a receipt to the candidate immediately after the application is filed.

A candidate's application must be ranked in accordance with his professional branch and in sequence according to the hour and date of filing.

Section 2

The Election Council

Art. 8 - An Election Council will be established by the Chairman of the Upper House no later than sixty (60) days before the expiration of the term of the Supreme Court Justices to organize the election of the Justices of the Supreme Court and make final decisions on matters pertaining to the election.

The Council will be composed of the following:

- Chairman of the Upper House..... Chairman
- Chairman of the Lower House..... Deputy Chairman
- A Senator..... Member
- A Deputy..... Member
- A Judge who is not a candidate,
designated by the Supreme Court..... Member
- A prosecutor who is not a candidate,
designated by the Ministry of Justice... Member
- A lawyer who is not a candidate
designated by the Association of
Lawyers in the locality where the
Election Council establishes its
headquarters..... Member

The Administrative Office of the Upper House will assume the secretarial work and provide material support necessary for the functioning of the Election Council.

Art. 9 - The candidates will be entered on three separate lists corresponding to the three branches of judges, prosecutors and lawyers.

The above-mentioned lists must be posted for the first time by the Election Council at the Upper House, the Lower House, the Supreme Court, the Ministry of Justice, all courts and at all Lawyers' Associations throughout the country no later than five (5) days after the deadline for filing candidacy.

Art. 10 - Voters in the electorate and candidates may complain to the Election Council regarding the qualification of the candidates within a period of five (5) days counting from the date of the first posting of the list of candidates. Complaints must be filed at the Secretariat of the Election Council.

The Council has the duty to study the candidate's dossiers within a period of six (6) days counting from the deadline for filing complaints. The Council will decide whether to approve or reject a candidate's dossier by an absolute majority of its total membership. In the case of a tie, the opinion of the Chairman prevails.

The decision of the Council is final.

Art. 11 - The Election Council must inform a candidate of complaints against him no later than three (3) days before the meeting is held to study the dossiers of the candidates.

The interested candidate has the right to see his dossier and submit a plea to the Secretariat of the Council.

Art. 12 - The list of candidates approved by the Election Council must be posted for the second time within twenty-four (24) hours after the deadline for consideration of complaints.

Art. 13 - After the second posting of the lists of candidates, the candidates have the right to publicize their biography, background, and research work or writings for the benefit of the electors, using private means.

Section 3

The Electorate

Art. 14 - The electorate for the election of Justices of the Supreme Court will consist of fifty (50) judges, fifty (50) prosecutors and fifty (50) lawyers in the Association of Lawyers.

Art. 15 - Election of each of the elements of the electorate will be by list voting and by plurality. Each list is composed of ten (10) candidates and each voter has the right to choose a maximum of five (5) lists.

The five (5) lists in each group which receive the most votes will be elected.

Art. 16 - All professional judges, regardless of the judicial agencies from which they come (ordinary or special law, civil or military judges in office, on detachment, or on leave without pay, or who are retired or are performing military service), are voters in the Association of Judges.

Art. 17 - All professional judges belonging to the Prosecutor Branch in all judicial agencies (in office or on detachment, retired, on leave without pay, or who are performing military service) are voters in the Association of Prosecutors.

Art. 18 - All lawyers with Vietnamese citizenship who are practicing, on leave or who have had their names omitted (from the list of practicing lawyers) are voters in the Association of Lawyers.

Art. 19 - The Association of Judges, the Association of Prosecutors and the Association of Lawyers must complete the election of fifty (50) electors no later than seventy-five (75) days before the expiration of the term of the Supreme Court.

Art. 20 - Each branch (Judges, Prosecutors and Lawyers) must establish a committee which will be charged with the organization of the election of its own electorate and with resolving all questions pertaining to this election.

Art. 21 - The committees set in Article 20 must submit the names of the electors for the Justices of the Supreme Court to the Election Council no later than twenty (20) days after the returns of the election for the electorate of each branch are announced.

Art. 22 - The Election Council will establish separate lists of electors for the Association of Judges, the Association of Prosecutors and the Association of Lawyers and post them at those places specified in Art. 9 not later than seven (7) days after the deadline for submitting the lists of electors.

Art. 23 - Complaints concerning the omission of names (from the lists of electors) or about other mistakes must be filed with the Election Council within a period of seven (7) days counting from the date the lists of candidates are posted.

The Election Council will study all complaints and, after making a final decision, order the posting of the lists of electors for the second time not later than five (5) days after the deadline for filing complaints.

Art. 24 - Professional identification cards with photos will be used as voter's cards in the election of Supreme Court Justices.

Section 4

The Election

Art. 25 - The Supreme Court is elected by single name, direct and secret ballot.

Each elector has the right to select up to thirty (30) candidates (a maximum of ten (10) candidates for each group). The thirty (30) candidates who receive the most votes (10 candidates from each group) will be considered "elected candidates" (ung-tuyen-vien) for Justice of the Supreme Court.

Candidates who receive the same number of votes in the same group will be ranked according to seniority of practice. In the case that they have an equal length of practice, the candidates will be ranked according to age.

Art. 26 - Ballots and envelopes must be of the same color and size, and bear the stamp of the Election Council.

The professional group of the candidate, his full name and photo must be clearly printed on the ballot.

The Election Council is empowered to determine the size and color of ballots and envelopes and is in charge of the printing of the ballots.

Art. 27 - The location of the polls will be determined by the Election Council.

The voting begins at 0800 and ends at 1400 on the same day.

Art. 28 - A committee in charge of the polling location convened by the Chairman of the Election Council has the duty to supervise the voting and keep order at the polling place. The committee will consist of:

- A Senator or Deputy on the Election Council..... Chairman
- The Secretary-General of the Supreme Court..... Deputy Chairman
- Two representatives of the Ministry of Justice..... Members
- Two representatives of the Association of Lawyers in the locality where the Election Council establishes its headquarters..... Members
- The senior process server in the locality where the Election Council establishes its headquarters..... Member

Art. 29 - The operation of the polls and the control of the ballots must be public. Electors or candidates have the right to inspect these operations and protest against irregularities which may occur during the voting. The committee chairman must immediately report any valid complaints from the electors or any cheating in the voting or the counting of votes.

Art. 30 - Voters must cast their ballots in person at the polling place. When entering the voting booth, the voter must show his professional identification card and sign the voter roll on the line where his name is printed.

The voter receives one envelope and the ballots of all the candidates of a branch (judges, prosecutors or lawyers), enters the voting booth, selects up to ten (10) ballots, puts them in the envelope, leaves the polling booth, holds the envelope high and then drops it into the ballot box reserved for the ballots of candidates of the branch which the voter has just received. The voter will then receive another envelope and the ballots of the candidates belonging to the second branch. After having selected up to ten (10) ballots as described above, the voter puts the envelope in the ballot box for this second branch.

The voter repeats these operations a third time to select up to ten (10) candidates belonging to the third branch.

Art. 31 - Before the voting begins, the committee in charge of the polling place must open the ballot boxes to show that they are empty.

After that, the ballot boxes are locked with two different locks, the keys of which are kept one each by the committee chairman and the oldest member of the committee.

These operations must be recorded in a report signed by the committee chairman, the deputy chairman and by at least two voters present.

Art. 32 - When the voting is over, the ballots will be counted in the following manner:

The Committee chairman in charge of the polling place has the ballot boxes opened, the envelopes counted and the number of persons who have voted checked according to each of the voting rolls. If the number of envelopes exceeds or is less than the number of voters who have voted, this fact must be noted in the report.

The committee chairman has the envelopes opened, and the first counter counts the number of ballots in the envelopes. If the number of votes in each envelope does not exceed ten, the second counter reads aloud the names of the candidates printed on each ballot. The ballot is then handed over to two other vote counters to be checked and noted on the tally sheet and in the report.

The committee in charge of the polling place checks the total number of votes in each ballot box and notes the number on the three (3) separate tally sheets kept for each branch of candidates.

Art. 33 - Ballots will be considered invalid in the

following cases:

- If an envelope contains more than ten (10) ballots bearing more than ten (10) different names. Several ballots bearing the name of one candidate will be counted as one vote.
- If the envelope is different from that distributed to the voters.
- If the envelopes or ballots bear additional words or signs, or if the names of the candidates have been changed.
- If the ballots are not inside the envelope.
- If the ballots have the name of the candidate torn away.

The committee chairman and a member of the committee in charge of the polling place must sign the invalid envelopes or ballots which will then be attached to the committee report citing the cause of the irregularity.

If the invalid envelopes and ballots are not enclosed in the report, the election will be annuled only in the case that the invalid ballots could change the results of the election.

Art. 34 - On election day, after the counting of the ballots is over, the committee in charge of the polling place must post copies of the reports of the ballot distributing committee and the ballot counting committee at the polling place and transmit the originals of those reports and the voting dossiers to the Election Council.

These records include two parts which are sealed separately:

Part A:

- The reports of the committees which distribute the ballots and count the votes.
- The valid envelopes and ballots.
- The invalid envelopes and ballots.
- The envelopes and ballots which have been protested, if any.
- The list of the voters who voted.

Part B:

- The envelopes and ballots not issued to voters.
- The electorate rolls.
- The lists of candidates.

Art. 35 - The Election Council must announce the temporary results based on the reports which have been posted by the committee and transmitted to the Election Council no later than one (1) day following election day.

Art. 36 - Candidates have the right to file complaints about irregular voting within a period of three (3) days after the temporary results have been announced by the Election Council.

Letters of complaint, citing the reasons therefor, must be filed with the Secretariat of the Election Council.

Complaints received after the above-mentioned date will not be examined.

When a complaint is received, the Secretariat of

the Election Council must note the date the complaint is received and issue a receipt to the interested party.

Candidates have the right to see the records of the ballot count.

Art. 37 - The Election Council examines complaints, invites the candidate who makes a complaint or the candidate subject to complaint to speak before the Council, and announces the official results within a maximum period of seven (7) days counting from the date the temporary results are announced.

The Election Council may request the court which handled cases of violation of election laws to inform (the Council) concerning the dossier pertaining to these cases.

Art. 38 - In the case that the Election Council determines that there have been irregularities which affect the honesty and results of the election of the candidate subject to complaint, the candidate will be eliminated.

In this case, the eliminated candidate will be replaced by the candidate of the same professional branch, not on the list, who received the highest number of votes.

The Election Council can decide with the approval of five-sevenths (5/7) of the total number of members to annul the entire election if the council finds that the irregularities have been serious enough to affect the honesty and results of the election. In this case, another election will be held no later than one (1) month after the election is declared void.

Section 5

Offenses, Penalties and Legal Procedures

Art. 39 - Articles 37, 39, 40, 41, 42, 43, 44, 45, 46 and 47 of the Chapter regarding violations and lawsuits related to the election law of June 15, 1967 governing the Presidential and Vice-Presidential election (number 001/67) will be applicable to the election of the Supreme Court justices.

Art. 40 - Complaints about violations of this election law must be filed with the Court of Appeal in the place where the election is held within a period of three (3) full days after election day. The Court of Appeals reviews the case and reaches a verdict within three (3) days counting from the day it receives the complaint.

Appeals can be made during a period of two (2) full days counting from the day the verdict is issued. The Court of Appeals must transmit the file to the Supreme Court no later than the day after an appeal is submitted.

The Supreme Court will make a judgment within three (3) days after it receives the file.

Supreme Court Justices who run for re-election but who are subject to a complaint are not permitted to directly or indirectly participate in the judgment of their own cases.

All court records and records of sentences related to violations of this election law are exempted from stamp and registration fees.

Art. 41 - A court ruling confirming violations in the election must be transmitted to the Election Council within a period of no later than two (2) days following the day the court's ruling is determined.

This ruling is binding on the Election Council.

Section 6.

Selection and Appointment

Art. 42 - The Election Council must transmit the list and the dossiers of the thirty (30) successful candidates to the Secretariat of the Upper House within twenty-four (24) hours following the official announcement of the results of the election.

Art. 43 - After receiving the above-mentioned list, the National Assembly will notify the Senators and Deputies and post copies of the list at the seats of the two Houses three (3) days before the opening of the joint plenary session of the two Houses.

The National Assembly will meet in a closed session to choose (tuyen chon) the Justices of the Supreme Court. The nine (9) or six (6) candidates, depending on the circumstances, who in a secret ballot receive the highest number of votes will be elected Justices of the Supreme Court. If several candidates receive the same number of votes, the one who has the greatest length of professional practice will rank ahead of the others on the list.

Art. 44 - The Chairman of the Upper House announces the results within a period of no later than fifteen (15) days following receipt of the dossiers transmitted by the Election Council. The Chairman of the Upper House will submit the list of Supreme Court justices-elect to the President for appointment.

CHAPTER III

ORGANIZATION AND OPERATION OF THE SUPREME COURT

Art. 45 - The Supreme Court is composed of:

- A General Assembly (Dai Hoi Dong)
- A Secretariat (Van Phong)
- A Constitutional Committee (Ban Bao Hien)
- An Appeals Committee (Ban Pha An)

In addition, a Bloc of Experts (Khoi Chuyen Vien) and a Secretariat General (Nha Tong Thu Ky) with its subordinated agencies will be attached to the Supreme Court.

Art. 46 - The General Assembly of the Supreme Court, consisting of all the Justices of the Supreme Court, has the following functions:

- Administer the corps of judges, the courts and subordinate personnel.
- Interpret the Constitution; decide on the constitutionality or unconstitutionality of laws and decrees laws, and on the constitutionality and legality of decree laws, arretes and administrative decisions.
- Decide on the dissolution of a political party whose policy and activities oppose the republican form of government.
- Draft the internal rules of the Supreme Court.
- Administer the Supreme Court.
- Elect the Secretariat and determine the duties of the Justices of the Supreme Court.
- Decide whether or not to prosecute or arrest a Supreme Court Justice in cases of flagrant delicto.
- Decide whether or not to remove a justice of the Supreme Court for incompetence.
- Designate one-third (1/3) of the total number of Inspectors.

- Conduct an audit of the personal property of the Chairman of the Inspectorate and the Inspectors.

- Establish the list of Presidential and Vice-Presidential candidates, check the validity of the election and announce the results.

Art. 47 - Except for the cases stipulated in Article 75 of this law, the General Assembly of the Supreme Court has a quorum when an absolute majority of the total number of the Justices in office is present. The General Assembly takes decisions by a relative majority of the Justices present, except for those special cases stipulated in this law.

Art. 48 - The organization and operation of the Supreme Court, aside from the provisions stipulated in this law, will be set forth in the internal rules of the Supreme Court.

Art. 49 - The Constitutional Committee has the duty to report before the General Assembly on matters concerning:

- Interpretation of the Constitution.

- The constitutionality or unconstitutionality of laws and decree laws, and on the constitutionality and legality of decree laws, arretes and administrative decisions.

- The dissolution of a political party whose activities oppose the republican form of government.

Art. 50 - The Appeals Committee consists of at least three sections: The Civil Section (Phong Ho Vu), the Criminal Section (Phong Hinh Vu), and the Administrative Section (Phong Hanh Chanh).

The Civil Section hears appeals in civil areas and decides the jurisdiction in active or passive jurisdictional controversies between civil courts.

The Criminal Section hears appeals in criminal areas, rules on requests for re-examination of a case and decides the jurisdiction in active or passive jurisdictional controversies between criminal courts.

The Administrative Section hears appeals on administrative cases and decides the jurisdiction in active or passive jurisdictional controversies between civil and administrative courts.

Art. 51 - An Office of the Prosecutor General (Vien Chuong Ly) subordinate to the Ministry of Justice, including many prosecutors with the ranks of Prosecutor at the Court of Appeals or above and placed under the guidance of a Prosecutor General (Chuong Ly) will exercise prosecuting authority at the Supreme Court.

Art. 52 - During sessions of the Supreme Court, the Prosecutor and the Lawyer (for the defendant) are placed on the same level.

CHAPTER IV

STATUTE FOR SUPREME COURT JUSTICES

Art. 53 - Before taking office, Supreme Court Justices take the following oath in the presence of the Executive and the Legislature:

"I swear with all my heart to defend the Constitution, to respect the law, to loyally and impartially fulfill my duty and to maintain complete secrecy concerning all private discussions, considerations and decisions on a case."

"In every case, I swear I will behave in a manner befitting a Justice and will always maintain a spirit of independence."

Art. 54 - New Supreme Court Justices take office one (1) day before the expiration of the term of Justices in office.

Art. 55 - Supreme Court Justices cannot cumulate or be delegated any public or elected function except that of Instructors at universities and those functions authorized by the Constitution.

Lawyers, who are chosen Justices of the Supreme Court, must immediately cease to practice and have their names omitted from the Lawyers List kept by the Association of Lawyers. They have three (3) months to close their private offices (and must cease to practice) for their entire term in the Supreme Court.

All judges who are elected to the Supreme Court will be taken from the roll of judges.

Military personnel who are elected to the Supreme Court are considered as if they were discharged.

Service performed by Justices in the Supreme Court is credited as service performed in the interested party's branch.

Art. 56 - Supreme Court Justices may stand for re-election at the expiration of their term of office.

Justices will be automatically restored to the polls of their original organization at the expiration of their term in the Supreme Court.

If (elected to the Supreme Court) from the Prosecutor branch, the interested party has the right to apply for transfer to the Judges Corps (at the end of his term.

Art. 57 - The duties of a Supreme Court Justice may be terminated in the following circumstances:

1. End of term of office.
2. Death.
3. Resignation.
4. Moral or physical incompetence determined by two-thirds (2/3) of the total number of Supreme Court Justices in office based on the report of a Medical Survey Council composed of five (5) medical specialists appointed by the Association of Physicians.
5. Removal from office for treason or other high crimes as stipulated in Article 60 of this law.

Art. 58 - In the case of a vacancy of one or more Supreme Court Justices, the Chief Justice of the Supreme Court will notify the President, the Chairman of the Upper House and the Chairman of the Lower House. The National Assembly has thirty (30) days to choose a replacement in accordance with the procedures stipulated in Section 6, Chapter II of this law.

The Justice chosen to fill a vacancy in the above mentioned case only remains in office until the expiration of the term of the Justice he replaces.

Art. 59 - During their entire term of office, Supreme Court Justices cannot be prosecuted, pursued, arrested or tried for any ideas or decisions, except in the case of flagrant delicto. A Justice of the Supreme Court cannot be prosecuted, pursued, arrested or tried without the approval of two-thirds (2/3) of the total membership of the Supreme Court.

In the case of flagrant delicto, prosecution or detention of a Supreme Court Justice must cease upon the request of two-thirds (2/3) of the Supreme Court membership.

Art. 60 - In case of treason or other high crimes, Supreme Court Justices may be removed from office by the Special Court in accordance with procedures stipulated in Article 87 of the Constitution.

Art. 61 - Supreme Court Justices and their spouses cannot participate in bids or sign contracts with government agencies.

If the spouse of a Supreme Court Justice is a practicing lawyer, the spouse is not allowed to plead before the Supreme Court.

Art. 62 - No Supreme Court Justice is allowed to judge a case in which the defendant, the Prosecutor General, the counsel, assistant counsel or the lawyer of either the defendant or plaintiff are immediately related to the Justice or his spouse or are related to either the Justice or his spouse up to the third degree. In such a case, the Supreme Court Justice will have to disqualify himself from hearing the case; otherwise, the judicial proceedings become invalid.

CHAPTER V

LEGAL PROCEDURES

Section I

Procedures for Constitutional Review and Dissolution of Political Parties

Art. 63 - Every natural person, corporate entity governed by common law or corporate entity governed by public law has the right to initiate a request that the Supreme Court decide on the constitutionality or unconstitutionality of laws and decrees, or the constitutionality and legality of decrees, arretes and administrative decisions, if the implementation of such may be harmful to his interests.

Corporate entities governed by public law can be exempted from justifying personal interest in initiating such a legal action.

The petition for such a legal action must cite the reasons therefor and be filed with the Secretariat General of the Supreme Court.

Art. 64 - At any stage of a lawsuit, including the period in which an appeal is being made, the plaintiff can, by means of an exceptional plea, request that the Supreme Court decide on the constitutionality or unconstitutionality of laws and decree-laws, or the constitutionality and legality of decrees, arretes and administrative decisions.

The interested party or his lawyer must personally submit a petition for an exceptional plea citing clearly the reasons therefor, during an ordinary session of the court which is handling the case.

To be considered, the petition for an exceptional plea must enclose a receipt issued by the Office of the Court Clerk (phong Luc Su) of the Court which is handling the case acknowledging that a deposit for five thousand (5,000) piasters has been made.

After the conclusion by the prosecution is heard, the court must immediately decide during that session whether or not to submit the exceptional plea to the Supreme Court. This decision is an ordinary decision and is recorded in the court record.

Art. 65 - If the petition for an exceptional plea is accepted, the court which is handling the case must transmit the file of the case together with a receipt for the deposit to the Secretariat General of the Supreme Court within seven (7) days after the decision is reached and suspend further hearings on the case until the Supreme Court issues its ruling.

Art. 66 - The Court which is handling the case may decide not to submit the petition for an exceptional plea to the Supreme Court if it finds that the reasons cited are obviously unfounded.

The interested party or his lawyer must be immediately informed of a negative decision during that court session; notification to the latter has the effect of notification to the interested party himself.

The interested party has the right to protest that negative decision within a period of seven (7) days counting from the date the decision is reached.

The protest, citing the reasons therefor, must be registered at the Office of the Court Clerk of the Court is handling the case. The Chief Clerk of this court must stamp the date and sign the protest and at the same time acknowledge receipt of the protest in a report.

The Court which is handling the case must transmit the file of the case together with a receipt for the deposit to the Supreme Court within a period of seven (7) days counting from the date of receipt of the protest and suspend further hearings on the case until the Supreme Court issues its ruling.

Art. 67 - Together with the petition noted in Article 63, the plaintiff must file the receipt for the five thousand (5,000) piasters deposit at the Secretariat General of the Supreme Court.

The deposit will be confiscated if the petition for legal action or for an exceptional plea is rejected by the Supreme Court.

If the Supreme Court agrees with part or all of the petition for legal action or for an exceptional

plea, the deposit will be refunded to the interested party.

In every case, a corporate entity governed by public law, a natural person or a corporate entity governed by common law to which legal assistance is provided can be exempted from making the deposit.

Art. 68 - The files of petitions for court rulings and substantiating documents must be submitted to the Chief Justice of the Supreme Court.

The Chief Justice will give the files to the Constitutional Committee to prepare its reports and at the same time order notification of the petition or exceptional plea to the Office of the Prosecutor General and to the defendant.

Depending on each case, the Chief Justice will determine the deadline for submission of plea and counterpleas by the plaintiff and the defendant.

If the interested parties fail to submit plea or counterpleas by the deadline, they lose the right to plead their case.

Art. 69 - The Office of the Prosecutor General has a maximum of two (2) months to submit its findings.

Both the plaintiff and defendant must be notified of all findings, pleas and counterpleas.

Art. 70 - When the above-mentioned legal procedures have been implemented correctly, the Chief Justice of the Supreme Court sets the date for a public trial, convenes the General Assembly and notifies the Office of the Prosecutor General, the plaintiff and defendant of the date of the trial.

Art. 71 - Sessions of the General Assembly are

public and presided by the Chief Justice of the Supreme Court.

The Chief Justice, after checking the legality of the composition of the Court, calls upon the Rapporteur to open the judicial inquiry, and successively calls upon the plaintiff, the Prosecutor General, and the defendant to testify.

When the discussion is over, the General Assembly retires to consider its verdict.

The verdict of the Supreme Court, citing the reasons therefor, will be proclaimed in a public session of the Court.

It is not required to give the reasons for decisions pertaining to the confiscation or refund of the deposit.

Art. 72 - Verdicts of the Supreme Court have the effect of final court rulings.

Art. 73 - The President, the Chairman of the Upper House, the Chairman of the Lower House, one-third (1/3) of the total number of senators or one-third (1/3) of the total number of deputies have the right to request that the Supreme Court interpret the Constitution or rule on the dissolution of a political party whose policy and activities oppose the republican form of government.

The official letter requesting interpretation of the Constitution or the dissolution of a political party must be submitted to the Office of the Secretariat General of the Supreme Court and is exempt from deposit requirements.

In these cases, the General Assembly of the Supreme Court must rule within a maximum period of two (2) months counting from the day it receives the official request.

Art. 74 - After receiving the official letter requesting the dissolution of a political party, the Chief Justice of the Supreme Court must order notification to the accused political party to permit the latter to ask to consult the dossier, to submit a plea and to designate a representative to present its case at a public session of the General Assembly of the Supreme Court.

Representatives of the Legislative and Executive branches have the right to attend the trial and present their opinions on the case.

Art. 75 - A Supreme Court decision declaring the unconstitutionality of a law or decree law or calling for the dissolution of a political party requires agreement by three-fourths (3/4) of the total number of Justices of the Supreme Court in office.

In every case, those Justices in the minority may request that their positions be noted in the verdict.

Art. 76 - Rulings of the Supreme Court on the interpretation of the Constitution, the unconstitutionality of laws and decree laws, the unconstitutionality or illegality of decrees, arretes or administrative decisions and the dissolution of a political party are binding and must be published in the Journal of the Republic of Viet Nam within a period of fifteen (15) days counting from the date the verdict is announced.

Decisions which reject petitions for legal action or exceptional pleas requesting court rulings on the constitutionality or legality of legislative enactments, administrative regulations or administrative decisions only have a relative effect.

Art. 77 - A Supreme Court ruling has the effect of stopping implementation of unconstitutional or

illegal legislative enactments, administrative regulations or administrative decisions from the date of its publication in the Journal of the Republic of Viet Nam.

Art. 78 - The decision to dissolve a political party has the effect of dissolving that political party from the date the verdict is announced.

Art. 79 - The Supreme Court records -- records of legal procedures and sentences -- are exempted from stamp and registration fees.

Section 2

Procedures for Appeals

Art. 80 - The Appeals Committee of the Supreme Court has jurisdiction:

1. To rule on all appeals for reversal of final rulings by lower courts.
2. To rule on all appeals for re-examination of cases settled by lower courts.
3. To determine the jurisdiction among courts.

Art. 81 - Procedures for appeals presently in force in the Court of Cassation and in the State Council and which are not contrary to the provisions of this law can temporarily be applied before the Civil Section, the Criminal Section or the Administrative Section in accordance with the nature of the litigation.

Regarding appeals on civil or criminal affairs, if the appeal is accepted, the Supreme Court will order that the case be re-examined and tried again if another court which is classified in the same category and which ranks equal to the latter and

has the same jurisdiction. The Supreme Court may also order that the case be tried again by the court which first handled the case but (with the court) composed of different members. If the court which has been ordered to conduct the second trial maintains the legal viewpoints of the court which first handled the case and if a new appeal is made, the Appeals Committee of the Supreme Court will, together with all the elements (of the Supreme Court) make another ruling. The second court to which the case is transferred must comply with the final view of the Supreme Court.

CHAPTER VI

TRANSITIONAL AND GENERAL PROVISIONS

Art. 82 - Until the Justices of the Supreme Court assume their positions for the first time, the First President of the Court of Cassation will assume the executive function of Chief Justice of the Supreme Court provided for in this law.

Art. 83 - No later than five (5) days after this law is promulgated, the Chairman of the Upper House will convoke the Council to organize the election for the Supreme Court.

The election of the first candidates-elect to the Supreme Court must be completed not later than forty-five (45) days after the promulgation of this law.

The position held by the Secretary General of the Supreme Court on the committee responsible for the polling place will be assumed by the Chief Clerk of the Court of Cassation.

During the transitional period, the Election Council has the power to set an election schedule shorter than that provided for in this law.

Art. 84 - Regarding the lists of electors, during the period in which there is not yet a distinction between judges and prosecutors, all regular judges in office or on special detail belonging to ordinary courts, administrative courts, and military courts will be considered as either judges or prosecutors according to the function they are currently performing.

The method of selection of the electors for each group will be determined by the group itself.

Art. 85 - Immediately after the first Justices of the Supreme Court assume their positions, all courts belonging to the Judicial Branch as well as their budgets, personnel and materials, except for the Prosecutor Branch, will be put under the management and at the disposal of the Supreme Court.

Judicial personnel on special detail or on leave without pay will be placed under the administration of the Supreme Court or the Ministry of Justice according to the position they held prior to being placed on special detail or on leave without pay.

Art. 86 - During the period before the internal rules of the Supreme Court determine the garb to be worn during public sessions, Justices of the Supreme Court will wear the same garb as that worn by the First President of the Court of Cassation.

Art. 87 - After the Justices of the Supreme Court are sworn in for their first term, not later than October 31, 1968, the Court of Cassation will cease all operations. Cases pending appeal by this court will be transferred to the Supreme Court to be handled in accordance with the procedures specified in this law.

Headquarters, expenditures, personnel, files, archives, materials and equipment belonging to this court will be put at the disposal of the Supreme Court.

Judges attached to the above-mentioned court will be transferred to their original branches. Judges assigned to and currently serving on the Court of Cassation can be transferred to the Office of the Prosecutor General of the Supreme Court.

Art. 88 - Expenses for the organization of the election of the first Justices to the Supreme Court, including the transportation expenses for the electors, will be provided by the National Budget.

Art. 89 - All provisions contrary to this law are rescinded. This law will be promulgated in accordance with emergency procedures.

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PART

II

Excise Taxes in Vietnam

by

Pham Xuan Dung
Directorate of Excise Tax
Ministry for Finance

In general, excise taxes in Vietnam are imposed on certain locally-manufactured goods.

Beer, soft drinks, cigarettes, alcohol, liquor, perfume, refined sugar, matches, flints, lighters, and firecrackers which are produced in factories or workshops are subject to excise tax. Licensed merchants of raw tobacco, and producers and licensed dealers of brown sugar are also subject to excise tax. Licensed merchants, instead of producers, are liable for the excise tax on cut tobacco and brown sugar because these items are produced on small farms throughout the country and collection would otherwise be very difficult.

Most excise tax rates are specific (fixed rate per unit) except matches, and lighters, which are subject to an ad valorem tax rate (based on the price of the unit). Cigarettes are subject to both a specific and ad valorem tax.

All finished products which leave the factory for ultimate consumption are taxable, except those products for export.

Collection is based on a three-stage method of control: (1) production, (2) transportation or circulation, and (3) the selling stage.

In the production stage, manufacturers are required to:

- (1) register a declaration of business,
- (2) keep books and records relating to the use of raw material, production, and storage of finished products,
- (3) buy and attach excise tax stamps to finished products (only on certain items).

Some of the larger factories in Vietnam have excise tax inspectors permanently assigned to them. These employees ensure that all excise taxes are accurately accounted for. This is usually achieved by the use of gauges, counting, and weighing. Smaller producers are subject to periodic inspection.

Stamps are used to verify the payment of excise tax on some items (wine, cigarettes, and cigars.) Where stamps are not used, businessmen are required to have permits and invoices to certify that the tax has been paid (bulk alcohol, cut tobacco, brown sugar). In the countryside, these permits are issued by the nearest tax office or an authorized village official.

Some items, such as beer, soft drinks, refined sugar, and matches, do not require stamps, permits or invoices. All tax verification is accomplished before the products leave the factory.

An annual production permit or license is required before certain taxable goods may be produced (alcohol, cut tobacco, brown sugar).

The most important stage of control or verification is at the production level. Verification at other commercial stages is only to guarantee tax compliance.

Excise taxes are a substantial source of revenue in Vietnam, as disclosed by the following statistics:

1965	2,700,000 \$VN
1966	4,400,000 \$VN
1967	6,000,000 \$VN

Excise tax rates are as follows:

EXCISE TAX RATES

	\$VN	Tax Rate	Unit	Surtax	Tax rate, including other additions
<u>TOBACCO</u>					
Raw tobacco	\$VN	8.5	kg.		\$10.2
Tobacco (pipe)		50%	w.s.p.*		60%
Cigarettes		50%	"	\$2 ea pack	60% (\$2.4 ea pack)
Cigars		170	kg.		\$204
Special Tax Rate :					
Cigarettes made in workshops		25%	w.s.p.*	\$1 ea pack	30% (\$1.2 ea pack)
*wholesale price					
<u>ALCOHOL</u>					
Methylated spirit		3	liter of pure alcohol		\$3.6
Distilled spirit of					
not more than 50c		\$15	"		\$18
Distilled spirit & rectified distilled spiritis of more than 80c		\$40	"		\$48
2nd class liquor		\$50	"		\$60
1st class liquor		\$80	"		\$96
Perfumes		\$120	"		\$144
<u>BEER</u>					
2nd quality		\$900	100 lt.		\$1,080
1st quality		\$1,350	"		\$1,620
<u>SOFT DRINKS</u>		450	"		540

Item	Tax Rate	Unit	Surtax	Tax rate, including other additions
<u>SUGAR</u>				
Brown sugar	\$ 50	100 kg		\$ 60
Refined sugar	85	"		102
MATCHES	35%	Retail price		41%
LIGHTERS	35%	"		41%
<u>FIRECRACKERS</u>	\$100	kg		\$ 120

Law No. 004/68 of July 4, 1968, added to all tax rates a surtax of 20% for reconstruction and Welfare.

PART

The Prime Minister's

III

In-Service Training Policy

By decree No. 161-TT/Th. T/CV addressed to The Ministers of State; The Ministers; The Vice Ministers; The Mayors; The Province Chiefs; and The Directors General directly related to the Prime Ministry, Prime Minister Tran van Huong announced his In-Service Training Policy for the Government of Vietnam. The Prime Minister's remarks to his key ministries are as follows:

"The Administrative Reform Program, the importance of which I have stressed repeatedly, aims at improving the effectiveness of Government Agencies and reducing costs. Equally important is the re-evaluation of organizational structure and manpower for public administration. To have fully qualified personnel and devoted civil servants, the government must put particular emphasis on in-service training.

"In-Service Training actually is not something completely new, but so far, there has been no clear-cut policy governing it. As a result, it has been either casual, unwilling or completely neglected within government agencies. To reestablish a solid basis for in-service training involves such considerations as strong support for it, close coordination and review, and follow-up on the proper assignment and use of trained personnel. Therefore, I have decided to announce the following government policy concerning in-service training.

"1. Given current needs for revitalization of administration, in-service training must be considered as one of the most important functions of all government agencies from central down to localities.

- "2. All Ministries, Departments, the Prefecture, Municipalities and Province must designate full-time training directors to be in charge of in-service training cooperation with the Directorate General of Civil Service. Estimates of costs and expenditures for the organization and conduct of training courses will be planned and budgeted by each government agency or organization.
- "3. Training designed to increase the effectiveness of government operations must be a permanent and continuous policy and duty to be included among the missions and responsibilities of all Ministries, Departments, the Prefecture, Municipalities and Provinces.
- "4. Training programs must relate closely to realistic needs in each agency, striving to help government employees accomplish their entrusted missions effectively, with courteous and dedicated attitudes for service to the people (i.e. good human relations). These programs also can prepare the trainees to assume more important jobs.
- "5. It is the supervisor's responsibility to improve the effectiveness of his employees. He must take upon himself the task of training and guiding his own personnel. He might do this with the help of training specialists assigned to his agency or organization. If necessary, the latter will conduct the training by organizing formal training for different groups of employees in the agency. Each agency's top manager will have the responsibility to support, control and evaluate the training programs. He also will try to provide training materials, funds, facilities and equipment as needed.
- "6. Beside administrative management training, all agencies will have also to organize technical training courses for their specialized personnel.

- "7. In-service training must be implemented during working hours, when it is designed to improve the efficiency of personnel in their daily assignments. However, personnel should be encouraged to take initiative in furthering their own education during off duty hours. Any training designed to improve personal qualifications for a change of status or position should be taken during off duty hours. However, when it is necessary to train specialists for the benefit of the country, authorization can be granted for this kind of training which would result in promotion or change of position or service branch for the trainees.
- "8. Training must be coordinated, controlled, followed up. And it can obtain good results only if personnel after their training are given the right jobs in accordance with their capabilities and the specialties for which they have been trained.

"As above mentioned, the question of improving manpower must be considered an important task for implementing current national policy on administrative reform and revitalization.

"I would like you to value highly and support all training activities in your own agencies and associated organizations in complete compliance with this Government Training Policy I have just brought to your attention."

PART

IV

GVN Tax Collections - October 1968

Directorate General of Taxation, Ministry of Finance, reports an increase of 34.20% tax collections for October 1968 over the corresponding period in 1967. A comparison for the two periods is furnished below:

October 1968 tax collections were VN\$ 1,926,167,000 or VN\$ 490,904,000 (34.20%) greater than those of October, 1967. These collections were second only to May 1968's record total of VN\$ 1,984,012,000. The comparative statistics for the two periods are:

<u>Directorate</u>	<u>October 1967</u>	<u>October 1968</u>	<u>Difference</u>	<u>% Change</u>
Excise	VN\$ 485,629,000	528,034,000 *(97,070,000)	+ 96,405,000	+19.85%
Indirect	404,706,000	467,136,000 *(46,255,000)	+ 62,430,000	+15.43
Registration	231,136,000	302,344,000 *(17,092,000)	+ 71,208,000	+30.81
Direct	313,792,000	574,653,000 *(123,337,000)	+260,861,000	+83.13
Totals	<u>VN\$1,435,263,000</u>	<u>1,926,167,000</u> *(283,754,000)	<u>+490,904,000</u>	<u>+34.20%</u>

* Without the surtax, October 1968's total is VN\$207,150,000 or 14.43% greater than the normal tax collections for October 1967.

The statistics for the first ten months (January-October) inclusive are:

<u>Directorate</u>	<u>1967</u>	<u>1968</u>	<u>Difference</u>	<u>% Change</u>
Excise	VN\$ 5,146,898,000	5,216,103,000 *(328,742,000)	+ 69,205,000	+ 1.34%
Indirect	4,158,370,000	4,349,858,000 *(140,122,000)	+ 191,488,000	+ 4.60
Registration	2,555,307,000	2,480,479,000 *(62,114,000)	- 74,828,000	- 2.93
Direct	2,416,907,000	3,635,903,000 *(362,213,000)	+1,218,996,000	+50.43
Totals	<u>VN\$14,277,482,000</u>	<u>15,682,343,000</u> <u>*(893,191,000)</u>	<u>+1,404,861,000</u>	<u>+ 9.84%</u>

* Without the surtax, 1968's total is VN\$ 511,670,000 or 3.58% greater than the total for the first ten months of 1967.

PART

V

Directory of Key Personnel by Provinces,
Districts and Cities - As of Nov. 28, 1968

PROVINCES AND DISTRICTSNAMETITLE

AN GIANG

Lt.Col. Pham Van Man Prov. Chief
Mr. Tran Duc Thanh Dep. Prov. Chief (Admin)

Chau Thanh

Capt. Truong Thuan Hieu District Chief

Cho Moi

Maj. Nguyen Quang Hanh District Chief

Hue Duc

Maj. Nguyen Ngoc Hiep District Chief

Thot Not

Maj. Nguyen Minh Tam District Chief

AN XUYEN

Lt.Col. Ngo Xuan Nghi Prov. Chief
Mr. Tran Huyah Thanh Dep. Prov. Chief (Admin)

Cai Nuoc

Maj. Le Van Ta District Chief

Dam Doi

Capt. Lam Van Nhuong District Chief

Quan Long

Capt. Nguyen Van Phung District Chief

Song Ong Doc

Lt. Nguyen Trong Thoai District Chief

Thai Binh

Lt. Nguyen Van Nghiem District Chief

Nam Can

Capt. Le Ngoc Hy District Chief

BA XUYEN

Lt.Col. Quach Huynh Ha Prov. Chief
Mr. Truong Van Nam Dep. Prov. Chief (Admin)

Ke Sach

Maj. Diep Van Sau District Chief

Long Phu

Capt. Nguyen Van Tam District Chief

My Xuyen

Capt. Nguyen Van Don District Chief

Thanh Tri

Maj. Hoang Duc Ninh District Chief

Thuan Hoa

Maj. Ngo Hiep Phai District Chief

Lich Hoi Thuong

Capt. Lac Thai Thuan District Chief

BAC LIEU

Maj. Lam Chanh Ngon Prov. Chief
Maj. Son Ngoc Quang Dep. Prov. Chief (Cambodian
Affairs)
Mr. Huynh Dang Giai Dep. Prov. Chief (Admin)

PROVINCES AND DISTRICTSNAMETITLE

Gia Rai	Maj. Nguyen Van Quyet	District Chief
Phuoc Long	Capt. Bui Gia Minh	District Chief
Vinh Chau	Capt. Nguyen Khuong Diem	District Chief
Vinh Loi	Maj. Lam Quang Thoi	District Chief
BIEN HOA	Lt. Col. Lam Quang Chinh	Prov. Chief
	Mr. Pham Cong Doi	Dep. Prov. Chief (Admin)
Cong Thanh	Capt. Tran Van Quang	District Chief
Di An	Capt. Nguyen Minh Chau	District Chief
Duc Tu	Capt. Tran Mong Di	District Chief
Long Thanh	Maj. Ha Dinh Hieu	District Chief
Nhon Trach	Capt. Tran Duc Long	District Chief
Tan Uyen	Maj. Le Van Phu	District Chief
BINH DUONG	Col. Tran Van Nguyen	Prov. Chief
	Mr. Nguyen Huu Dau	Dep. Prov. Chief (Admin)
Ben Cat	Maj. Truong Bao Thien	District Chief
Chau Thanh	Maj. Truong Van Phuc	District Chief
Lai Thieu	Maj. Nguyen Van Cua	District Chief
Phu Hoa	Maj. Luong Van Be	District Chief
Tri Tam	Maj. Nguyen Ngoc Chau	District Chief
Phu Giao	Capt. Nguyen Manh Cuong	District Chief
BINH DINH	Maj. Phan Minh Tho	Prov. Chief
	Mr. Le Quang Quy	Dep. Prov. Chief (Admin)
An Nhon	Mr. Pham Gia Dinh	District Chief (Acting)
An Tuc	Maj. Hoang Van Thua	District Chief (Acting)
Binh Khe	Capt. Doan Vien	District Chief
Hoai An	Capt. Cao Huu Anh	District Chief
Hoai Nhon	Capt. Hong Bao Hien	District Chief
Phu Cat	Maj. Phan Dinh Niem	District Chief
Phu My	Maj. Cao Van Chon	District Chief
Tuy Phuoc	Maj. Phan Viet Ba	District Chief
Tam Quan	Maj. Bui Tram	District Chief

PROVINCES AND DISTRICTSNAMETITLE

BINH LONG

Lt.Col. Lo Cong Danh
Mr. Nguyen Trong CanProv. Chief
Dep. Prov. ChiefAn Loc
Chon Thanh
Loc NinhCapt. Nguyen Phuoc Bao Than
Capt. Nguyen Van Xinh
Maj. Doan Cong HauDistrict Chief
District Chief
District Chief

BINH THUAN

Lt.Col. Dang Thien Ngon
Mr. Nguyen Van TienProv. Chief
Dep. Prov. Chief (Admin)Hai Long
Hai Ninh
Ham Thuan
Hoa Da
Phan Ly Cham
Thien Giao
Tuy PhongCapt. Kieu Van Ut
Maj. Gip Sam Canh
Capt. Le Ngoc Lan
Maj. Lai Van Xuan
Capt. Luong Vang
Capt. Nguyen Van Hoa
Maj. Bui Quang HuynhDistrict Chief
District Chief
District Chief
District Chief
District Chief
District Chief
District Chief

BINH TUY

Lt. Tran Vang Khoai
Mr. Huynh Chi CongProv. Chief
Dep. Prov. Chief (Admin)Ham Tan
Tanh Linh
Hoai DucCapt. Nguyen Van Truong
Maj. Nguyen Van Tieng
Capt. Le Van LacDistrict Chief
District Chief
District Chief

CHAU DOC

Lt.Col. Tran Van Hue
Capt. Chau Van BayProv. Chief
Dep. Prov. Chief (Admin)An Phu
Chau Phu
Tan Chau
Tinh Bien
Tri TonMaj. Truong Dinh Chat
Capt. Pham Van Khoe
Capt. Nguyen Thac Tu
Capt. Le Van Diep
Maj. Thach QuyenDistrict Chief
District Chief
District Chief
District Chief
District Chief

PROVINCES AND DISTRICTSNAMETITLE

CHUONG THIEN

Lt.Col. Le Minh Dao
Mr. Nguyen Vinh
Capt. Kim Em

Prov. Chief
Dep. Prov. Chief (Admin)
Dep. Prov. Chief (Cambodian
Affairs)

Duc Long
Kien Hung
Kien Long
Kien Thien
Long My

Capt. Vo Hong Ty
Capt. Nguyen Hung Phep
Maj. Pham Van Dung
Capt. Phan Thanh Hung
Maj. Pham Van Con

District Chief
District Chief
District Chief
District Chief
District Chief

DARLAC

Col. Lam Quang Phong
Mr. Dinh Van Thang
Mr. Y Dhuat Nie Kdam

Prov. Chief
Dep. Prov. Chief (Admin)
Dep. Prov. Chief (Highlanders
Affairs)

Ban Me Thuot
Buon Ho
Lac Thien

Capt. Vo Van Da
Maj. Vo Van Tam
Capt. Bui Xuan Ai
Alias Sin Broai
Capt. Tran Phuoc An

District Chief
District Chief
District Chief
District Chief

Phuoc An

DINH TUONG

Lt.Col. Huynh Ngoc Diep
Mr. Le Van Hoi

Prov. Chief
Dep. Prov. Chief (Admin)

Ben Tranh
Chau Thanh
Cho Gao
Giao Duc
Cai Lay
Long Dinh
Cai Be

Maj. Cao Tan Hap
Maj. Phan Kim Tan
Maj. Lau Van Do
Maj. Tran Van Gon
Capt. Ngo Ky Dung
Maj. Do Chau Cong
Capt. Le Minh Hoang

District Chief
District Chief
District Chief
District Chief
District Chief
District Chief
District Chief

GIA DINH

Lt.Col. Nguyen Van Ton
Mr. Nguyen Thon Do

Prov. Chief
Dep. Prov. Chief (Admin)

Binh Chanh
Go Vap
Hoc Mon
Nha Be
Thu Duc
Tan Binh
Quang Xuyen
Can Gio

Lt.Col. Nguyen Ba Di
Maj. Ha Van Tan
Capt. Nguyen Van Hoa
Capt. Tran Van Thu
Capt. Vo Van Dai
Capt. Phan Gia Quynh
Capt. Pham Van Tri
Capt. Huynh Van Tam

District Chief
District Chief

PROVINCES AND DISTRICTSNAMETITLE

GO CONG	Lt.Col. Le Van Tu Vacant	Prov. Chief Dep. Prov. Chief (Admin)
Hoa Lac	Capt. Huynh Van Loc	District Chief
Hoa Dong	Maj. Ngo Van Nghi	District Chief
Hoa Binh	Capt. Huynh Tan Thanh	District Chief
Hoa Tan	Capt. Dang Van Dat	District Chief
HAU NGHIA	Maj. Ma Sanh Nhon Mr. Pham Xuan Nghia	Prov. Chief Dep. Prov. Chief (Admin)
Cu Chi	Maj. Nguyen Xuan Sanh	District Chief
Duc Hoa	Capt. Ta Trung Quan	District Chief
Duc Hue	Capt. Tran Quang Nghiem	District Chief
Trang Bang	Maj. Tran Trung Ai	District Chief
KHANH HOA	Lt.Col. Le Khanh Mr. Nguyen Xuan Hieu	Prov. Chief Dep. Prov. Chief for Admin
Cam Lam	Capt. Nguyen Xuan Phung	District Chief
Dien Khanh	Maj. Do Huu Nhon	District Chief
Khanh Duong	Capt. Trinh Thanh Binh	District Chief
Ninh Hoa	Capt. Nguyen Van Doi	District Chief
Van Ninh	Capt. Doan Van Lap	District Chief
Vinh Xuong	Capt. Phan Tan Hy	District Chief
KIEN GIANG	Lt.Col. Nguyen Van Tai Mr. Le Van Them Capt. Thach But	Prov. Chief Dep. Prov. Chief (Admin) Dep. Prov. Chief (Cambodian Affairs)
Ha Tien	Maj. Phan Van Cu	District Chief
Kien An	Capt. Truong Cuoi	District Chief
Kien Binh	Capt. Ho Van Hoi	District Chief
Kien Luong	Capt. Do Quang Cu	District Chief
Kien Tan	Capt. Pham Binh Chau	District Chief
Kien Thanh	Maj. Nguyen Van Ty	District Chief
Phu Quoc	Maj. Nguyen Van Hoa	District Chief

PROVINCES AND DISTRICTSNAMETITLE

KIEN HOA	Lt.Col. Nguyen Tat Thinh Maj. Nguyen Duy Phuoc	Prov. Chief Dep. Prov. Chief (Admin)
Ba Tri	Maj. Le Van Thanh	District Chief
Binh Dai	Maj. Nguyen Van Luc	District Chief
Don Nhon	Lt. Phan Dinh Thai	District Chief
Giong Trom	Capt. Le Chi Thien	District Chief
Ham Long	Maj. Nguyen Van Son	District Chief
Huong My	Capt. Vo Van Quan	District Chief
Mo Cay	Capt. Nguyen Huynh Hiep	District Chief
Thanh Phu	Capt. Tiet Luong Duc	District Chief
Truc Giang	Capt. Nguyen Tan Luc	District Chief
KIEN PHONG	Maj. Nguyen Van Thun Mr. Doan Ngo Maj. Nguyen Minh Phu	Prov. Chief Dep. Prov. Chief (Admin) Dep. Prov. Chief (Cambodian Affairs)
Cao Lanh	Capt. Pham Doan Thanh	District Chief
Hong Ngu	Maj. Do Van Thong alias Bong	District Chief
Kien Van	Capt. Nguyen Van Chuc	District Chief
My An	Capt. Dieu Quang Hiep	District Chief
Thanh Binh	Capt. Huynh Quang Minh	District Chief
KIEN TUONG	Lt.Col. Ly Trong My Mr. Dang Huy Tuc	Prov. Chief Dep. Prov. Chief (Admin)
Chau Thanh	Maj. Nguyen Van Man	District Chief
Kien Binh	Lt. Pham Duoc	District Chief
Tuyen Binh	Lt. Le Anh Nguyet	District Chief
Tuyen Nhon	Maj. Duong Van Thua	District Chief
KONTUM	Lt.Col. Nguyen Hop Doan Mr. Bui Xuan Thich Mr. Pierre Yuk	Prov. Chief Dep. Prov. Chief (Admin) Dep. Prov. Chief (Highlanders Affairs)
Chuong Nghia	Capt. Tran Gia Hai	District Chief
Dakto	Maj. La Van Bao	District Chief
Kontum	Maj. Le Van Tan	District Chief

<u>PROVINCES AND DISTRICTS</u>	<u>NAME</u>	<u>TITLE</u>
LAM DONG	Col. Nguyen Duy Bach Mr. Le Duy Lai Mr. K'Breo Tambou	Prov. Chief Dep. Prov. Chief (Admin) Dep. Prov. Chief (Highlanders Affairs)
Bao Loc Di Linh	Capt. Nguyen Dinh Tao Capt. Nguyen Khac Thanh	District Chief District Chief
LONG AN	Lt.Col. Nguyen Van Nguu Mr. Le Van Hop	Prov. Chief Dep. Prov. Chief (Admin)
Ben Luc Binh Phuoc Can Duoc Tan Tru Can Giuoc Thu Thua Rach Kien	Capt. Do Thien Mo Maj. Truong Van Nhat Maj. Tran Trong Nghia Maj. Truong Ngoc Thanh Maj. Bui Van Vien Lt. Dinh Ngoc Chieu Capt. Ninh Huy Ton	District Chief District Chief District Chief District Chief District Chief District Chief District Chief
LONG KHANH	Lt.Col. Bui Duc Diem Mr. Vu Van Khuong	Prov. Chief Dep. Prov. Chief (Admin)
Dinh Quan Xuan Loc Kiem Tan	Capt. Tran Thanh Xuan Maj. Hoang Cong Thu Capt. Nguyen Huu Dang	District Chief District Chief District Chief
NINH THUAN	Col. Ngo Han Dong Mr. Nguyen Trung Thoai	Prov. Chief Dep. Prov. Chief (Admin)
An Phuoc Buu Son Do Long Thanh Hai	Capt. Dang Quang Luong Capt. Nguyen Van Dang Lt. Trinh Ba Long Capt. Ton That Hoang	District Chief District Chief District Chief District Chief
PHONG DINH	Lt.Col. Nguyen Van Khuong Mr. Nguyen Van Khanh	Prov. Chief Dep. Prov. Chief (Admin)
Chau Thanh Phong Phu Phung Hiep Thuan Nhon Thuan Trung Phong Dien Phong Thuan	Maj. Le Phuoc My Capt. Le Van Giau Maj. Pham Van Nhu Capt. Pham Van Bon Capt. Ngo Cam Capt. Nguyen Van Quynh Maj. Nguyen Ngoc Lau	District Chief District Chief District Chief District Chief District Chief District Chief District Chief

<u>PROVINCES AND DISTRICTS</u>	<u>NAME</u>	<u>TITLE</u>
PHU BON	Lt.Col. Kha Vang Huy	Prov. Chief
	Mr. Ho Van Diep	Dep. Prov. Chief (Admin)
	Mr. Nay Moul	Dep. Prov. Chief (Highland Affairs)
Phu Thien	Capt. Trinh Van Huu	District Chief
Phu Tuc	Capt. Y Dai	District Chief
Thuan Man	Capt. Nguyen Duy Tang	District Chief
PHU YEN	Col. Nguyen Van Ba	Prov. Chief
	Mr. Le Qui Ky	Dep. Prov. Chief (Admin)
Dong Xuan	Capt. Tran Van Mot	District Chief
Hieu Xuong	Maj. Le Van Trong	District Chief
Con Hoa	Capt. Tang Duat	District Chief
Song Cau	Maj. Vo Van Thuong	District Chief
Tuy An	Capt. Nguyen Van Be	District Chief
Tuy Hoa	Capt. Nguyen Thai Lam	District Chief
PHUOC LONG	Lt.Col. Nguyen Duong Huy	Prov. Chief
	Mr. Nguyen Phuoc Son	Dep. Prov. Chief (Admin)
	Mr. Dieu Ta	Dep. Prov. Chief (Montagnard Affairs)
Bo Duc	Capt. Tran Quang Minh	District Chief
Don Luan	Maj. Huynh Kim Con	District Chief
Duc Phong	Maj. Tran Ngoc Hue	District Chief
Phuoc Binh	Capt. Nguyen Ngoc Trong	District Chief
PHUOC TUY	Lt.Col. Nguyen Ba Truoc	Prov. Chief
	Mr. Pham Van Kha	Dep. Prov. Chief (Admin)
Long Le (Chau Thanh)	Capt. Hoang Viet Tri	District Chief
Dat Do	Maj. Tran Dac Loc	District Chief
Duc Thanh	Maj. Tran Van No	District Chief
Long Dien	Capt. Dang Cong Quynh	District Chief
Xuyen Moc	Capt. Le Van Duc	District Chief
PLEIKU	Col. Truong Son Ba, Alias Ya Ba	Prov. Chief
	Mr. Nguyen Ngoc Thang	Dep. Prov. Chief (Admin)
	Mr. Room Damju	Dep. Prov. Chief (Highland Affairs)
Le Trung	Capt. Nguyen Kep	District Chief
Phu Nhon	Asp Do Khac Hoan	District Chief
Thanh An	Maj. Hoang Ba Tet	District Chief

PROVINCES AND DISTRICTSNAMETITLE

QUANG DUC

Col., Nguyen Mong Hung
Mr. Tran Thanh Su
Mr. Y Yoi Kpor

Prov. Chief
Dep. Prov. Chief (Admin)
Dep. Prov. Chief (Highland,
Affairs)

Duc Lap
Khiem Duc
Kien Duc

Lt. Ngo Nhu Phuc
Lt. Tran Khanh
Lt. Nguyen Khac Hieu

District Chief
District Chief
District Chief

QUANG NAM

Lt.Col., Le Tri Tin
Mr. Nguyen Khanh

Prov. Chief
Dep. Prov. Chief (Admin)

Dai Loc
Dien Ban
Duc Duc
Duy Xuyen
Hieu Duc
Hieu Nhon
Hoa Vang
Que Son
Thuong Duc

Maj. Nguyen Van Ke
Maj. Hoang Ngoc Du
Capt. Dang Van Triem
Maj. Cao Dien
Capt. Hoang Cong Truc
Capt. Vo Van Sang
Maj. Mai Kuan Hau
Lt. Nguyen Cong Chinh
Capt. Le Van Lang

District Chief
District Chief

QUANG NGAI

Lt.Col., Ton That Khiem
Mr. Cao Minh Khiem

Prov. Chief
Dep. Prov. Chief (Admin)

Ba To
Binh Son
Duc Pho
Minh Long
Mo Duc
Nghia Hanh
Son Tra
Son Tinh
Tra Bong
Tu Nghia

Capt. Nguyen Ngoc Oanh
Maj. Nguyen Huu Duong
Maj. Bau Tuong
Capt. Ho Trang
Lt. Doan Hieu
Capt. Do Duc Sung
Lt. Duong Van Giang
Lt. Tran Ngoc Tan
Capt. Nguyen Huu Tuong
Capt. Vo Thai Thanh Hoa

District Chief
District Chief

QUANG TIN

Lt.Col., Hoang Dinh Tho
Mr. Nguyen Gia Cung

Prov. Chief
Dep. Prov. Chief (Admin)

Hau Duc
Ly Tin
Tam Ky
Thang Binh
Tien Phuoc

Capt. Nguyen Van Thanh
Capt. Cao Van Co
Capt. Pham Dinh Loc
Capt. Nguyen Minh Dang
Lt. Nguyen Van Do

District Chief
District Chief
District Chief
District Chief
District Chief

PROVINCES AND DISTRICTSNAMETITLE

QUANG TRI

Col. Nguyen Am
Mr. Nguyen Van Diep

Prov. Chief
Dep. Prov. Chief (Admin)

Cam Lo
Gio Linh
Hai Lang
Huong Hoa
Mai Linh
Trieu Phong
Dong Ha

Capt. Nguyen Van Bao
Maj. Phan Van The
Maj. Nguyen Van Nghia
Capt. Tinh A Nhi
Capt. Le Van Thanh
Maj. Nguyen Duc Nhiem
Capt. Le Quang Khiem

District Chief
District Chief
District Chief
District Chief
District Chief
District Chief
District Chief

SA DEC

Lt. Col. Le Tho Trung
Mr. Do Huu Sam

Prov. Chief
Dep. Prov. Chief (Admin)

Duc Thanh
Duc Ton
Lap Vo
Duc Thinh

Maj. Pham Huu Diem
Capt. Nguyen Van Than
Capt. Nguyen Minh Hai
Capt. Duong Huu Nghia

District Chief
District Chief
District Chief
District Chief

TAY NINH

Col. Nguyen Quang Thong
Mr. Nguyen Van Thiep

Prov. Chief
Dep. Prov. Chief (Admin)

Hieu Thien
Khiem Hanh
Phu Khuong
Phuoc Ninh

Capt. Ngo Thien Phuoc
Capt. Luu Buu Lam
Maj. Nguyen Van Mach
Capt. Nguyen Thanh Long

District Chief
District Chief
District Chief
District Chief

THUA THIEN

Lt. Col. Le Van Than
Mr. Vinh Thach

Prov. Chief
Deputy Prov. Chief (Admin)

Huong Dien
Huong Thuy
Huong Tra
Nam Hoa
Phong Dien
Phu Loc
Phu Vang
Quang Dien
Vinh Loc
Phu Thu

Lt. Ton That Bien
Capt. Do Ngoc Thao
Maj. Nguyen Huu De
Lt. Hoang Phuc Hiep
Maj. Bui Van Thap
Capt. Le Huu Duc
Lt. Nguyen Ngoc Hong
Capt. Tran Tien Dao
Maj. Ton That Duong
Capt. Nguyen Dinh Doi

District Chief
District Chief

PROVINCES AND DISTRICTSTUYEN DUC

Lt. Col. Nguyen Van Bich
 Mr. Nguyen Huu Ke
 Mr. Yaya Sahao

Prov. Chief
 Dep. Prov. Chief (Admin)
 Dep. Prov. Chief (Highlanders
 Affairs)

Don Duong
 Duc Trong
 Lac Duong

Maj. Le Tan Sau
 Maj. Pham Duy Khang
 Capt. Doan Van Hai

District Chief
 District Chief
 District Chief

VINH BINH

Lt. Col. Ton That Dong
 Mr. Pham Van Thanh
 Capt. Thach Pich

Prov. Chief
 Dep. Prov. Chief (Admin)
 Dep. Prov. Chief (Cambodian
 Affairs)

Cang Long
 Cau Ke
 Cau Ngang
 Chau Thanh
 Long Toan
 Tieu Can
 Tra Cu

Capt. Nguyen Ngu Ba
 Maj. Pham Ngoc Cau
 Maj. Nguyen My Quang
 Capt. Thach Pich
 Maj. Nguyen Ha Thieng
 Maj. Dang Vu Chien
 Capt. Huynh Van Hai

District Chief
 District Chief
 District Chief
 District Chief
 District Chief
 District Chief
 District Chief

VINH LONG

Col. Duong Hieu Nghia
 Mr. Nguyen Van Dang

Prov. Chief
 Dep. Prov. Chief (Admin)

Binh Minh
 Chau Thanh
 Cho Lach
 Minh Duc
 Tam Binh
 Tra On
 Vung Liem

Lt. Le Quang Truong
 Maj. Nguyen Huu Khue
 Capt. Le Thom
 Lt. Tran Dinh Hoe
 Capt. Tran Van Vi
 Capt. Nguyen Huu Liem
 Capt. Tran Van Khai

District Chief
 District Chief
 District Chief
 District Chief
 District Chief
 District Chief
 District Chief

ADMINISTRATIVE ORGANIZATION OF CON SON:

Maj. Nguyen Van Ve
 Capt. Nguyen Phuc Tran

Special Delegate
 Assistant for Security

AUTONOMOUS CITYINCUMBENTTITLE

SAIGON

Col. Do Kien Nhieu	Prefect
Mr. Doan Van Bich	Secretary General
Mr. Nguyen Van Loi	Planning Assistant
Maj. Nguyen Van Truong	Asst. for Inspection
Mr. Nguyen Cong Thanh	Asst. for External Affairs
Mr. Ly Qui Phat	Deputy for Administration
Mr. Le Minh Tung	District Chief, District I
Mr. Trinh Ba Hue	District Chief, District II
Mr. Nguyen Huu Cong	District Chief, District III
Mr. Cao Minh Chung	District Chief, District IV
Mr. Cao Van Tich	District Chief, District V
Mr. Huynh Kim Thoai	District Chief, District VI
Mr. Tran Tan Duc	District Chief, District VII
Lt. Le Minh Duc	District Chief, District VIII
Maj. Pham Van Bao	District Chief, District IX

DA LAT

Dr. Ho Van Di Hinh	Mayor
Mr. Tham Huy Khoi	Deputy for Administration

HUE

Col. Le Van Than	Mayor (cumulating the function of Province Chief of Thua Thien)
Mr. Vo Quang Tue	Deputy for Administration
Capt. Vo Trong Hau	District Chief, District I
Capt. Pham Van Phuoc	District Chief, District II
Capt. Tran Van Cuu	District Chief, District III

DA NANG

Col. Nguyen Ngoc Khoi	Mayor
Mr. Nguyen Vinh An	Deputy for Administration
Capt. Dam The Cong	District Chief, District I
Maj. Vo Van Tich	District Chief, District II
Capt. Nguyen Van Nang	District Chief, District III

VUNG TAU

Maj. Nguyen Van Tinh	Mayor
Mr. Le Van Toan	Deputy for Administration

CAM RANH

Col. Vu The Quang	Mayor
Mr. Nguyen Ngoc Vy	Deputy for Administration

PART

VI

RECENT DECREES

Anti-Corruption Committee

Decree No. 145-SL/TH. T/PC2

Declaration of Property

Decree No. 117-SL/Th. T/PC2

Republic of Vietnam
Prime Ministry
No. 117-SL/Th.T/PC2

THE PRIME MINISTER,

- Considering the Constitution of the Republic of Vietnam of April 1, 1967;
- Considering Decree No. 234-TT/SL of May 25, 1968 and the subsequent texts fixing the composition of the Government;
- Considering Ordinance No. 9 of July 14, 1950 establishing the General Statute of the Civil Service;
- Considering Decree No. 111-SL/Th.T/PC2 of August 14, 1968 fixing the composition of Anti-Corruption Committees at the Central Government, the Ministries, Agencies and at the Local Governments;
- Considering the needs of the Nation;

DECREES:

Art. 1 - To provide materials to the Anti-Corruption Committees established by the Decree No. 111-SL/Th.T/PC2 of August 14, 1968, all civil servants, employees of public agencies, and military in the active service and in the reserve service, from the non-commissioned officers and above, the personnel of all levels at the autonomous agencies, national enterprises and mixed enterprises, generally speaking all persons charged with a public function, or participating to the expenses of public funds must fill up a Declaration of Property.

Art. 2 - The Declaration, the form of which is joint to the present decree, shall be certified exact by the interested person, and shall enumerate the real estates, enterprises, commercial or industrial funds, crafts, automobiles, accounts at the Treasury, the Banks, under the name of this person, or his/her spouse' name, or his/her sons and daughters, majors or minors, in Vietnam and abroad.

Art. 3 - The Declaration of Property must be filled up immediately after his/her entry into service, and refilled every year until the separation from the service.

For the execution of the present decree, all civil servants, employees and military listed in article 1, shall establish their first Declaration of Property in proper time as determined by the Anti-Corruption Committee at the Ministries, Agencies or Local Administrative Units.

In case of refusal to establish the declaration or to reestablish the declaration, or of fraudulent statements, the interested person shall be considered as guilty of serious offense detrimental to the service and shall be suspended from duty according to Article 55 of Ordinance No. 9 of July 14, 1950 establishing the General Statute of the Civil Service. If there is charges incurred in line of duty, an

investigation shall be conducted to try the interested person before a tribunal.

The Declaration shall be filed with the Anti-Corruption Committees at the Ministries, Agencies or Local Government units, via the hierarchical administrative or military system.

Art. 4 - The Anti-Corruption Committees at the Ministries, Agencies and Local Government units shall determine:

1. The kinds of employees to fill up the Declaration of Property form for each phase, progressively from the highest position and level down.
2. The time-limit for filing these declarations.

In any case, each phase must comprise at least 1/10 of the personnel of the interested Ministry, Agency or Local Government unit, and the time-limit for the first declaration must not exceed 1 month since the day of the promulgation of the present decree.

Art. 5 - At the end of the above period, the Ministries and Agencies Committees shall:

1. Establish the listings of the persons who have filled up and who have not filled up the Declaration of Property form.
2. Transmit these two listings and the Declarations received to the Central Anti-Corruption Committee, with their opinion, remarks and recommendations on each case.

Especially in the Prefecture, Cities and Provinces, the Presiding Judge or one Judge of the Tribunal of the location shall replace the (Mayor or) Province Chief to preside over the meetings of the Local Anti-Corruption Committee for giving opinion, remarks and recommendation in each case. Afterward, the Local

Anti-Corruption Committees shall transmit the above declarations to the Central Anti-Corruption Committee.

Art. 6 - The Central Anti-Corruption Committee may establish one or several Sub-Committees to examine the declaration, the cases of non declaration and to conduct controls or investigations which deem necessary.

Art. 7 - The Central Anti-Corruption Committee is entitled to request of all civil servants, employees and military the proof of their ownership, and to examine if their probation is sufficient.

Art. 8 - For the control of the Declaration and the examination of the proofs, the Central Anti-corruption Committee may consider all denunciations either they are anonymous or not, and make use of all investigation means of the Executive power, especially the tax personnel, the personnel in charge of the registration of real estates, crafts, automobiles, commercial or industrial productions.

Art. 9 - The Central Anti-Corruption Committee shall recommend to the Prime Minister:

1. To issue the texts suspending from duty:

- the persons who are not willing to fill up their declaration,
- the persons who refuse to give the proof of their ownership,
- the persons who have given the proof of their ownership, which the Committee considers as insufficient.

2. To order the opening of formal investigations for trying the interested persons before the Tribunal, if there is a proof of violation of the law incurred in line of duty.

Art. 10 - Ministers of State, Ministers and Under-

secretaries, each as to that which concerns him,
are charged with the execution of the present decree.
The present decree shall be published in the Official
Journal of Vietnam.

Saigon, August 22, 1968

s/Tran van Huong

Declaration of Property

(Ref: Decree No. 117-SL/Th.T/PC2 of 22 August 1968)

Name in full	Age	Number of children	Grade/ Step	Years of Service	Current Organization	Position	Date of appointment to the present position
Real estates (House-land-rice field Plantation, etc...)	Location		Building Superficies	Land Superficies	Date of entry in property	Value	Observations
Accounts	Location of the Banks or Treasury					Total amount	Observations
Shares, Bonds Contributions	Name of the enterprises		Domicile of the enterprises		Date of purchase or contribution	Value	Observations
Monetary Funds	Kind		Place of purchase		Date of purchase	Value	Observations
Automobiles	How many cars		Marks, models		Date of purchase	Value	Observations
Income per annum	Salary		Other incomes				

Done in
 Certified true and accurate,

Republic of Vietnam
Prime Ministry
No. 145-SL/Th.T/PC2

THE PRIME MINISTER OF THE GOVERNMENT,

- Considering the Constitution of April 1, 1967;
- Considering Decree No. 234-TT/SL of May 25, 1968 and the subsequent texts determining the composition of the Government;
- In view of Decree No. 111-SL/Th.T/PC2 of August 14, 1968, fixing the composition of the Anti-Corruption Committee at the Centralization, Ministries Agencies and Provinces;
- In view of Decree No. 117-SL/Th.T/PC2 of August 22, 1968 determining the Declaration of Property;
- On the recommendation of the Central Anti-Corruption Committee, in its session of September 26, 1968;
- Considering the national needs;

DECREES:

Art. 1 - Now is hereby modified Art. 2 of Decree No. 111/SL/Th.T/PC2 of Aug. 14, 1968 on the composition of the local Anti-Corruption Committee;

Art. 2 (new)

.....

- Committees at the Prefecture, Cities and Provinces
- Chairman, Council of the Prefecture,
City or Province..... Chairman

- Representative of the Prefect, Mayor or Province Chief..... Member
- Two representatives of the Notabilities (on the invitation of the Council of Prefecture, City or Province)..... Members
- Three representatives of the Military, the Cadres and the Civil Servants elected by each branch..... Members

No change for the remaining part.

Art. 2 - Now is hereby modified Art. 5 of Decree No. 117-SL/Th.T/PC2 of August 22, 1968 on the Return of Property as follows:

"Art. 5 (new) - At the expiration of the above time-limit, the Committees at the Ministries, Agencies and local government shall:

1. Establish the listings of the persons who have filed the declaration and of those who have not filed the Declaration of property form;
2. Transmit these two listings and the Declarations received to the Central Anti-Corruption Committee with their opinion, remarks and recommendations on each case.

Art. 3 - Ministers of State, Ministers and Under Secretaries are charged, as far as each is concerned, of the execution of the present decree.

The present decree shall be published in the Official Journal of the Republic of Vietnam.

Saigon, October 23, 1968

s/ Tran van Huong

PART

VII

VIETNAM: A Selected Bibliography

A selected bibliography covering the history, economics, politics, government, communists insurgency, warfare, fiction, the arts, and travel was prepared by -

Miss Judith W. Heaney
Bureau for Vietnam
Agency for International Development

which was taken largely from indexes and are not necessarily in the Libraries of the Department of State, Foreign Service Institute or the Vietnam Central Research and Reference File. These works are listed on the following pages of this bulletin.

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