

**THE NATIONAL
ASSEMBLY**

Law No. 28/2023/QH15

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

Hanoi, November 27, 2023

LAW

ON WATER RESOURCES

Pursuant to the Constitution of the Socialist Republic of Vietnam;

The National Assembly hereby promulgates the Law on Water Resources.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

1. This Law provides for management, protection, regulation, distribution, restoration, development, exploitation and use of water resources; prevention of, response to and recovery from damage caused by water in the territory of the Socialist Republic of Vietnam.
2. Groundwater beneath the seabed and seawater belonging to exclusive economic zones and continental shelves of the Socialist Republic of Vietnam; mineral water, natural hot water are not covered by this Law.

Article 2. Definitions

For the purposes of this Law, the terms below shall be construed as follows:

1. “*water resources*” include surface water, groundwater, rainwater and seawater.
2. “*water sources*” means any artificial or natural accumulation of water. Natural accumulations of water consist of rivers, streams, canals, ditches, lakes, ponds, lagoons, underground aquifers and any other accumulation of naturally occurring water. Artificial accumulations of water encompass hydroelectric reservoirs, irrigation reservoirs, rivers, canals, ditches, lakes, ponds, lagoons and any other accumulation of water created by human beings.
3. “*surface water*” means water existing on the surface of the mainland or islands.

4. “*groundwater*” means water existing in underground aquifers on the mainland, on islands or beneath the seabed.
5. “*transboundary surface water source*” mean a source of surface water occurring within the territory of Vietnam and that of another country.
6. “*inter-provincial surface water source*” means a source of surface water occurring within two or more provinces or central-affiliated cities.
7. “*intra-provincial surface water source*” means a source of surface water occurring within one province or central-affiliated city.
8. “*river basin*” means an area of land where surface water and groundwater naturally go into a river and eventually an estuary or an ocean.
9. “*transboundary river basin*” means a river basin lying within the territory of Vietnam and that of another country.
10. “*inter-provincial river basin*” means a river basin lying within two or more provinces or central-affiliated cities.
11. “*intra-provincial river basin*” means a river basin lying within one province or central-affiliated city.
12. “*domestic water source*” means a source of water that has the function of supplying water to domestic activities.
13. “*water source pollution*” means an alteration in the physical, chemical or biological properties of water, making it unconfomable with applicable standards and technical regulations on environment, thus exerting adverse impacts on human beings, creatures and nature.
14. “*water source deterioration*” means a decline in quantity and quality of a source of water, exerting adverse impacts on the exploitation and use of water and aquatic ecosystems.
15. “*water source depletion*” means a drastic decline in the quantity of a source of water that makes it no longer exploitable or usable.
16. “*function of a water source*” means the ability of a water source to provide its values and benefits to serve purposes of water.
17. “*carrying capacity of surface water source*” means the limit at which a water source has the ability to receive an additional amount of pollutants while ensuring its quality for its intended purposes in compliance with standards and technical regulations.

18. “*minimum flow*” means a flow at the lowest level necessary for maintaining a river or river section in order to assure the normal development of aquatic ecosystems and maintain a minimum level for the exploitation and use of water.

19. “*groundwater exploitation threshold*” means the permissible limit at which groundwater is exploited in order not to cause saltwater intrusion, water source deterioration or depletion, land subsidence or adverse impacts on water sources and the environment.

20. “*domestic water safeguard zone*” means the vicinity of the area where domestic water is obtained, which must be protected under regulations to prevent and control domestic water source pollution.

21. “*water source protection corridor*” means part of land along or surrounding a surface water source, which is intended for protecting the water source and maintain its functions.

22. “*water source restoration*” means a measure to improve the quantity and quality of water to restore the flow and functions of a water source and foster the economic, ecological, cultural and historical values associated with the water source.

23. “*water security*” means the assurance about quantity and quality of water to secure livelihoods in all circumstances, meeting the demands for using water for socio-economic development, national defense, security and environmental activities and minimizing water-related risks and damage caused by human beings and nature.

24. “*exploitation and use of water resources*” means the exploitation and realization of potentials and values of water resources with a view to livelihood protection, socio - economic development, environmental protection and preservation of religious activities, practices of folk beliefs, cultural values and biodiversity.

25. “*real-time reservoir operation*” means a process for continuously and instantaneously operating and regulating a reservoir by way of compliance with the reservoir operation procedures, and real-time updating of hydrometeorological information, data and forecasts.

26. “*wastewater*” means water of which characteristics and nature are changed. It is discharged from production, business, services, daily-life activities or other activities.

27. “*water reuse*” means the reuse of wastewater which has met national technical regulations and is appropriate to its intended use.

28. “*circular use of water*” means the reuse of water in a production cycle.

29. “*water source development*” means a measure to increase the capacity for water retention, water storage, water conveyance and sustainable exploitation and use of water and to increase the values of water resources.

Article 3. Principles of management, protection, regulation, distribution, restoration, development, exploitation and use of water resources; prevention of, response to and recovery from damage caused by water

1. Sovereignty, unity and territorial integrity, national interests are safeguarded, fairness and reasonableness are ensured during the management, protection, regulation, distribution, restoration, development, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water; water security is ensured so as for the people to access and use water in a fair and reasonable manner.
2. Water resources must be managed in an integrated and uniform manner in terms of their quantity and quality; between surface water and groundwater; between upstream areas and downstream areas in connection with management of other natural resources.
3. Water resources management must ensure the uniformity by river basins and water sources in association with the management by administrative divisions; the responsibility for state management of water resources and water sources must be assigned and delegated independently of the responsibility for state management of planning, construction and operation of hydraulic structures, hydropower projects, urban and rural water supply facilities.
4. Prevention must be prioritized in the protection of water resources in connection with the protection of quantity and quality of water; the protection and enhancement of forest quality must be associated with the protection and development of water generation sources and functions of water sources.
5. The exploitation and use of water resources must be declared, registered and licensed within the supply capacity of the water source according to plans to regulate and distribute water resources and water resource-related planning; the integrated, multi-purpose, economical and efficient use must be ensured.
6. The management, exploitation and use of water resources must be appropriate to the laws of nature and natural conditions; culture, history, religion, folk beliefs; market mechanism and level of socio - economic development.
7. The prevention of, response to and recovery from damage must be carried out using proactive plans and measures; in a manner that ensures harmonious combination of interests of the country, regions, localities, industries and sectors; in a manner that combines advanced science and technology with traditional experience and suitability for socio - economic conditions.

8. The national sector planning, technical and specialized planning must cover the exploitation and use of water resources; surface water quality management plans; socio - economic development, national defense and security plans, programs and projects must be associated with the capacity and functions of water sources, protection of water resources and maintenance of minimum flow, ensuring that the groundwater exploitation threshold is not exceeded and the water resource planning is conformed to.

9. Every agency, organization or individual has the right and obligation to protect, restore, develop, exploit and use water resources, prevent, respond to and recover damage caused by water.

Article 4. State policies on water resources

1. Modernize and professionalize the management of water resources in the direction of managing national water resources on the digital platform through the national water resources information system and database, and system of decision support tools, ensuring the efficient use of resources for water resources management.

2. Prioritize the investment in the prospecting, exploration and exploitation of water sources, water retention and restoration of deteriorated, depleted or polluted water sources; offer incentives for water exploitation projects aiming to supply domestic and production water to inhabitants in areas facing fresh water scarcity, ethnic minority areas, mountainous areas, border areas, on islands, disadvantaged areas, extremely disadvantaged areas; enable the poor, women, children, persons with disabilities and other vulnerable persons to have access to domestic water.

3. Prioritize the investment in creation of water resources monitoring and surveillance network, national water resources information system and database, and enhancement of the capacity for forecasting water resources, floods, inundations, droughts, saltwater intrusion, sea level rise and other damage caused by water.

4. Encourage, incentivize, and assist organizations and individuals to participate in conducting baseline survey of water resources; protect and develop water sources and water generation sources; store water and restore deteriorated, depleted, and polluted water sources; regulate and distribute water resources; prevent, respond to and recover damage caused by water.

5. Encourage organizations and individuals to develop and apply standards, research, transfer and apply advanced science and technology to manage, protect, restore and develop water resources; exploit and use water in an economical and effective manner, use water in a circular manner, reuse water; convert seawater into fresh water; collect and use rainwater, artificially recharge groundwater; restore deteriorated, depleted and polluted water sources; prevent, respond to and recover damage caused by water.

6. Expand and strengthen international integration and cooperation in water resources.

Article 5. Lists of river basins, lists of water sources

1. Lists of river basins and lists of water sources shall serve as a basis for the river basin- and water source-based management, baseline survey, planning, protection, regulation, distribution, restoration, development, exploitation and use of water resources; river basin-based and water source-based prevention of, response to and recovery from damage caused by water.

2. Lists of river basins include:

- a) List of transboundary river basins;
- b) List of inter-provincial river basins;
- c) List of intra-provincial river basins.

3. Lists of water sources include:

- a) List of transboundary surface water sources, list of inter-provincial surface water sources, list of intra-provincial surface water sources;
- b) Lists of groundwater sources.

Article 6. Development of science and technology in management, protection, regulation, distribution, restoration, development, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water

1. Scientific research, and technology application and development shall be intended for:

- a) Conducting baselines survey of water resources; carrying out water resource accounting; developing a set of national water security indicators;
- b) Carrying out water source monitoring, surveillance and forecasting;
- c) Regulating and distributing water resources on the digital platform; developing a system of decision support tools, and procedures for real-time operation of reservoirs and inter-reservoirs;
- d) Measures to respond to, prevent and control droughts, water scarcity, floods, inundations, saltwater intrusion, land subsidence, river and lake channel, bank and terrace erosion; applying advanced technologies for converting seawater into fresh water;
- dd) Solution for artificial recharge of groundwater;
- e) Using water in a circular manner, reusing water, improving the efficiency in use of water for production, business operation and service provision;

g) Treating wastewater, improving and restoring deteriorated, depleted, and polluted water sources; solutions for developing water resources, protecting water generation sources;

h) Operating and regulating reservoirs, exploiting and using water resources in a reasonable manner; control water sources, create sources, store water and build water connection and transfer networks;

i) Developing water conservation equipment and technologies; improving, renewing and upgrading water-consuming equipment.

2. Ministries, ministerial agencies and provincial People's Committees shall, within their jurisdiction, design and execute scientific research and technology development programs to service the management, protection, regulation, distribution, restoration, development, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water.

3. According to the requirements for management, protection, regulation, distribution, restoration, development, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water from time to time, and proposals of Ministries, ministerial agencies, provincial People's Committees and Ministry of Science and Technology shall preside over and cooperate with the Ministry of Natural Resources and Environment in designing a national water resources science and technology program in accordance with regulations of law on science and technology and other relevant regulations of law.

Article 7. National water resources information system and database

1. Information and data on water resources include:

a) Quantity and quality of water;

b) Figures on exploitation and use of water resources and discharge of wastewater into water sources;

c) Data on inventorying, survey and assessment of water resources, water resource-related planning;

d) Information and figures on declaration, registration and licensing of exploration, exploitation and use of water resources;

dd) List of river basins; list of water sources; list of lakes, ponds and lagoons prohibited from reclamation; water source protection corridors; water source functions; minimum flow; groundwater exploitation threshold; river and stream cross section; zoning map for drought and water scarcity risks; list and zoning map of areas prohibited and restricted from groundwater exploitation and other information on water resources;

e) Information and figures on water resource monitoring prescribed in Article 51 of this Law and figures on hydrometeorological monitoring and water environment quality.

2. The State allocates its budget for investment in creation, management, operation and maintenance of the national water resources information system and database.

3. The national water resources information system and database shall satisfy the following requirements:

a) Integrate, connect, exchange, and share water resources data with databases related to baseline survey, exploitation, and use of water resources by agencies, organizations and individuals; ensure information security and safety;

b) Facilitate the provision of public services concerning water resources; access to and use of information and data and updating of information on the national water resources information system and database under regulations of law.

4. Organizations and individuals are encouraged to sponsor, assist in and apply new technologies for building, managing, operating and maintaining the national water resources information system and database.

5. The Ministry of Natural Resources and Environment shall organize the creation, management, operation and maintenance of the national water resources information system and database; update the information and data on water resources specified in clause 1 of this Article under its management on the national water resources information system and database

6. Ministries and ministerial agencies shall direct the connection and exchange of data on water resources specified in clause 1 of this Article under its management with the national water resources information system and database.

7. Provincial People's Committees shall direct the provision and updating of information and data on water resources specified in clause 1 of this Article under its management on the national water resources information system and database.

8. Organizations and individuals are encouraged to share and update information and data on water resources which they have on the national water resources information system and database and they shall be given priority upon exploitation and use of information and data on national water resources information system and database.

9. The Government shall elaborate this Article.

Article 8. Prohibited acts

1. Dumping wastes and garbage, dumping or leaking hazardous substances or discharging hazardous emissions into water sources.

2. Discharging wastewater into groundwater sources; discharging wastewater that has yet to be treated in accordance with environmental technical regulation on wastewater into surface water sources and seawater.
3. Discharging wastewater and introducing wastes into domestic water safeguard zones.
4. Illegally exploring, exploiting and using water resources, practicing groundwater drilling.
5. Encroaching on rivers, streams, canals or ditches or carrying out river, stream, ditch or channel reclamation, unless otherwise prescribed by law; placing obstructions or obstacles, building architectures or planting trees, thus hindering flood drainage and water flow of rivers, streams, reservoirs, canals or ditches but taking no remedial measures.
6. Illegally exploiting sand, gravel, sludge, soil and other types of minerals in rivers, streams, canals, ditches or lakes within water source protection corridors; carrying out drilling or digging operations, building houses, architectural objects or conducting within water source protection corridors, thereby resulting in river, stream, canal, ditch or lake bank erosion.
7. Destroying facilities intended for protection, regulation or storage of water, exploitation, use, monitoring and surveillance of water resources, facilities intended prevention of, response to and recovery from damage caused by water.
8. Falsifying information and data on water resources.
9. Failure to comply with procedures for operating reservoirs and inter-reservoirs promulgated by competent authorities.
10. Building dams, reservoirs or facilities for water regulation or storage or water source development in contravention of water resource-related planning, provincial planning and other relevant planning.

Chapter II

BASELINE SURVEY, STRATEGIES AND PLANNING FOR WATER RESOURCES

Section 1. BASELINE SURVEY OF WATER RESOURCES

Article 9. Activities serving baseline survey of water resources

1. Activities serving baseline survey of water resources are meant to collect information and data in support of formulation of the national water resource strategy and water resource-related planning, management, protection, regulation, distribution, restoration,

development, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water.

Activities serving baseline survey of water resources covered by the state budget shall be appraised by competent authorities and results thereof must be accepted under regulations imposed by the Minister of Natural Resources and Environment.

2. Baseline survey of water resources shall adhere to the principles of uniformity, consistency, inheritance and economical and efficient use of resources.

3. Baseline survey of water resources includes the following activities:

a) Surveying and assessing water resources;

b) Inventorying water resources;

c) Preparing a national water resource report;

d) Building and maintaining water resource monitoring networks and water source surveillance, warning and forecasting networks; building and operating the system of decision support tools;

dd) Measuring river or stream cross section; assessing the progress in river channel, bank or terrace erosion; carrying out investigation and survey in service of formulating the groundwater protection plan and establishing water source protection corridors;

e) Constructing water source scenarios; submitting reports on exploitation and use of water resources by provinces, central-affiliated cities and Ministries concerned to the Ministry of Natural Resources and Environment for consolidation.

4. The planning for baseline survey of water resources is prescribed as follows:

a) The planning for baseline survey of water resources is the technical and specialized planning. The formulation of the planning for baseline survey of water resources shall rely on the socio - economic development, national defense and security strategy/plan, national water resource strategy and water resource planning.

b) The comprehensive planning for baseline survey of water resources contains the following contents: assessment of results of implementation of planning in the previous period; determination of requirements for information and data on water resources, exploitation and use of water resources nationwide; determination of baseline survey of water resources according to clause 3 of this Article and the order of priority for implementation during the planning period; water resources monitoring network; solutions, funding, plans and schedule for implementation; integration of list of transboundary surface water sources, list of inter-provincial surface water sources, and list of groundwater sources;

c) The planning for baseline survey of water resources covers a period of 10 years. Its orientations cover a period of 30 years;

d) The Ministry of Natural Resources and Environment shall organize the formulation and adjustment of the planning for baseline survey of water resources and submit it to the Prime Minister for approval.

5. The Government shall elaborate clause 3 of this Article and promulgate regulations on formulation, appraisal, approval and adjustment of the planning for baseline survey of water resources.

Article 10. Conduct of baseline survey of water resources

1. Activities serving baseline survey of water resources shall be carried out according to the following regulations:

a) The activity specified in point d clause 3 Article 9 of this Law shall be conducted on a regular basis;

b) The activity specified in point e clause 3 Article 9 of this Law shall be conducted on an annual basis;

c) The activities specified in points b, c and dd clause 3 Article 9 of this Law shall be conducted every 05 years;

d) The activity specified in point a clause 3 Article 9 of this Law shall be conducted according to the comprehensive planning for baseline survey of water resources; if such activity has to be conducted on an ad hoc basis to undertake a task in emergency case during state management of water resources within a province, it is subject to the decision by the Chairperson of the provincial People's Committee or within two provinces or central-affiliated cities, it is subject to the decision by the Minister of Natural Resources and Environment, except for the cases decided by the Prime Minister.

2. Funding for baseline survey of water resources shall be covered by the annual state budget for regular expenditures and development investment in accordance with regulations of law on state budget and law on public investment.

3. The Ministry of Natural Resources and Environment shall organize the conduct of baseline survey of water resources nationwide, except for the case specified in clause 4 of this Article; consolidate results of baseline survey of water resources nationwide.

4. Every provincial People's Committee shall formulate a plan for and organize the conduct of baseline survey of water resources nationwide in areas under its management, consolidate and update results on the national water resources information system and database as prescribed in Article 7 of this Law.

5. Any organization or individual conducting baseline survey of water resources nationwide using the state budget must update information and results thereof on the national water resources information system and database as prescribed in Article 7 of this Law.

6. The Government shall elaborate this Article.

Section 2. STRATEGIES AND PLANNING FOR WATER RESOURCES

Article 11. National water resource strategy

1. The national water resource strategy shall serve as the basis for formulating water resource-related planning and comprehensive planning for baseline survey of water resources.

The formulation of the national water resource strategy shall rely on the result of baseline survey, water source forecasts and impacts of climate change on water resources and fulfill the following requirements:

- a) Conformity with the national comprehensive planning; the socio - economic development, national defense and security strategy/plan;
- b) Assurance of water security; protection and development of water sources; economical and efficient exploitation and use of water resources;
- c) Water demand, supply capacity of the water source and international cooperation orientations; treaties to which the Socialist Republic of Vietnam is a signatory.

2. The national water resource strategy shall primarily consists of:

- a) Viewpoints and instructional principles, visions and objectives for the protection, exploitation, use and development of water sources, prevention of, response to and recovery from damage caused by water;
- b) Orientations, tasks and general solutions for the protection, regulation, distribution, restoration, development exploitation and use of water resources, prevention of, response to and recovery from damage caused by water; schemes and projects the implementation of which is prioritized in each stage of the strategy period.

3. The national water resource strategy shall be formulated for a 10-year period, with a 50-year vision.

4. The Ministry of Natural Resources and Environment shall preside over and cooperate with Ministries, ministerial agencies concerned and provincial People's Committees in formulating a national water resource strategy, and submit it to the Prime Minister for approval.

Article 12. Water resource-related planning

1. Water resource-related planning includes:

a) Water resource planning, which is national sector planning implemented under regulations of law on planning. The Ministry of Natural Resources and Environment shall organize the formulation of water resource planning:

b) Comprehensive inter-provincial river basin planning, which is technical and specialized planning, realizes the water resource planning and formulated for a 10-year period, with a 20 to 30-year vision;

c) Planning for protection, exploitation and use of transboundary water sources, which is technical and specialized planning, formulated and adjusted with the cooperation between countries sharing water sources and formulated under the agreement between countries sharing water sources.

2. Subjects of water resource-related planning include surface water and groundwater.

3. Opinions of the Ministry of Natural Resources and Environment about the conformity with the water resource-related planning must be obtained upon formulation and adjustment of Ministries and ministerial agencies' technical and specialized planning covering the contents related to exploitation and use of water resources.

Contents related to exploitation and use of water resources included in the technical and specialized planning and contents of the surface water quality management plan under regulations of law on environmental protection are contrary to those of the water resource-related planning, they must be adjusted to conform to the water resource-related planning.

Article 13. Bases for formulating comprehensive inter-provincial river basin planning

1. National water resource planning, water resource planning, socio - economic development, national defense and security strategy/plan, other relevant planning.

2. Natural and socio - economic conditions of each locality along river basins, each region, specific conditions of each river basin, supply capacity of the water source and projected impacts of climate change on water resources.

3. Demands for exploitation and use of water resources by industries and local authorities and for environmental protection.

4. Results of baseline survey of water resources.

5. Approved tasks of formulating comprehensive inter-provincial river basin planning.

Article 14. Principles of formulating comprehensive inter-provincial river basin planning

The formulation of comprehensive inter-provincial river basin planning shall comply with regulations of law on planning and the following principles:

1. Ensure the integrity between surface water and groundwater, between the exploitation and use of water resources and the protection and development of water sources, prevention of, response to and recovery from damage caused by water;
2. Ensure that the benefits of using water are distributed harmoniously among localities, industries, sectors, upstream and downstream areas; ensure water security;
3. Ensure that it serves as the basis for formulating other technical and specialized planning containing contents related to the exploitation and use of water resources, surface water quality management plan, and plan for groundwater protection and water resource regulation and distribution.

Article 15. Tasks of formulating comprehensive inter-provincial river basin planning

1. Tasks of formulating comprehensive inter-provincial river basin planning are mainly composed of:

- a) Bases for formulating the planning;
 - b) Overview on inter-provincial river basins;
 - c) Subjects, scope and contents of the planning;
 - d) Solutions, funding, plan and schedule for formulating the planning;
 - dd) Responsibility of relevant agencies for organizing formulation of the planning.
2. The Minister of Natural Resources and Environment shall approve tasks of formulating comprehensive inter-provincial river basin planning.

Article 16. Contents of comprehensive inter-provincial river basin planning

The comprehensive inter-provincial river basin planning mainly includes:

1. Analysis and assessment of natural and socio - economic conditions and related socio - economic development orientations; status of management, protection, regulation, distribution, restoration, development, exploitation and use of water resources; prevention of, response to and recovery from damage caused by water;

2. Projected trends in quantity and quality of water sources and water demands of industries during the planning period; zoning of water source functions; areas frequently hit by or at risk of drought or water scarcity; threshold and amount of water that can be exploited for each river section, each area, and aquifer; minimum flow in rivers and streams; review and production of statistics of facilities for regulation, storage, exploitation and use of water and development of water sources; determination of water resource issues to be resolved during the planning period;

3. Viewpoints and objectives of the planning;

4. Orientations for regulation, distribution and protection of water resources, prevention of, response to and recovery from damage caused by water encompass:

a) Distribution of amount of water, order of priority for regulation and distribution of water resources in the case of drought or water scarcity to industries, localities, and entities exploiting and using water resources; determination of water sources and backup facilities for domestic water supply; river basin water transfer (if any);

b) Determination of large-sized dams, reservoirs and facilities for water regulation and storage and water source development, having inter-regional or inter-provincial impacts or great impacts on water sources;

c) Structural and non-structural solutions for protecting water sources and minimizing damaged caused by water;

d) Restoration of deteriorated, depleted or polluted water sources;

dd) Determination of areas and water sources to which priority is given to formulate a detailed plan containing one or more contents as follows: regulation, distribution, exploitation and use of water resources; protection of water resources; prevention of, response to and recovery from damage caused by water;

e) Other contents specific to each river basin;

5. Solutions, funding and plan for implementation and supervision of the implementation of the planning.

Article 17. Organizing formulation and approval of comprehensive inter-provincial river basin planning

1. The Ministry of Natural Resources and Environment shall preside over and cooperate with the Ministry of Agriculture and Rural Development, Ministry of Industry and Trade, Ministry of Construction, Ministries, ministerial agencies and provincial People's Committees concerned in formulating comprehensive inter-provincial river basin planning, and submit it to the Prime Minister for approval.

2. Before submitting it to a competent authority for approval, it is required to collect written opinions about the comprehensive inter-provincial river basin planning from Ministries, ministerial agencies, provincial People's Committees, river basin organizations, organizations and individuals exploiting and using water on large scale and other related organizations and individuals.
3. The authority organizing formulation of comprehensive inter-provincial river basin planning may formulate the planning itself or hire a planning consultancy to do so.
4. Technical provisions, norms and unit prices for formulation of comprehensive inter-provincial river basin planning shall comply with regulations imposed by the Minister of Natural Resources and Environment.
5. The Government shall elaborate on the formulation, appraisal and approval of comprehensive inter-provincial river basin planning; promulgate a list of inter-provincial river basins for which planning is required.

Article 18. Announcing and organizing formulation of comprehensive inter-provincial river basin planning

1. Within 15 days from the date on which the comprehensive inter-provincial river basin planning is approved, the Ministry of Natural Resources and Environment shall announce and regularly and continuously post contents of the planning on its website and notify them to Ministries, ministerial agencies and local authorities concerned. The People's Committee of the province where the river basin under the comprehensive inter-provincial river basin planning is located shall regularly and continuously post contents of the planning on its website. If any content of the planning is related to a state secret, regulations of law on protection of state secrets shall be complied with.
2. Organizations, individuals and residential communities are enabled to exercise their rights to supervise and propose measures for implementation of comprehensive inter-provincial river basin planning.
3. Information, data and calculation models used to formulate comprehensive inter-provincial river basin planning must be managed on the digital platform, updated and connected to the national water resources information system and database.
4. The Ministry of Natural Resources and Environment shall organize the implementation of comprehensive inter-provincial river basin planning; update information and data on comprehensive inter-provincial river basin planning dossiers on the national water resources information system and database in compliance with regulations of law on planning.

Article 19. Review and adjustment of comprehensive inter-provincial river basin planning

1. The review of comprehensive inter-provincial river basin planning shall be conducted according to the following regulations:

- a) The planning shall be review every 05 years;
- b) The authority organizing planning formulation shall organize the planning review;
- c) The review results shall be reported to the Prime Minister.

2. The comprehensive inter-provincial river basin planning shall be reviewed and adjusted in the following cases:

- a) An adjustment to the national water resource planning, water resource planning, socio - economic development, national defense and security strategy/plan or national sector planning containing contents related to the exploitation and use of water resources basically changes major contents of the comprehensive inter-provincial river basin planning;
- b) A newly formed key national project or work affects water resources;
- c) The occurrence of fluctuations in natural conditions greatly impacts water resources;
- d) The zoning of water source functions; the addition, adjustment of the size or removal of a dam, reservoir or facility for water regulation and storage and water source development from the planning and other local adjustments are requested by the Ministry, ministerial agency or provincial People's Committee concerned.

3. The Prime Minister shall decide to adjust comprehensive inter-provincial river basin planning, except for the case where the Prime Minister decides to decentralize authority as specified in clause 4 of this Article.

4. In case of making local adjustments to the zoning of water source functions; adding to, adjusting or removing from the comprehensive inter-provincial river basin planning a dam, reservoir or facility for water regulation and storage and water source development and making other local adjustments without basically changing main contents of the planning, the Prime Minister shall decide decentralize authority to the Minister of Natural Resources and Environment to approve the adjustments and report the result to the Prime Minister.

5. The formulation, collection of opinions, appraisal, announcement and organization of implementation of the comprehensive inter-provincial river basin planning shall be carried out as in the case of formulating comprehensive inter-provincial river basin planning as prescribed in Article 17 of this Article, except for the case of making local adjustments as specified in clause 4 of this Article.

6. The Government shall elaborate this Article.

Article 20. Plan for exploitation, use and protection of water resources, prevention of, response to and recovery from damage caused by water under provincial planning

A plan for exploitation, use and protection of water resources, prevention of, response to and recovery from damage caused by water under provincial planning shall include the contents in accordance with regulations of law on planning and the following contents:

1. Assessment of quantity and quality of water sources within the province; status of protection, exploitation and use of water resources, protection of water generation sources, prevention of, response to and recovery from damage caused by water, discharge of wastewater into water sources;
2. Projected demand for use of water during the planning period;
3. Orientations for investment in establishment of a water resource monitoring network within the province;
4. Determination of small and medium-sized dams, reservoirs or facilities for water regulation and storage and water source development.

Chapter III

PROTECTION OF WATER RESOURCES AND RESTORATION OF WATER SOURCES

Article 21. Protection of surface water sources

Protection of surface water sources mainly includes:

1. Managing water source protection corridors;
2. Maintaining minimum flow in rivers and streams; ensuring the flow circulation;
3. Preventing and controlling water source deterioration, depletion or pollution and restoring deteriorated, depleted or polluted water sources; increasing the carrying capacity of surface water sources;
4. Protecting surface water sources having the functions of water regulation and supply and flooding prevention and control; water sources having the functions of protection and preservation of religious activities, practices of folk beliefs, cultural values and biodiversity, and tourism development;
5. Protecting and developing water generation sources;

6. Protecting surface water environment under regulations of law on environmental protection.

Article 22. Water source functions

1. A water source serves one or more basic functions below:

- a) Supply water for domestic activities;
- b) Supply water for agricultural production and aquaculture;
- c) Supply water for industrial production; business operation and service provision;
- d) Supply water for hydropower;
- dd) Preserve religious activities, practices of folk beliefs and cultural values;
- e) Serve inland waterway and maritime traffic;
- g) Create landscapes and environment; develop tourism; maintain the development of aquatic ecosystems; protect and conserve biodiversity; store and drain flood.

2. A water source function shall serve as one of the bases for choosing solutions for protecting, improving and restoring deteriorated, depleted or polluted water sources; deciding the approval and licensing of projects that discharge wastewater into water sources in accordance with regulations of law on environmental protection.

3. A water source function shall be determined according to the status and demands for exploitation and use of water by industries and localities, requirements for protection and preservation of religious activities, practices of folk beliefs, cultural values, biodiversity, aquatic ecosystems, creation of landscapes and environment, flood storage and drainage and supply capacity of the water source.

4. Surface water sources must be zoned as per regulations imposed by the Minister of Natural Resources and Environment to adopt water source protection measures.

5. The zoning of surface water sources determined under the comprehensive inter-provincial river basin planning with respect to inter-provincial surface water sources and under the provincial planning with respect to intra-provincial surface water sources.

The Ministry of Natural Resources and Environment shall organize the review of water source functions during the process of reviewing comprehensive inter-provincial river basin planning; the provincial People's Committee shall organize the review of water source functions under the provincial planning. If planning is unavailable or the planning has yet to state water source functions, the Ministry of Natural Resources and Environment shall determine and announce functions regarding inter-provincial surface

water sources, the provincial People's Committee shall determine and announce functions regarding intra-provincial surface water sources.

6. A water source function shall be considered and adjusted in the following cases:

- a) There is a change to the requirements for water source protection in service of socio-economic development;
- b) There is a major change in the supply capacity of the water source but no remedial measure is implemented.

7. Wastewater discharged into surface water sources must meet environmental technical regulation on wastewater and be appropriate to the waste water functions. The discharge shall adhere to regulations of law on environmental protection.

Article 23. Water source protection corridors

1. A water source protection corridor shall be established to maintain the bank stability, prevent and combat the encroachment upon land along the water source; to prevent and combat activities threatening to pollute and deteriorate the water source; to maintain the development of aquatic ecosystems, flora and fauna along the water source; to protect and preserve religious activities, practices of folk beliefs, cultural values and biodiversity, maintain the development of tourism in relation to the water source.

2. Water sources for which protection corridors are required include:

- a) Dams, hydroelectric and irrigation reservoirs in rivers and streams;
- b) Reservoirs in rivers and streams other than those specified in point a of this clause;
- c) Lakes, ponds and lagoons on the list of lakes, ponds and lagoons prohibited from reclamation;
- d) Rivers, streams, canals and ditches which are sources of water supply or water drainage channels or are important for socio-economic development and environmental protection;
- dd) Water sources having the functions of protection and preservation of religious activities and practices of folk beliefs, cultural values and biodiversity, and tourism development other than those specified in point c of this clause.

3. The provincial People's Committee shall organize the compilation, announce and adjust the list of water sources for which protection corridors are required; approve and adjust water source protection corridors and plans planting water source protection corridor boundary markers.

4. Water source protection corridors must be shown on cadastral maps.
5. Water source protection corridors must be announced and managed as prescribed by this Law and law on land; for the cases specified in point c clause 6 of this Article, regulations of law on irrigation, flood control system and inland waterway traffic shall be complied with.
6. The determination of water source protection corridors and planting of water source protection corridor boundary markers shall be carried out as follows:
 - a) Organizations managing and operating dams and reservoirs specified in point a clause 2 of this Article; organizations assigned to manage reservoirs in rivers and streams specified in point b and lakes, ponds and lagoons specified in points c and d clause 2 of this Article shall propose water source protection corridors and seek approval therefor from the provincial People's Committee; shall plant boundary markers and transfer boundary markers to the provincial People's Committee;
 - b) The provincial People's Committee shall organize the determination of water source protection corridors and plant water source protection corridor boundary markers if an organization assigned to manage and operate is unavailable;
 - c) If a dam, irrigation reservoir, canal or ditch belongs to a hydraulic structure, the scope and boundary marker of the water source protection corridor shall be determined according to the boundary marker of the hydraulic structure protection corridor.

If the determined protection corridor boundary marker of a river, stream, canal or ditch is the channel protection corridor boundary marker and dike protection corridor boundary marker, the channel protection corridor boundary marker and dike protection corridor boundary marker shall be used in accordance with regulations of law on inland waterway traffic and law on flood control system respectively;

- d) The provincial People's Committee shall transfer water source protection corridor boundary markers to the district-level People's Committee or communal People's Committee for management and protection purposes.
7. Agencies, organizations, residential communities, households and individuals living, conducting production and business activities, and providing services within water source protection corridors shall fulfill the following requirements:
 - a) Do not cause river, stream, canal, ditch, lake, pond or lagoon bank erosion or affect the stability and safety of rivers, streams, canals, ditches, lakes, ponds or lagoons;
 - b) Do not affect the water source protection corridors approved by competent authorities;
 - c) Implement water resource protection measures as prescribed by law.

8. It is not permitted to build or increase the scale of hospitals, infectious disease treatment and diagnosis facilities, cemeteries, landfills, hazardous chemical production establishments, production and processing establishments generating hazardous waste within water source protection corridors. Operating establishments causing water source pollution must adopt remedial measures under regulations of law on environmental protection.

9. The Government shall elaborate this Article; promulgate regulations on determination of water source protection corridors; regulations on water sources for which protection corridor boundary markers are required and planting of water source protection corridor boundary markers.

Article 24. Minimum flow

1. Cases in which minimum flow has to be determined:

a) Rivers and streams in which water transfer structures, large dams, reservoirs and water exploitation structures exist, potentially affecting people's livelihoods, socio - economic development, and aquatic ecosystems.

According to local resources and conditions for socio - economic development, importance of water sources, requirements for natural disaster management and requirements for water source protection, the competent authority specified in clauses 6 and 7 of this Article shall decide the order of priority, locations where minimum flow needs to be maintained on each river or stream for which minimum flow needs to be determined.

b) Dams and reservoirs built in rivers and streams, except for the dams and reservoirs which have been put into operation, making it unable to adjust or add any minimum flow discharge structure item.

2. Minimum flow shall serve as one of the bases to be considered during the appraisal and approval of the following tasks:

a) Water resource-related planning; technical and specialized planning containing contents related to the exploitation and use of water resources; plan for exploitation, use and protection of water resources, prevention of, response to and recovery from damage caused by water under provincial planning;

b) Procedures for operating reservoirs and inter-reservoirs in river basins;

c) Plan for regulation and distribution of water resources on river basins; restoration of deteriorated, depleted or polluted water sources;

d) Plan to build dams and reservoirs in rivers and streams; projects involving water transfer;

dd) Registration and licensing of water resource exploitation;

e) Projects directly related to the maintenance of minimum flow in rivers and streams;

3. The minimum flow shall be determined adhering to the principles below:

a) Determine the minimum flow for each specific location in a river or stream and ensure the representativeness and systematicity on the river basin;

b) Ensure fairness, reasonableness, harmony of interests and equality among entities exploiting and using water resources, and between upstream and downstream localities;

c) Suit the characteristics and functions of water sources, flow regime of rivers and streams, terrain characteristics, water demands, role of rivers and streams in the river system; suit the scale, method of exploitation and ability to operate and regulate reservoirs;

d) Conform to international agreements and treaties related to water resources with countries sharing water sources to which the Socialist Republic of Vietnam is a signatory.

4. Bases for determining minimum flow are composed of:

a) Hydrological characteristics, flow regime and functions of water sources; status and demands for exploitation and use of water resources;

b) Requirements for protection and prevention of deterioration, depletion and pollution of water sources; protection and conservation of aquatic ecosystems and biodiversity; natural disaster management; assurance about national defense, security and other requirements related to water source protection;

c) Scale, scope of impact, exploitation method and ability to regulate water for dams and reservoirs;

d) International agreements and treaties related to water resources with countries sharing water sources to which the Socialist Republic of Vietnam is a signatory.

5. The minimum flow shall be specified under comprehensive inter-provincial river basin planning for inter-provincial and transboundary rivers and streams and under provincial planning for intra-provincial rivers and streams specified in point a clause 1 of this Article.

If planning is unavailable or the planning has yet to specify the determination of minimum flow, the Ministry of Natural Resources and Environment shall determine and announce minimum flow regarding inter-provincial and transboundary rivers and streams; the provincial People's Committee shall determine and announce minimum flow regarding intra-provincial rivers and streams.

6. The Ministry of Natural Resources and Environment shall:

- a) Preside over determining and adjusting locations and values of minimum flow in inter-provincial and transboundary rivers and streams and collect opinions from Ministries, ministerial agencies, provincial People's Committees concerned before making a decision; announce minimum flow in inter-provincial and transboundary rivers and streams;
- b) Approve and announce the minimum flow in the downstream of dams and reservoirs specified in point b clause 1 of this Article under the authority to license water resource exploitation.

7. A provincial People's Committee shall:

- a) Preside over determining and adjusting locations and values of minimum flow in intra-provincial rivers and streams and collect opinions from the Ministry of Natural Resources and Environment and agencies concerned before making a decision; announce minimum flow in intra-provincial rivers and streams;
- b) Approve and announce the minimum flow in the downstream of dams and reservoirs specified in point b clause 1 of this Article under the authority to register and license water resource exploitation.

8. Organizations and individuals that manage and operate dams and reservoirs according regulations of point b clause 1 of this Article must determine and propose the minimum flow in the downstream of dams and reservoirs, state it in the registration form or application for licensing of surface water exploitation and submit it to a competent authority for approval.

9. The determination and adjustment of the minimum flow in the cases mentioned in clause 1 of this Article shall be carried out in compliance with regulations issued by the Minister of Natural Resources and Environment.

The review and adjustment of the minimum flow shall be carried out every 05 years when there is any adjustment of contents related to the exploitation and use of water resources under planning; there is any newly formed water exploitation project or structure which significantly changes the flow regime of a river or stream; there is any fluctuation in natural conditions which greatly affects the water source.

Article 25. Assurance about flow circulation

The flow circulation must be assured as per regulations of this Law and other relevant regulations of law when performing the following activities:

- 1. Exploring and mining minerals in a river, stream, canal or ditch;

2. Building any bridge, wharf or any other structure which restricts the flow of a river, stream, canal or ditch or crosses a river, stream, canal or ditch;
3. Placing any pump or cable across a river, stream, canal or ditch or placing any cage in a river or carrying out any other activity.

Article 26. Protection of quality of domestic water sources

1. Organizations and individuals shall protect quality of domestic water sources. The person who discovers any act of polluting a domestic water source shall promptly notify the nearest People's Committee.
2. A provincial People's Committee shall:
 - a) Control activities that pose the risk of polluting domestic water sources;
 - b) Determine and organize the announcement of domestic water safeguard zones in consideration of proposals of organizations and individuals exploiting water resources for domestic activities in accordance with regulations issued by the Minister of Natural Resources and Environment;
 - c) Carry out monitoring and disclose information about quality of domestic water sources, provide warnings about abnormal phenomena in the quality of domestic water sources within its province;
 - d) Direct People's Committees of districts and communes to implement measures to supervise, monitor and protect quality of domestic water within their districts and communes.
3. People's Committees of districts and communes shall implement measures to protect quality of domestic water within their districts and communes.
4. The Ministry of Construction shall preside over and cooperate with the Ministry of Public Security, Ministries, ministerial agencies and provincial People's Committees in compiling a list of domestic water supply facilities of special importance, and submit it to the Prime Minister for approval.
5. The Ministry of Public Security shall formulate and organize the implementation of the plan to protect domestic water supply facilities of special importance mentioned in clause 4 of this Article.
6. The Ministry of Natural Resources and Environment shall preside over and cooperate with provincial People's Committees in determining and announcing domestic water safeguard zones with respect to any structures for which the domestic water safeguard zone exists in at least two provinces or central-affiliated cities.

Article 27. Protection of quality of water sources in agricultural production, aquaculture, mineral mining and other activities

1. Organizations and individuals using fertilizer, agrochemicals, aquatic veterinary drugs, aquaculture feeds, environmental treating products in aquaculture and other chemicals for cultivation, animal husbandry and aquaculture must comply with regulations of law and must not pollute water sources.
2. Establishment conducting production and business activities, providing services, mining minerals and conducting other activities are not permitted to discharge wastewater that has not been treated to meet environmental technical regulations into surface water sources or seawater; in case of using dangerous chemicals, measures should be in place to ensure safety and prevent leakage or water source pollution.
3. Organizations and individuals using water resources for inland waterway traffic, entertainment, tourism, healthcare, recreation, scientific research and other purposes must not pollute water sources.
4. The Ministry of Agriculture and Rural Development shall perform state management of the use of fertilizers and agrochemicals for agricultural production according to regulations of law without causing water source pollution and impacting water source functions.
5. The provincial People's Committee shall, at the end of the mining period, consider deciding to repurpose pits for minerals, soil and building materials into reservoirs to regulate, store and supply water and create landscapes provided that all the conditions prescribed in this Law, laws on investment, land, environmental protection and minerals are complied with, and shall update and make additions to the list of intra-provincial surface water sources and the list of lakes, ponds and lagoons prohibited from reclamation.

Article 28. Protection of water sources having the functions of protection and preservation of religious activities, practices of folk beliefs, cultural values and biodiversity, and tourism development

1. Water sources having the functions of protection and preservation of religious activities, practices of folk beliefs, cultural values and biodiversity, and tourism development include:
 - a) Water sources associated with important wetlands, biodiversity conservation areas, high-biodiversity water sources according to regulations of law on biodiversity;
 - b) Water sources associated with religious activities, practices of folk beliefs, scenic landscapes, historical and cultural sites/monuments that have been ranked or zoned for protection according to regulations of law on religion, folk belief, and heritage sites and other relevant regulations of law;

c) Water sources associated with natural heritage sites according to regulations of law on environmental protection.

2. The exploitation and use of water resources, discharge of wastewater into water sources and activities within water resource protection corridors specified in clause 1 of this Article must be strictly controlled and monitored to ensure that the functions of protection and preservation of religious activities, practices of folk beliefs, cultural values and biodiversity, and tourism development are not impacted.

3. The State prioritizes the protection and restoration of the water sources specified in clause 1 of this Article upon their deterioration, depletion or pollution.

Article 29. Protection and development of water generation sources

1. Protection and development of water generation sources mean the management, protection and development of forests with the aim of improving the soil's ability to retain water, preventing and controlling soil erosion, landslides, saltwater intrusion, gutter-shaped floods, flash floods, protecting and developing water resources.

2. The State introduces policies to protect and develop forests, encourage the repurposing of production forests into protection forests according to planning; distribute and allocate payments for forest environmental services for protection and development of water generation sources on river basins; allocate revenues from exploitation of water resources in downstream localities to make payments to upstream localities, ensuring fairness and reasonableness.

3. Investors in construction of reservoirs, mineral mining and processing projects and other activities involving the use of water resources which affect the forest area must discharge their obligations in accordance with regulations of law on forestry.

4. Organizations and individuals exploiting and using water resources must make payments for forest environmental services in accordance with regulations of law on forestry.

Article 30. Groundwater exploitation threshold

1. Groundwater exploitation threshold shall serve as one of the bases to be considered during the appraisal, decision on and approval of the following tasks:

a) Water resource-related planning; provincial planning and technical and specialized planning containing contents related to the exploitation and use of water resources; determination and announcement of areas prohibited and areas restricted from groundwater exploitation;

b) Plan for regulation and distribution of water resources on river basins; restoration of deteriorated, depleted or polluted groundwater sources;

c) Licensing of groundwater exploration and exploitation;

d) Projects and solutions for artificial recharge of groundwater.

2. Groundwater exploitation threshold shall be determined according to characteristics of the water source; status and demands for exploitation and use of water resources; requirements for protection of ground water source and requirements for socio - economic development.

3. The groundwater exploitation threshold shall be determined satisfying the requirements below:

a) Determine the groundwater exploitation threshold for each zone or aquifer;

b) Maintain the balance between the amount of water exploited and that annually recharged to aquifers and relationship with relevant aquifers;

c) Protect groundwater sources and maintain harmony between legitimate rights and interests of organizations, individuals and localities concerned.

4. The Government shall elaborate this Article.

Article 31. Groundwater protection

1. Organizations and individuals must fill up wells which are damaged, no longer in use or not intended for future use in the following circumstances:

a) Drill or dig wells for survey, assessment, exploration or exploitation of groundwater;

b) Carry out drilling operations for geological survey of construction works, handling of foundations of construction works or construction of underground structures;

c) Carry out drilling operations for geological exploration, mineral exploration, mineral mining, oil and gas extraction and other projects.

2. Organizations and individuals must satisfy the requirements for groundwater protection and regulations of law on environmental protection in the following circumstances:

a) Design or construct structures serving drilling, digging or experimentation for projects on survey, assessment, exploration or exploitation of groundwater;

b) Conduct geological survey of construction works, handle foundations of construction works or construct underground structures; carry out geological exploration, mineral exploration, mineral mining, oil and gas extraction;

c) Dewatering mines or construction pits lowering the water table and carrying other drilling, digging and experimentation activities.

3. Groundwater survey or exploration drilling and groundwater exploitation drilling must be carried out by holders of the license to practice groundwater drilling.

4. According to the groundwater protection plan, the provincial People's Committee shall zone off, announce and adjust the list of areas prohibited and restricted from groundwater exploitation; decide to remove a groundwater source from the list of areas prohibited and areas restricted from groundwater exploitation when it has been restored.

5. The determination of areas prohibited and restricted from groundwater exploitation must achieve harmony between legitimate rights and interests of related organizations and individuals and such areas shall be considered and zoned off in the following areas:

a) Areas where the groundwater level is continuously decreased and at risk of exceeding the groundwater exploitation threshold;

b) Area where land subsidence has occurred or areas at risk of land subsidence;

c) Areas where groundwater sources are at risk of suffering from saltwater intrusion.

6. Any organization or individual issued with the permit for exploitation of groundwater within area restricted from groundwater exploitation may continue the exploitation until the expiry date of the permit and shall have their permit issued, extended, adjusted or re-issued if they meet all conditions but the permissible amount of water to be exploited shall not be exceeded.

7. The provincial People's Committee shall promulgate a groundwater protection plan and organize the implementation thereof. The groundwater protection plan shall be promulgated for a period of no more than 03 years from the effective date of this Law and may be considered and adjusted every 05 years or adjusted on an ad hoc basis to meet the requirements for socio - economic development and water source protection.

The groundwater protection plan must specify the areas and aquifers where water source deterioration, depletion or pollution occurs to be protected or restored; areas to be zoned off or removed from the list of areas prohibited and restricted from groundwater exploitation; groundwater exploitation plan; areas to be artificially recharged; solutions for protecting groundwater source quality.

8. The Minister of Natural Resources and Environment shall promulgate a national technical regulation on well filling as specified in clause 1 of this Article; promulgate regulations on protection of groundwater upon conducting the activities mentioned in clause 2 of this Article; promulgate regulations on formulation and adjustment of the groundwater protection plan as specified in clause 7 of this Article.

9. The Government shall elaborate clauses 3 and 5 of this Article; promulgates regulations on zoning, announcement and adjustment of areas prohibited and restricted from groundwater exploitation.

Article 32. Prevention and control of water source deterioration, depletion and pollution

1. When building an urban area, high density residential area, tourism area, recreation area, hi-tech zone, industrial park, economic zone, export-processing zone, industrial cluster or craft village, the carrying capacity of the surface water source and the supply capacity of the water source shall be taken into account and such area shall not be located within the protection corridor of the water source in river sections where a landslide occurs or at risk of a landslide.

2. An organization or individual that conducts any activity causing land subsidence, water source deterioration, depletion or pollution or saltwater intrusion must implement remedial measures; provide compensation and bear responsibility as prescribed by law if any damage is caused.

3. Wastewater generated from the production, business, service provision, urban areas or high density residential areas must be collected, treated and controlled and measures for prevention of, response to and remediation of water source pollution incidents under regulations of law on environmental protection.

4. Any organization or individual that mines minerals or constructs a structure shall immediately suspend the pumping and dewatering and take remedial measures if the pumping and dewatering lowers the water table; if any damage is caused, provide compensation and bear responsibility as prescribed by law.

5. For ponds and lakes containing wastewater or wastewater storage areas, it is required to implement water source protection measures as per regulations of law on environmental protection without causing water source pollution.

Article 33. Seawater pollution prevention and control

1. Organizations and individuals conducting activities at sea must have plans, equipment and human resources for seawater pollution prevention and control.

In case of causing seawater pollution, they must take timely remedial measures and immediately notify a competent authority upon discovery; provide compensation for any damage caused according to regulations of law on environmental protection.

2. Waste generated from activities in coastal areas and on islands and activities at sea must be controlled and treated to meet standards and technical regulations according to the provisions of law before being discharged into the sea.

Article 34. Restoration of deteriorated, depleted or polluted water sources, and response to and remediation of water source pollution incidents

1. The restoration of deteriorated, depleted or polluted water sources shall be carried out as follows:

- a) Make a list of deteriorated, depleted or polluted water sources to be restored;
- b) Formulate a deteriorated, depleted or polluted water source restoration plan, program or project; prioritize the restoration of rivers and river sections which are depleted, have no flow or are seriously polluted on the list of degraded, depleted, and polluted water sources to be restored; allocate resources for implementation;
- c) Adjust operating regimes, adding and upgrading water regulation and storage facilities, build dams, reservoirs, pumping stations, water conveyance facilities, carry out dredging to raise water, refill water and restore the flow, improve and enhance the capacity for flow circulation, quantity and quality of water sources, artificially recharge groundwater; eliminate environmental pollution; treat and control wastewater; use water in a circular manner, reuse water.

2. According to the approved water resource-related planning, degree and scope of deterioration, depletion, and pollution of water sources in river basins, and the requirements for exploitation, use, and protection of water sources, the Ministry of Natural Resources and Environment shall preside over and cooperate with relevant ministries, ministerial agencies, and provincial People's Committees in compiling a list of deteriorated, depleted and polluted water sources to be restored; develop plans, programs and projects to restore deteriorated, depleted and polluted water sources and submit them to the Prime Minister for approval.

3. Ministries, ministerial agencies and provincial People's Committees that invest in projects to build dams and reservoirs in rivers on the list of water sources to be restored as prescribed in point a clause 1 of this Article must consult with the Ministry of Natural Resources and Environment and river basin organization in the area where the project is implemented about the details on water source restoration before the competent authority approves investment guidelines or makes an investment decision.

4. Organizations and individuals participating in the restoration of deteriorated, depleted and polluted water sources are entitled to incentives and assistance as per Articles 73 and 74 of this Law and other relevant regulations of law.

5. Funding for restoring deteriorated, depleted and polluted water sources shall be covered by the state budget, state budget dedicated to economics and environmental protection, development investment capital, environment protection funds, payments made by entities causing water deterioration, depletion and pollution and other contributions from organizations and individuals.

6. The response to and remediation of water source pollution incidents shall comply with regulations of law on environmental protection. In the case where a transboundary water source pollution incident occurs, the following regulations shall be satisfied:

a) The People's Committee of the province which has the transboundary water source shall promptly deal with the water source pollution incident occurring in its province and report it to the Ministry of Natural Resources and Environment;

b) The Ministry of Natural Resources and Environment shall preside over and cooperate with the Ministry of Foreign Affairs, Ministries, river basin organization and agencies concerned to cooperate with a competent authority in the country where the transboundary water source pollution incident occurs in order to immediately adopt measures to prevent it and overcome its consequences in accordance with international laws, and international agreements and treaties to which the Socialist Republic of Vietnam is a signatory.

Chapter IV

REGULATION, DISTRIBUTION, EXPLOITATION AND USE OF WATER RESOURCES

Section 1. REGULATION AND DISTRIBUTION OF WATER RESOURCES

Article 35. Regulation and distribution of water resources

1. The regulation and distribution of water resources for the purposes of exploiting and using water resources shall rely on water resource-related planning, water source scenarios, status, demands and quotas for exploitation of water resources taking the climate change impacts and water resource accounting results into account and adhering to the following principles:

a) Ensure water security, fairness and reasonableness among organizations and individuals exploiting and using water resources in the same river basin and between upstream and downstream areas;

b) Give priority to the quantity and quality of water supplied for domestic activities; contribute to ensuring food security and energy security, and serving essential needs of the people;

In the case of drought or water scarcity, rely on the principles and order of priority determined under the comprehensive inter-provincial river basin planning to restrict the distribution of water resources to the inessential activities that use a lot of water and prioritize the supply of water for daily activities and activities that use water in an economical and efficient manner;

c) Maintain minimum flow in rivers and streams, groundwater exploitation threshold;

d) Combine or alternate the exploitation of surface water and the exploitation of groundwater and rainwater; enhance the rainwater storage.

2. The regulation and distribution of water resources by way of regulating the operating regime of dams, reservoirs, water exploitation structures and coordinating the activities of exploitation and use of water resources in river basins and aquifers to optimize the socio-economic and environmental benefits brought by water resources and aim to regulate, distribute and regulate water resources using a system of decision support tools.

3. A decision support tool system shall be built and operate on the basis of monitoring data, hydrometeorological forecasts, water resources, status of surface water and groundwater sources, demands for exploitation and use of water resources and numerical models built and operated in each river basin and aquifers in each region.

The Ministry of Natural Resources and Environment shall organize the creation, management and operation of the decision support tool system. Organizations and individuals are encouraged to participate in building decision support systems and providing decision support services for regulation and distribution of water resources but shall comply with the regulations set out in Article 70 of this Law.

4. A water source scenario shall be constructed on the basis of status of water resources in river basins, hydrometeorological forecasts, water source changes and include the following main contents: status of the surface water source and ground water source, status of water storage in reservoirs in the river basin, water level in aquifers; demands for exploiting and using water resources; forecasts about trends in changes in rainfall, flow, amount of water stored in reservoirs and water levels in aquifers during a year; assessment of the degree of drought and water scarcity in the river basin.

5. Annually, the Ministry of Natural Resources and Environment shall preside over and cooperate with other Ministries, ministerial agencies, provincial People's Committees, river basin organizations and other relevant organizations in constructing and announcing water source scenarios in river basins on the list of inter-provincial river basins for which comprehensive inter-provincial river basin planning is required. According to the announced water source scenarios, status and changes in water sources and hydrometeorological forecasts, the Ministry of Natural Resources and Environment shall decide to update water source scenarios.

6. According to water source scenarios and requirements for management, exploitation and use of water resources, the Ministry of Agriculture and Rural Development, Ministry of Industry and Trade, Ministry of Construction and People's Committees of provinces in inter-provincial river basins shall, within their jurisdiction, provide directions for the formulation of plans to exploit and use water resources in conformity with the water source scenarios.

7. According to the water source scenario, for a river basin which is forecast to suffer from a drought or water scarcity, the Ministry of Natural Resources and Environment

shall preside over and cooperate with other related Ministries, ministerial agencies and provincial People's Committees in formulating and organizing the implementation of the plan to regulate and distribute water resources in compliance with the principles specified in clause 1 of this Article.

8. The Government shall elaborate this Article.

Article 36. Regulation and distribution of water resources upon occurrence of droughts and water scarcity

1. If a drought or water scarcity occurs, according to the current situation and forecasts about the status of the drought or water scarcity, the Ministry of Natural Resources and Environment shall preside over and cooperate with other Ministries, ministerial agencies, provincial People's Committee, river basin organization and other organizations concerned in reviewing, updating and implementing the plan to regulate and distribute water resources specified in clause 7 Article 35 of this Law; if a serious drought or water scarcity occurs on a large scale, report it to the Prime Minister so as for him to consider and decide a plan to regulate and distribute water resources.

2. According to the plan to regulate and distribute water resources, Ministries, ministerial agencies and provincial People's Committee shall, within their jurisdiction, adopt response and damage minimization measures and comply with the following regulations:

a) The Ministry of Natural Resources and Environment shall preside over and cooperate with the Ministry of Agriculture and Rural Development, Ministry of Industry and Trade, Ministry of Construction, other Ministries, ministerial agencies and provincial People's Committee concerned in regulating water sources in service of domestic activities, agricultural production, industrial production, irrigation, hydropower and other demands for exploitation and use of water resources; decide to restrict the distribution of water resources to the inessential activities that use a lot of water;

b) The Ministry of Agriculture and Rural Development shall direct the regulation and distribution of water resources within the system of hydraulic structures in accordance with regulations of law on irrigation;

c) The Ministry of Industry and Trade shall direct the regulation of hydroelectric reservoirs;

d) The Chairperson of the provincial People's Committee shall decide to use surface water and groundwater sources and existing backup water supply facilities in areas under his/her management to proactively respond to the water scarcity ensuring the domestic water supply and serving other essential needs for water; direct and mobilize all resources to implement measures to overcome the water scarcity in the province.

3. Organizations and individuals shall take measures to reduce the amount of water exploited and join local government in implementing measures to respond to and overcome the water scarcity in their locality.

Article 37. River basin water transfer

1. Any project involving the transfer of water or the river, canal or ditch digging in service of water transfer that greatly affects the socio - economic development, environment and people's lives shall have details about its water transfer plan approved by a water resources authority approved. The approval shall rely on the following bases:

- a) National water resource strategy, national environmental protection strategy;
- b) Water resource planning, provincial planning and other relevant planning; socio - economic development plan tailored for the locality and industries related to the exploitation and use of water resources in river basins;
- c) Supply capacity of the water source, demands for exploitation and use of water resources of the water transferring basin and the water receiving basin;
- d) Scale of the project involving the transfer of water; degree of impact of water transfer on the exploitation and use of water resources, on the prevention and control of floods, river channel, bank and terrace erosion or saltwater intrusion and on the economy, society and environment.

2. The details about water transfer plan shall be approved before the competent authority approves the investment guidelines or make an investment decision. The written approval for details about water transfer plan shall serve as one of the bases to consider approving investment guidelines or making an investment decision.

3. The Government shall elaborate this Article; promulgate regulations on procedures and power to approve details about water transfer plans.

Article 38. Reservoir and inter-reservoir operation procedures

1. Dams and reservoirs shall have their reservoir operation procedures approved according to regulations of law on management of safety of dams and reservoirs prior to water storage.

2. Dams and reservoirs on the list specified in point a clause 7 of this Article shall be operated according to the inter-reservoir operation procedures.

3. Reservoir and inter-reservoir operation procedures shall rely on the requirements for ensuring safety of structures, prevention of floods and inundations, and supply of water to lowlands and adhere to the principles specified in clause 1 Article 35 of this Law.

4. Reservoir and inter-reservoir operation procedures must be established and issued in the direction of real-time operation of reservoirs so as to ensure safety of structures and lowlands, optimize water sources for their intended uses and socio - economic and environmental benefits brought by water sources.

Organizations and individuals managing and operating dams and reservoirs shall consider and invest in comprehensive technical infrastructure solutions to ensure that conditions and requirements for real-time operation of reservoirs and inter-reservoirs are met.

5. Local authorities, organizations and individuals are encouraged to participate in building or making contributions to build and operate decision support systems to operate reservoirs and inter-reservoirs ensuring the economical and efficient use of water and shall comply with the regulations set out in Article 70 of this Law.

6. Opinions of Ministries, ministerial agencies, provincial People's Committees, river basin organizations and other organizations concerned about procedures for operating inter-reservoirs in river basins must be collected before submission thereof to a competent authority for approval.

7. Responsibility for establishing reservoir and inter-reservoir operation procedures:

a) The Ministry of Natural Resources and Environment shall make a list of dams and reservoirs to be operated according to inter-reservoir operation procedures; preside over and cooperate with other Ministries, ministerial agencies and provincial People's Committees concerned in organizing the establishment and adjustment of procedures for operating inter-reservoirs in river basins, and submit them to the Prime Minister for approval.

If Ministries, ministerial agencies, provincial People's Committees and organizations managing and operating dams and reservoirs request the adjustment of inter-reservoir operation procedures, they must formulate an adjustment plan and submit it to the Ministry of Natural Resources and Environment for appraisal and to the Prime Minister for approval.

b) Organizations managing and operating dams and reservoirs shall establish and adjust reservoir operation procedures and submit them to a competent authority for approval under regulations of law on management of safety of dams and reservoirs and in conformity with the inter-reservoir operation procedures.

8. Conditions and requirements for real-time operation of reservoirs and inter-reservoirs applicable to technical infrastructure, procedures for real-time inter-reservoir operation procedures shall be established and adjusted as follows:

a) The Ministry of Natural Resources and Environment shall organize the establishment or adjustment of real-time inter-reservoir operation procedures, and submit them to the Prime Minister for approval.

If Ministries, ministerial agencies, provincial People's Committees and organizations managing and operating dams and reservoirs request the adjustment of real-time inter-reservoir operation procedures, they must formulate an adjustment plan and submit it to the Ministry of Natural Resources and Environment for appraisal and to the Prime Minister for approval;

b) The Ministry of Agriculture and Rural Development, Ministry of Industry and Trade and provincial People's Committees shall, within their jurisdiction, consider approving or adjust the real-time inter-reservoir operation procedures at the request of organizations managing and operating dams and reservoirs;

c) Organizations managing and operating dams and reservoirs are encouraged to develop and apply standards, research, transfer and apply advanced science and technology to carry out real-time reservoir operation, improve the efficiency in exploitation and use of water resources, ensure safety and supply water to lowlands.

9. For reservoirs not included in the list of dams and reservoirs for which procedures for operation of inter-reservoirs in river basins must be established as specified in point a clause 7 of this Article, according to the requirements for ensuring dam and reservoir safety, minimum flow and requirements for prevention and control of floods, droughts and water scarcity, and supply of water to lowlands, the provincial People's Committee shall compile a list of dams and reservoirs in rivers and streams in areas under its management for which regulations on cooperation in operation must be formulated and consult with the Ministry of Natural Resources and Environment thereabout before the approval.

According to the list of dams and reservoirs in rivers and streams in areas under its management for which regulations on cooperation in operation must be formulated, the provincial People's Committee shall organize the formulation of regulations on cooperation in operation between dams and lakes in rivers and streams and consult with the Ministry of Natural Resources and Environment before promulgation.

In the event that dams and reservoirs in rivers and streams for which regulations on cooperation operation must be formulated are located within two or more central-affiliated provinces or cities, the People's Committee of the province in lowlands shall preside over the formulation of regulations on cooperation operation and consult with relevant provincial People's Committee and Ministry of Natural Resources and Environment prior to the promulgation by the People's Committee of the province in lowlands.

10. The Government shall elaborate clause 4, point a clause 7, clauses 8 and 9 of this Article.

Article 39. Artificial recharge of groundwater

1. The State encourages organizations and individuals to seek solutions for and carry out artificial recharge of groundwater. Priority shall be given to investment in and construction of facilities for water storage combined with artificial recharge of groundwater on islands, in water-scarce areas and areas specified in point a clause 5 Article 31 of this Law.

2. Artificial recharge of groundwater shall rely on results of assessment of conformity in terms of quality, quantity, water retention and storage ability of aquifers; demands for exploitation and use of water resources and requirements for groundwater protection; assessment of socio - economic and environmental impacts on artificial recharge of groundwater.

3. The Minister of Natural Resources and Environment hereby promulgate regulations on artificial recharge of groundwater.

Article 40. Rainmaking

Rainmaking includes making rain or increasing rainfall and must be based on the demands for exploitation and use of water resources in water-scarce areas and available conditions to decide appropriate measures and scale and be subject to approval by competent authorities in accordance with regulations of law on hydrometeorology.

Section 2. EXPLOITATION AND USE OF WATER RESOURCES

Article 41. General provisions on exploitation and use of water resources

1. The exploitation and use of water resources for domestic activities, agricultural production, aquaculture, industrial production, waterway traffic, hydropower, irrigation, sports, tourism, business, services, source creation, saltwater intrusion prevention, landscape creation and other purposes must adhere to the principles specified in Article 3 of this Law and the following regulations:

a) The investment in and construction of exploitation facilities, dams, reservoirs, facilities for water regulation and storage, and water resource development must conform to water resource-related planning, provincial planning, technical and specialized planning containing contents related to the exploitation and use of water resources; supply capacity of water sources;

b) The exploitation and use of water resource shall be subject to the management, supervision, regulation and distribution by water resources authorities;

c) The exploitation and use of water resources must be within the supply capacity of water sources and conformable with plans to regulate and distribute water resources;

d) The exploitation of water resources must satisfy the requirements for minimum flow in rivers and streams; groundwater exploitation threshold and quotas for water resource exploitation;

dd) Declare, register and license the exploitation and use of water resources according to the provisions of this Law.

2. The exploitation and use of water resources in transboundary rivers and streams must conform to international agreements and treaties to which the Socialist Republic of Vietnam is a signatory.

Article 42. Rights and obligations of organizations and individuals exploiting and using water resources

1. Organizations and individuals exploiting and using water resources have the right to:

a) Exploit and use water resources for domestic activities, agricultural production, aquaculture, industrial production, waterway traffic, hydropower, irrigation, sports, tourism, business, services and other purposes as per regulations of this Law and other relevant regulations of law;

b) Enjoy the benefits from the exploitation and use of water resources;

c) Have their legitimate rights and interests protected during the exploitation and use of water resources;

d) Convey water through adjacent real estate under the management and ownership of other organizations and individuals under regulations of law;

dd) Lodge complaints about and initiate lawsuits against acts of infringing upon their right to exploit and use water resources and other legitimate interests in accordance with relevant regulations of law;

e) Request authorities licensing the exploitation of water resources to suspend the water resource exploitation permit;

g) In case it is necessary to reduce the amount of water exploited or suspend the water resource exploitation permit at the competent authority's request, receive a reduction in the fee for water resource exploitation right corresponding to the water reduction or suspension period;

h) Other rights prescribed by law.

2. Organizations and individuals exploiting and using water resources have the obligation to:

- a) Protect water resources, prevent, respond to and recover damage caused by water under regulations of this Law and other relevant regulations of law;
- b) Use water for its intended purposes, in an economical, efficient and safe manner;
- c) Do not hinder or cause any damage to the legal exploitation and use of water resources by other organizations and individuals;
- d) Protect water sources which they directly exploit and use.
- dd) Discharge financial obligations; provide compensation for any damage they have caused during the exploitation and use of water resources as per regulations of law;
- e) Provide information and data related to the exploitation and use of water resources at the request of competent authorities; facilitate baseline survey of water resources, scientific research and research into water resources technology;
- g) When changing the scale of exploitation or uses of water resources, obtain permission from a competent authority, except for the case where the registration or licensing is not required as prescribed in Article 52 of this Law;
- h) Reduce or increase the amount of water exploited or adjust the operation and exploitation regime of facilities as requested by a competent authority;
- i) Fulfill the quotas for water resource exploitation set by natural resource authorities;
- k) Comply with the regulations set out in the water resource exploitation permit;
- l) Other obligations prescribed by law.

Article 43. Exploitation of water resources for domestic activities

1. Organizations and individuals exploiting water resources for production and supply of clean water for domestic activities shall:

- a) Apply standards and technical regulations, and operate water supply systems, have plans for backup water supply, prevention of and response to water source pollution incidents, water scarcity and other incidents according to regulations of law on water supply, ensuring the stable, safe and continuous supply of water and minimization of water loss and waste;
- b) Only convey water to domestic water safeguard zones, control and supervise activities within domestic water safeguard zones;
- c) Carry out monitoring of water resources, supervision of water resource exploitation and automatic, continuous and periodic monitoring and surveillance of the quality of

exploited water sources according to Article 51 of this Law, connect and transmit data to the national water resources information system and database.

2. Centralized and decentralized water supply models shall be combined upon investment in construction, management and operation of domestic water supply facilities. The investment in construction, management and operation of centralized domestic water supply facilities must not militate against the water exploitation by organizations and individuals issued with the license to exploit water resources within the water supply service water.

3. The Ministry of Construction, Ministry of Agriculture and Rural Development and Ministry of Health shall, within their jurisdiction, bear the following responsibility:

a) Revise details about water supply in the planning related to supply of domestic water to urban and rural areas in conformity with water resource-related planning;

b) Promulgate and implement standards and technical regulations to ensure safety, economical and efficient use of water, and minimize water loss; promulgate national technical regulations on clean water quality used for domestic purposes; propose mechanisms and policies to support sustainable development and household safe water supply in rural areas;

c) Direct the formulation of plans for backup water supply, prevention and response to water source pollution incidents, water scarcity and other incidents.

4. Provincial People's Committees shall organize the implementation of emergency measures to maintain the supply of domestic water in the case of a drought, water scarcity or serious water pollution incident causing water scarcity.

5. The Government shall promulgate regulations on production, supply and consumption of domestic water.

Article 44. Exploitation of water resources for agricultural production

1. Organizations and individuals exploiting water resources for agricultural production shall:

a) Adopt solutions for water conservation, prevention and control of acidity, salinity and soil erosion without polluting water sources;

b) Comply with the procedures for operating reservoirs and inter-reservoirs and operating works and hydraulic structures according to Article 38 of this Law and law on irrigation;

c) Operate reservoirs, works and hydraulic structures in a manner that serves their intended purposes, maintains flow circulation and minimum flow as prescribed in Article 24 of this Law and does not cause stagnation or pollution of water sources; carry out

monitoring of water resources and supervision of water resource exploitation according Article 51 of this Law; use water economically, minimize loss and waste, improve water use efficiency, and combine improvement, restoration and development of water sources.

2. The Ministry of Agriculture and Rural Development and provincial People's Committees shall, within their jurisdiction, bear the following responsibility:

a) Review and adjust procedures for operating reservoirs, works and hydraulic structures, ensuring the economical, efficient and multi-purpose of water, preventing water loss and waste and maintaining flow circulation within the system of works without causing stagnation or pollution of water sources;

b) Direct and organize the restructuring of crop seasons or types of crops or livestock animals in a manner that suits the supply capacity of water sources, water source scenarios and plans to regulate and distribute water resources as specified in Article 35 and Article 36 of this Law; apply advanced, economical and effective irrigation technologies.

Article 45. Exploitation of water resources for hydropower

1. The exploitation of water resources for hydropower must ensure the integrated and multi-purpose use, except for small-scale water exploitation; participate in flood reduction and water supply to lowlands at the request of competent authorities; satisfy dam and reservoir safety requirements.

2. Organizations and individuals exploiting water resources for hydropower shall comply with the reservoir and inter-reservoir operation procedures according to Article 38 of this Law and law on dam and reservoir safety.

3. The Ministry of Industry and Trade shall direct the review and adjustment of hydroelectric reservoir operation procedures according to Article 38 of this Law to ensure the safe, economical, efficient and multi-purpose use of water, and flood and inundation prevention; maintain the minimum flow as prescribed in Article 24 of this Law and supply of water to lowlands.

Article 46. Exploitation of water resources for salt production and aquaculture

1. The State encourages the investment in exploitation of seawater for salt production. Organizations and individuals exploiting seawater for salt production must not cause saltwater intrusion, adversely affecting agricultural production and environment.

2. Organizations and individuals exploiting water resources for aquaculture must not cause deterioration, depletion, or pollution of water sources, obstruct the flow, damage river structures, hinder waterway traffic and cause salinization of water sources.

3. Aquaculture in reservoir channels must not affect dam and reservoir safety, water source quality and dams and reservoirs' capacity for flood prevention and control and supply of water to lowlands.

Article 47. Exploitation of water resources for industrial production, mineral mining and processing and other purposes

1. Organizations and individuals exploiting water resources for industrial production, mineral mining and processing must adopt measures to collect and treat used water to make it meet national standards and technical regulations on wastewater before discharging it into water sources.

2. Organizations and individuals exploiting and using water resources for scientific research, healthcare, sports, entertainment, tourism, source creation, salinity prevention, landscape creation and other purposes must use water resources in a reasonable, economical and effective manner without causing deterioration, depletion and pollution of water sources, obstruction of flow and other adverse impacts on water sources.

Article 48. Use of water sources for waterway traffic

1. The State encourages the use of water sources for waterway traffic development.

2. Waterway traffic activities must not pollute water sources, obstruct flow, cause any damage to or erosion to river, canal and ditch channel, bank and terrace; if any damage is caused, compensation must be provided according to the provisions of law.

3. The construction and operation of waterway traffic infrastructure must not pollute water sources and must be within the capacity for meeting the requirements for river and stream water level and requirements for protection of river channel, bank and terrace.

Article 49. Use of water sources for other purposes

1. The use of reservoir water surface for business, service provision and solar power production must not affect dam and reservoir safety, water source quality, dams and reservoirs' capacity for flood prevention and control and supply of water to lowlands.

2. The use of river, stream, canal and ditch water surface for aquaculture, business, and service provision must not pollute water sources, obstruct the flow or cause any damage to river, stream, canal and ditch channel, bank and terrace and impact on other activities of water exploitation and use.

3. The digging of lakes, ponds, rivers, streams, canals and ditches in service of creating space for water collection and storage and create landscapes must be carried out in accordance with the law without causing land subsidence or adverse impacts on water sources and environment.

4. The activities mentioned in this Article must be conducted as per regulations of law on land and other relevant regulations of law; must be registered as prescribed in Article 52 of this Law.

Article 50. Dams, reservoirs and exploitation and use of water in relation to dams and reservoirs

1. The investment in and construction of dams and reservoirs in rivers and streams must conform to water resource-related planning, provincial planning and technical and specialized planning containing contents related to the exploitation and use of water resources, and ensure that such dams and reservoirs are capable of serving multiple purposes and proactive water retention and storage, water source regulation, distribution, restoration and development.

2. The investment in, construction, management and operation of dams and reservoirs and the management of exploitation and use of water sources from reservoirs must ensure the safety of dams and reservoirs.

3. The investment in and construction of dams and reservoirs in rivers and streams must meet the following requirements:

a) Conform to flood prevention and control standards and other related technical requirements according to regulations of law on natural disaster management; ensure the integrated and multi-purpose use of water sources; combine improvement and restoration of deteriorated, depleted and polluted water sources;

b) The design and general arrangement of headworks shall be such that work items are included to maintain minimum flow as prescribed in Article 24 of this Law, increase water discharge to lowlands as requested by competent authorities, use the dead storage in a reservoir in case of a drought or serious water scarcity, facilitate the migration and the movement of waterway vehicles;

c) In the case of investment in and construction of irrigation dams and reservoirs, comply with regulations of law on irrigation.

4. The construction and operation of reservoirs not built in rivers and streams must not adversely impact water sources and environment; not affect historical - cultural sites/monuments and scenic landscapes; must satisfy regulations on drainage and avoid artificial flooding.

5. The exploitation and use of water sources from reservoirs and activities within water source protection corridors must satisfy requirements for protection, exploitation and use of water resources and prevention of, response to and recovery of damage caused by water according to regulations of this Law; the assurance of safety of dams and reservoirs during investment in, construction, management and operation shall comply with regulations of law on management of dam and reservoir safety.

The operation of dams and reservoirs in rivers and streams must satisfy the requirements for reducing floods to lowlands, using water sources in an integrated and multi-purpose manner, combining improvement and restoration of water sources and creating landscapes, and adhere to the principles enshrined in Articles 35 and 36 of this Law.

6. Organizations and individuals managing and operating dams and reservoirs shall:

a) Comply with reservoir and inter-reservoir operation procedures; ensure safety of dams and reservoirs, maintain minimum flow and satisfy requirements for prevention and control of floods, droughts, water scarcity, and water supply to lowlands; if any damage is caused, provide compensation according to regulations of law;

b) Obey reservoir operation orders issued by competent authorities in the case of floods, droughts, water scarcity or saltwater intrusion and other emergency cases;

c) Implement plans to regulate and distribute water resources in river basins; make sure the storage capacity of the reservoir is adequate for the improve the ability to reduce floods and supply water to lowlands, improve and restore water sources at the request of competent authorities;

d) Issue notifications and warnings to ensure safety of people and related activities in lowlands of dams and reservoirs before discharging water to lowlands according to regulations of law on management of dam and reservoir safety;

dd) Carry out hydrometeorological monitoring, connect data to the natural resource information system and database, calculate and forecast the amount of water to reservoirs to serve reservoir and inter-reservoir operation and water source regulation and distribution as prescribed by law; carry out monitoring of water resources and supervision of water resource exploitation according to Article 51 of this Law;

e) Follow the regime for reporting and providing information and data as per regulations of this Law and other relevant regulations of law;

g) Formulate disaster response plans and emergency case response plans in accordance with regulations of law on natural disaster management and management of dam and reservoir safety;

h) Plant water source protection corridor markers as prescribed in Article 23 of this Law.

7. Organizations and individuals managing and operating dams and reservoirs are encouraged to hire organizations and individuals qualified and sufficiently competent to provide reservoir and inter-reservoir operation decision support services as prescribed in Article 70 of this Law so as to optimize socio - economic and environmental interests brought by water sources.

8. The Ministry of Agriculture and Rural Development shall preside over and cooperate with the Ministry of Industry and Trade and Ministry of Natural Resources and Environment in considering and proposing a plan to use part of the flood control storage above the retention water level of large and important reservoirs to improve the ability to reduce floods to lowlands in the event of emergency cases and unusual events, and submit it to the Prime Minister for decision.

9. The State invests in construction of and encourages organizations and individuals to construct works and reservoirs so as to protect, control, improve, restore and develop water sources, recharge groundwater and transfer water to water-scarce areas, inhabited islands and areas greatly affected by climate change, and assure proactive storage of fresh water, regulation and distribution of intra- and inter-provincial water resources.

Article 51. Monitoring of water resources and supervision of water resource exploitation

1. Monitoring of water resources includes measuring and calculating rainfall, flow, water level, quality of surface water and groundwater. The monitoring shall be conducted on an automatic, continuous or periodic basis and is prescribed as follows:

a) The Ministry of Natural Resources and Environment shall organize the establishment and operation of a water resources monitoring network for inter-provincial and transboundary surface water sources, and groundwater sources, hydro-meteorological monitoring network, and water quality monitoring network. The water resource monitoring network shall be established according to the planning for baseline survey of water resources;

b) The provincial People's Committee shall organize the establishment and operation of a water resources monitoring network for intra-provincial water sources. The water resource monitoring network shall be established according to the provincial planning;

c) Organizations and individuals exploiting water resources must carry out monitoring and install measuring equipment inspected and calibrated in accordance with regulations of law on measurement. Organizations and individuals are encouraged to participate in investing in, constructing and operating water resource monitoring works and providing monitoring data to natural resources authorities.

In the case where organizations and individuals exploit water resources for production and supply of domestic water, they shall comply with the regulations set out in this clause and carry out automatic, continuous and periodic monitoring and surveillance of water sources exploited.

d) The relocation, change of location, and dissolution of a surface water resources monitoring station shall be carried out in accordance with regulations of law on hydrometeorology; for a groundwater resources monitoring station, regulations imposed the Minister of Natural Resources and Environment shall be complied with. An

organization or individual that conducts any activity resulting the relocation or change of location of a monitoring station shall pay compensation as prescribed by law;

dd) Results of water resources monitoring, hydrometeorological monitoring and water quality monitoring must be updated and shared with the national water resource information system and database.

2. Water resources monitoring shall be carried out as follows:

a) The water resources authority shall receive monitoring data from organizations and individuals exploiting water resources and supervising the implementation of the regulations specified in the confirmation of registration of water resource exploitation and water resource exploitation permit;

b) Organizations and individuals exploiting water resources shall update, connect and transmit monitoring data into the national water resources information system and database to serve the supervision of water resource exploitation. ;

c) The Ministry of Natural Resources and Environment and provincial People's Committees shall supervise the exploitation of water resources for works under their licensing authority.

3. The Government shall promulgate regulations on subjects, scope, regime, parameters for monitoring of water resources, supervision of water resource exploitation and surveillance of water quality, and roadmap for implementation thereof.

Section 3. DECLARATION, REGISTRATION AND LICENSING REGARDING WATER RESOURCES

Article 52. General provisions on declaration, registration and licensing of exploration, exploitation and use of water resources

1. Organizations and individuals exploiting water resources for domestic activities, agricultural production, aquaculture, industrial production, waterway traffic, hydropower, irrigation, sports, tourism, business, services, source creation, saltwater intrusion prevention, inundation control, landscape creation and other purposes must obtain a water resource exploitation permit corresponding to the type of water source to be exploited as prescribed in clause 2 of this Article, except for the cases specified in clauses 3, 4 and 5 of this Article; in the case of groundwater exploitation, a groundwater exploration permit must be obtained before constructing a work.

2. Water resource exploitation permits consist of:

a) Surface water exploitation permit;

b) Groundwater exploitation permit;

c) Seawater exploitation permit.

3. An organization or individual is not required to declare or license the exploitation of water resources and register the exploitation and use of water resources in the following cases:

a) Exploit water for cultural activities, religious activities, practices of folk beliefs, fire preventing and fighting, national defense and security purposes, plant watering and road cleaning for public purposes;

b) Exploit surface water on a small scale to be used for agricultural production and aquaculture;

c) Exploit surface water on a small scale to be used for purposes other than those specified in points a and b of this clause and point dd clause 5 of this Article;

d) Exploit water for domestic activities in areas in the event of a drought, water scarcity, saltwater intrusion, pollution incident or epidemics announced by competent authorities according to the provisions of law;

dd) Exploit seawater to be used for saltwater production;

e) Exploit seawater to serve activities at sea;

g) Exploit seawater on a small scale to be used for production, business, service provision and aquaculture on islands or mainland;

h) Use river, stream, canal, ditch and reservoir water surface for aquaculture, business, and service provision on a small scale;

i) Dig lakes, ponds, canals and ditches on a small scale to create space to collect, store and convey water, and create landscapes;

k) The use of water surface within hydraulic structure protection corridors shall comply with regulations of law on irrigation;

l) Other cases prescribed by the Government.

4. Households exploiting groundwater for domestic purposes must make declaration for management.

5. Organizations and individuals must register the exploitation and use of water resources in the following cases:

a) Exploit surface water on a medium scale to be used for agricultural production and aquaculture;

b) Exploit groundwater on a small scale to be used for purposes other than those specified in point a clause 3 and clause 4 of this Article;

c) Use groundwater naturally flowing in a mining pit to select ore at the pit or pump water to drain the water naturally flowing into the mining pit;

d) Exploit seawater on a medium scale to be used for production, business, service provision and aquaculture on islands or mainland;

dd) Small and medium-sized river, stream, canal and ditch damming works for the purposes of source creation, saltwater intrusion prevention, inundation control and landscape creation;

e) Use river, stream, canal, ditch and reservoir water surface for aquaculture, business, and service provision on a scale other than that specified in point h clause 3 of this Article; use reservoir surface water for solar power production;

g) Dig lakes and streams; dig lakes, ponds, canals and ditches to create space for water collection, storage and conveyance, and create landscapes on a scale other than that specified in point i clause 3 of this Article

6. The competent authority specified in Article 53 of this Law shall issue a water resource exploitation permit that specifies quotas for water resource exploitation regarding organizations and individuals in the cases specified in clause 1 of this Article; confirm the registration of exploitation and use of water resources regarding organizations and individuals in the cases specified in clause 5 of this Article.

7. If an organization or individual explores or exploits groundwater within a hydraulic structure protection corridor, the licensing authority shall obtain written opinions from the regulatory body managing such hydraulic structure before licensing the exploration and exploitation of groundwater.

8. Opinions from representatives of residential community and from related organizations and individuals about impacts of water exploitation structures shall be obtained as follows:

a) The investor in the construction of a water exploitation structure that has a great impact on socio-economic development activities and people's lives in the locality shall cooperate with the local authority to obtain opinions from representatives of the residential community and related organizations and individuals about impacts of the project's plan to exploit and use water resources; consolidate, receive and explain in writing and send them along with the water resource exploitation licensing dossier;

b) The project investor must announce and publicize information about details about exploitation of water resources by the project and potential impacts prior to the project execution;

c) Funding for obtaining opinions shall be covered by the project investor.

9. The Government shall elaborate this Article.

Article 53. Power and procedures for declaration, registration and licensing of exploration, exploitation and use of water resources

Power and procedures for granting, extending, adjusting, re-issuing, approving the return of, suspending, invalidating and revoking water resource exploitation permits and groundwater exploration permits and declaration and registration of exploitation and use of water resources are regulated as follows:

1. The Ministry of Natural Resources and Environment shall issue, extend, adjust, re-issue, approve the return of, suspend, invalidate and revoke water resource exploitation permits and groundwater exploration permits for large-scale water exploitation structures; water exploitation structures having inter-regional and inter-provincial impacts;
2. Provincial People's Committees shall issue, extend, adjust, re-issue, approve the return, suspend, invalidate and revoke water resource exploitation permits and groundwater exploration permits in cases other than those specified in clause 1 of this Article; organize the declaration of exploitation and use of surface water and seawater;
3. District-level People's Committees shall organize the registration of groundwater exploitation;
4. Communal People's Committees shall receive declarations of exploitation of groundwater by households for domestic purposes;
5. The Government shall elaborate this Article; promulgate regulations on procedures for declaring the exploitation of groundwater by households, registering the exploitation and use of water resources; regulations on issuance, extension, adjustment, re-issuance, approval for return, suspension, invalidation and revocation of water resource exploitation permits and groundwater exploration permits.

Article 54. Validity period of water resource exploitation permits and groundwater exploration permits

1. Validity period of a water resource exploitation permit is prescribed as follows:
 - a) A surface water exploitation permit is valid for at least 05 years but no more than 10 years and may be extended as many times as necessary, up to 05 years for each extension;
 - b) A seawater exploitation permit is valid for at least 10 years but no more than 15 years and may be extended as many times as necessary, up to 10 years for each extension;

c) A groundwater exploitation permit is valid for at least 03 years but no more than 05 years and may be extended as many times as necessary, up to 03 years for each extension;

d) If an organization or individual applies for issuance of a permit whose validity period is shorter than the minimum period specified in points a, b and c of this clause, the permit shall be valid for the period written on the application form and may be extended as many times as necessary. Each extension shall not exceed the validity period of the previously issued and extended permit.

2. A groundwater exploration permit is valid for 02 years and may be extended once up to 01 year. If an organization or individual applies for issuance or extension of a permit with a shorter validity period, the permit to be issued or extended shall be valid for the validity period written on the application form.

3. In the event that an application form for extension of the water resource exploitation permit is submitted 45 days prior to the expiry date of such permit, the effective date of the extended permit shall be the day after the expiry date of the old permit.

Article 55. Principles of registration and licensing of exploration, exploitation and use of water resources

1. Carry out registration and licensing intra vires, for appropriate entities and according to the legally prescribed procedures.

2. Protect interests of the State and legitimate rights and interests of holders of the confirmation of registration of water resource exploitation, water resource exploitation permit and groundwater exploration permit and of other related organizations and individuals.

3. Prioritize the registration and licensing of exploration, exploitation and use of water resources for supply of domestic water.

4. Protect water resources and environment according to regulations of law; do not cause water source deterioration, depletion and pollution upon exploration, exploitation and use of water resources.

Article 56. Bases for issuing water resource exploitation permits and groundwater exploration permits

1. A water resource exploitation permit or groundwater exploration permit shall be issued on the following bases:

a) Water resource-related planning; national sector planning, provincial planning, specialized and technical planning containing contents related to the exploitation and use of water resources; supply capacity of water sources;

b) Status of exploitation and use of water resources in the region; requirements for water resource protection;

c) Appraisal result given by the competent authority regarding the application for issuance of the water resource exploitation permit or groundwater exploration permit according to regulations promulgated by the Government;

d) Demands for exploitation and use of water resources stated in the application form.

2. In the case of issuing a groundwater exploitation permit or groundwater exploration permit, it is required to rely on the bases specified in Article 30 and clause 4 Article 31 of this Law.

Article 57. Conditions for issuing water resource exploitation permits and groundwater exploration permits

1. An organization or individual will be issued with a water resource exploitation permit if the following conditions are met:

a) The obtainment of opinions is completed as prescribed in clause 8 Article 52 of this Law;

b) The exploitation of water resources complies with the regulations set out in point a clause 1 Article 56 of this Law; the exploitation of groundwater complies with regulations on areas prohibited and restricted from groundwater exploitation as prescribed in Article 31 of this Law;

c) Requirements for protection, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water prescribed in this Law are satisfied;

d) Information and data used to set up projects and make reports are adequate and accurate.

2. An organization or individual will be issued with a groundwater exploration permit if the following conditions are met:

a) There is a plan to construct items for exploration of water resources which satisfies groundwater protection requirements and complies with regulations on areas prohibited and restricted from groundwater exploitation as prescribed in Article 31 of this Law;

b) Information and data used to set up projects are adequate and accurate.

3. In addition to satisfying the regulations set forth in clause 1 of this Article, point b clause 3 Article 50 of this Article, a surface water exploiting organization building a dam or reservoir on a river or stream shall satisfy the following conditions:

- a) A plan to provide equipment and human resources is available to carry out hydrometeorological monitoring, forecast reservoir inflows, operate the reservoir, monitor water resources and supervise water resource exploitation;
- b) There have been reservoir operation procedures established under regulations of law on management of safety of dams and reservoirs in the case where a work is available.

Section 4. EFFICIENT AND ECONOMICAL USE OF WATER

Article 58. Circular, efficient and economical use of water

1. Organizations and individuals exploiting and using water resources shall adopt the following solutions to use water in a circular, economical and efficient manner:

- a) Exploit and use water resources for their intended purposes and in a reasonable way;
- b) Develop a plan to replace obsolete water-intensive facilities, equipment and technologies;
- c) Improve water use processes; apply advanced technology technologies to water exploitation and use; increase the circular use and reuse of water; store rainwater;
- d) Select crop seasons or types of crops or livestock animals in a manner that suits the supply capacity of water sources; improve, optimize and apply farming methods, technologies and techniques and build, maintain and operate water conveyance and storage facilities to use water in an economical and efficient manner for agricultural production.
- dd) Organizations and individuals managing and operating water supply systems must adhere to standards and technical regulations to ensure the stable, safe and continuous supply of water and minimization of water loss and waste;
- e) Organizations and individuals managing and operating works and system of hydraulic works must apply measures for economical and efficient use of water and ensure that the system of water supply facilities is operated reasonably to minimize water loss and waste.

2. The Ministry of Natural Resources and Environment, Ministry of Agriculture and Rural Development, Ministry of Industry and Trade, Ministry of Construction and Ministry of Science and Technology shall, within their jurisdiction, bear the following responsibility:

- a) Develop models for economical and efficient use of water; popularize and disseminate water conservation models, technologies and equipment.

b) Formulate programs and plan, provide directions and guidelines for applying models for economical and efficient use of water so as to gradually remove obsolete water-intensive technologies.

3. Provincial People's Committees shall applying comprehensive measures for management and strict control of the implementation of regulations on economical and efficient use of water within their provinces.

Article 59. Circular use of water and reuse of water

1. The State encourages projects on investment in production, business and services involving the exploitation and use of water, and discharge of wastewater to adopt solutions for circular use of water and reuse of water immediately during the phase of setting up the projects.

2. The treatment of wastewater and reuse of water shall comply with regulations of law on environmental protection.

3. For projects on investment in production, business and services involving the exploitation and use of water, and discharge of wastewater in areas with surface water sources having reached their carrying capacity as announced by a competent authority, there must be solutions for circular use of water or reuse of water or a plan to treat wastewater in accordance with environmental technical regulation on surface water quality before being discharged to water sources as per regulations of law on environmental protection.

4. Depending on the local socio - economic development conditions, the provincial People's Committee shall formulate a plan and roadmap for stipulating types of projects for which solutions for circular use of water and reuse of water are required with respect to the projects in areas frequently hit by droughts and water scarcity frequently occur, and determine the incentives to which those projects are entitled according to regulations of law.

5. Projects on investment in production, business and services which adopt solutions for circular use of water and reuse of water may be receive a reduction in the fee for water resource exploitation right as prescribed by this Law.

6. Organizations and individuals seeking and applying solutions for circular use of water and reuse of water in areas where water sources are deteriorated, groundwater exploitation threshold is exceeded and water sources have reached their carrying capacity.

Article 60. Incentives for efficient and economical use of water

1. Organizations and individuals investing in the circular use and reuse of water; collection and use of rainwater; use of water desalinated from seawater, and investing in

water conservation equipment and technologies are entitled to incentives as prescribed by law.

2. Criteria for water conservation products, equipment, and technologies shall satisfy regulations imposed by the Minister of Science and Technology.

Chapter V

PREVENTION OF, RESPONSE TO AND RECOVERY FROM DAMAGE CAUSED BY WATER

Article 61. Responsibility and obligation to prevent, respond to and recover and damage caused by water

1. Regulatory bodies, organizations and individuals have the responsibility and obligation to participate in preventing, responding to and recovering damage caused by water under regulations of this Law and other relevant regulations of law.

2. Ministries, ministerial agencies and People's Committees at all levels shall, within their jurisdiction, decide and organize the implementation of measures to prevent, respond to and recover and damage caused by water.

Article 62. Prevention of, response to and recovery from water-related damage caused by natural disasters

The prevention of, response to and recovery from damage caused by floods, inundations, sea level rise, hails, acid rain and other water-related damage caused by natural disasters shall comply with regulations of law on flood control system, law on natural disaster management and other relevant regulations of law.

Article 63. Prevention and control of droughts, storage scarcity, floods, inundations, artificial flooding

1. The State invests in and encourages organizations and individuals to invest in building water storage facilities and finding water sources to proactively respond to droughts and water scarcity; build, improve and restore lakes, ponds and other structures having the functions of water supply, regulation, prevention and control of artificial flooding; prioritize the utilization of pits for minerals, soil and building materials after the mining is done and satisfy regulations of law on environmental protection, law on minerals and other relevant regulations of law to turn them into reservoirs in service of water regulation, storage and supply, and landscape creation.

2. The State prioritizes the adoption of comprehensive rainwater storage and drainage solutions to minimize urban flooding.

3. Urban planning, planning for construction of urban areas, high density residential areas, tourism areas, industrial parks, economic zones, export-processing zones, industrial clusters and traffic planning must be formulated in a manner that restricts the repurposing of special-use forests, watershed protection forests, lake, pond and lagoon reclamation, and introduces solutions for storing and draining rainwater to avoid artificial flooding.

4. The covering of rivers, streams, canals and ditches shall be minimized to maintain the water drainage capacity, reduce artificial flooding and protect aquatic ecosystems.

5. The State prioritizes the investment in construction of water regulation and storage facilities in areas frequently hit by droughts, water scarcity, saltwater intrusion, floods and inundations to ensure safety upon control of flood, drought and salinity.

6. It is required to include lakes, ponds and lagoons having the functions of water regulation and supply, flooding prevention and control, landscape and environment creation, protection and preservation of religious activities, practices of folk beliefs, cultural values and biodiversity in the list of lakes, ponds and lagoons prohibited from reclamation and announce it for management and protection.

The Ministry of Natural Resources and Environment shall compile, announce and adjust the list of lakes, ponds and lagoons prohibited from reclamation with respect to lakes, ponds and lagoons belonging to inter-provincial surface water sources. Provincial People's Committees shall compile, announce and adjust lists of lakes, ponds and lagoons prohibited from reclamation with respect to lakes, ponds and lagoons belonging to intra-provincial surface water sources.

7. The Ministry of Natural Resources and Environment shall provide hydrometeorological and water resources forecasts and warnings under its authority; make real-time zoning maps of drought and water scarcity risk prone areas on digital platform, direct and supervise the implementation of the plan to regulate and distribute water resources specified in Article 35 and Article 36 of this Law.

8. The Minister of Construction shall promulgate national technical regulation on construction planning and national regulation on technical infrastructure to increase the capacity for absorbing, storing and draining rainwater, ensuring groundwater recharge and flooding prevention.

9. The Ministry of Transport and the Ministry of Construction shall, within their jurisdiction, maintain the water drainage capacity to avoid hindering the flow or causing flooding in river basins during the process of designing and building traffic infrastructure.

10. The Government shall elaborate clause 6 of this Article.

Article 64. Saltwater intrusion prevention and control

1. The State invests in and encourages organizations and individuals to invest in the construction of saltwater prevention and freshwater retention works to proactively respond to droughts, water scarcity and saltwater intrusion; give priority to projects to plant protection forests for wave prevention in areas frequently hit by saltwater intrusion.
2. The exploration and exploitation of groundwater in the delta and coastal areas must ensure the prevention and control of saltwater intrusion into aquifers.
3. The exploitation of seawater for socio-economic development must not cause salinization of water sources.
4. Organizations and individuals exploiting and using water resources for agricultural production and aquaculture must take measures to prevent and control water source salinization.
5. The management and operation of saltwater prevention and freshwater retention works, reservoirs and water regulation works must comply with procedures, standards and technical regulations, and ensure the prevention and control of saltwater intrusion.
6. The Ministry of Natural Resources and Environment, Ministry of Agriculture and Rural Development, Ministry of Industry and Trade, Ministry of Construction and provincial People's Committees shall, within their jurisdiction, organize the implementation of saltwater intrusion prevention and control measures by relying on the water source scenario and plan to regulate and distribute water resources as specified in clauses 4 and 7 Article 25 and clause 1 Article 36 of this Law.

Article 65. Land subsidence prevention and control

1. Organizations and individuals carrying out activities specified in clause 1 Article 31 of this Law must comply with relevant standards and technical regulations and avoid causing land subsidence.

In the event that land subsidence occurs, immediately suspend the exploration and exploitation of groundwater, take remedial measures and notify the People's Committee of the area where such land subsidence occurs; if any damage is caused, provide compensation and bear responsibility as prescribed by law.

2. In areas where land subsidence occurs or prone to land subsidence due to the exploration or exploitation of groundwater, the provincial People's Committee shall zone off areas prohibited and restricted from groundwater exploitation.
3. The land subsidence prevention and control shall comply with the regulations set out in clauses 1 and 2 of this Article and regulations on groundwater protection specified in Article 31 of this Law.

Article 66. River and lake channel, bank and terrace erosion prevention and control

1. The improvement of river and lake channel, bank and terrace, construction of hydraulic structures, mining of sand, gravel and other minerals in rivers, lakes and water source protection corridors must not cause erosion and adverse impacts of the stability of river and lake channel, bank and terrace and water source protection corridors.

2. For the activities in clause 1 of this Article that pose the risk of destabilizing river and lake channel, bank and terrace, it is required to assess their impacts and formulate a plan to protect, prevent and control river and lake channel, bank and terrace erosion.

The impact assessment and appraisal of the plan to protect, prevent and control landslides on river and lake channel, bank and terrace erosion shall be carried out during the appraisal of the environmental impact assessment report. The impact assessment and the plan to protect, prevent and control landslides on river and lake channel, bank and terrace erosion serve as main details of the environmental impact assessment report.

3. In the course of licensing the mining of sand, gravel and other minerals in a rivers or lake, the licensing authority must organize appraisal of the details about location, scope and depth of mining and mining regime prior to licensing to ensure that river or lake channel, bank or terrace erosion does not occur.

4. For any river or river section whose bank or terrace suffers from or is prone to erosion, it is required to zone off areas prohibited and temporarily prohibited from mining of sand, gravel and other minerals. Areas prohibited and temporarily prohibited from mining of sand, gravel and other minerals shall be zoned off in accordance with regulations of law on minerals.

5. The Ministry of Agriculture and Rural Development and the Ministry of Industry and Trade shall, within their jurisdiction, direct the operation of hydraulic and hydroelectric structures; the Ministry of Construction and the Ministry of Transport shall review and promulgate standards and national technical regulations on structure construction and direct and supervise construction activities in rivers and water source protection corridors in such a way to meet the requirements for river and lake channel, bank and terrace erosion prevention and control.

6. The Government shall elaborate clauses 1 and 2 of this Article.

Chapter VI

ECONOMIC INSTRUMENTS, POLICIES AND RESOURCES FOR WATER RESOURCES

Article 67. State budget revenues from water resource activities

1. Severance taxes and other taxes prescribed by regulations of law on taxation.
2. Fees under regulations of law on charges and fees.

3. Fees for water resource exploitation right.
4. Compensation made to the State, amounts collected from imposition of penalties for violations in the area of water resources under regulations of law.

Article 68. Water resource-related taxes and fees

1. Severance taxes are levied on natural water according to regulations of law on severance taxes.
2. Price of natural water on which severance taxes are levied shall be determined in accordance with regulations of law on severance taxes and other relevant regulations of law.
3. Environmental protection taxes imposed on products and goods of which the use adversely impacts the environment or substances that cause environmental pollution shall comply with regulations of law on environmental protection taxes.
4. Water resource-related fees include:
 - a) Fees for exploitation and use of water sources under regulations of law on charges and fees. The rates of fees specified in this point vary according to public services and activities in the area of water resources;
 - b) Environmental protection fees and charges on wastewater shall be imposed on the discharge of wastewater as per regulations of law on fees and charges and law on environmental protection.

Article 69. Fees for water resource exploitation right

1. Any organization or individual exploiting water resources in the case where the surface water or groundwater exploitation has to be licensed must pay a fee for water resource exploitation right in the following circumstances:
 - a) Exploit surface water to generate electricity for commercial purposes;
 - b) Exploit surface water or groundwater to serve production, business, service provision and aquaculture or to be supplied for agricultural or domestic purposes.
2. An organization or individual is not required to pay a fee for water resource exploitation right in the following circumstances:
 - a) Exploit seawater;
 - b) Exploit and use water resources for domestic activities, agricultural production, aquaculture, industrial production, waterway traffic, hydropower, irrigation, sports,

tourism, business, services, source creation, saltwater intrusion prevention, inundation prevention or landscape creation as prescribed in clauses 3, 4 and 5 Article 52 of this Law;

c) Exploit water resources for the purposes of source creation, saltwater intrusion prevention, inundation prevention or landscape creation as prescribed in clause 1 Article 52 of this Law;

3. An organization or individual exploiting surface water or groundwater as prescribed in clause 1 of this Article shall be exempted from the fee for water resource exploitation right in the following circumstances:

a) Water is exploited to serve domestic activities of the people in border areas, on islands, in disadvantaged and extremely disadvantaged areas;

b) A project includes a water exploitation structure item guaranteed by the Government of Vietnam under the Government guarantee;

c) During the period a water exploitation structure is damaged due to force majeure, resulting in a failure to continue the exploitation or suspension of the exploitation.

4. The organization or individual exploiting surface water or groundwater prescribed in clause 1 of this Article shall receive a reduction in the fee for water resource exploitation right in the following circumstances:

a) The competent authority requests them to reduce the amount of water exploited by the water exploitation structure as prescribed in point g clause 1 Article 42 of this Law;

b) Water is used in a circular manner or reused as prescribed in clause 5 Article 59 of this Law;

c) The approved lowland flood control storage of the reservoir that has been put into operation has to be adjusted or increased;

d) Water is exploited for agricultural production during the period of a drought, water scarcity or saltwater intrusion.

5. The fee for water resource exploitation right shall be determined depending on the amount of water and quality of water source, type of water source, status, scope and time of exploitation and purposes of using water.

6. The Government shall elaborate on the payment, exemption and reduction of fee for water resource exploitation right; prescribe methods for calculating and rate of fee for water resource exploitation right.

Article 70. Water resource-related services

1. Water resource-related services consist of:

a) Water resource regulation and distribution decision support services;

b) Reservoir and inter-reservoir operation decision support services.

2. An organization shall satisfy the following conditions to provide the services mentioned in clause 1 of this Article:

a) Possess the establishment decision from a competent authority or enterprise registration certificate or equivalent document in accordance with regulations of law on enterprises;

b) Possess technical infrastructure, facilities, equipment and software for provision of services;

c) Possess personnel whose expertise is appropriate to provide water resource regulation and distribution decision support services and reservoir and inter-reservoir operation decision support services.

3. The Government shall elaborate this Article.

Article 71. Water resource accounting

1. Water resource accounting refers to the process of aggregating, calculating, balancing water resources and determining value of water resources in socio-economic activities, ensuring water security.

2. Water resource accounting shall adhere to the following principles:

a) Provide comprehensive and consistent information and data during the accounting process;

b) Be integrated with the national water resources information system and database;

c) Be sorted according to different types of water-related accounts.

3. Water resource accounting results shall be used by competent authorities to consider and decide regulation and distribution of water resources and implementation of measures to manage the exploitation and use of water resources.

4. The Ministry of Natural Resources and Environment shall preside over and cooperate with the Ministry of Planning and Investment, other Ministries, ministerial agencies concerned, provincial People's Committees, organizations and individuals concerned in organizing water resource accounting.

5. The Government shall elaborate this Article and a roadmap for water resource accounting.

Article 72. Resources for management, protection, regulation, distribution, restoration, development, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water

1. The State allocates resources to perform the following activities:

- a) Conduct baseline survey of water resources and formulate water resource-related planning;
- b) Protect water resources; develop and store water, and restore deteriorated, depleted and polluted water sources; protect and develop forests;
- c) Prevent, respond to and recover damage caused by water;
- d) Build national water resources information system and database;
- dd) Build and develop infrastructure for exploitation and use of water in border areas, on islands, in disadvantaged and extremely disadvantaged areas, areas facing fresh water scarcity;
- e) Conduct scientific research, develop and transfer technology for exploitation and efficient and economical use of water;
- g) Disseminate and communicate information about water resources;
- h) Achieve international integration and cooperation in water resources;
- i) Carry out inspections and audits in the area of water resources;
- k) Carry out activities in relation to the exploitation, use, protection, development, retention and restoration of water sources, prevention of, response to and recovery from damage caused by water and other activities in relation to water resources in order to ensure water security.

2. Resources for conducting the activities specified in clause 1 of this Article are composed of:

- a) State budget for regular expenditures and development investment;
- b) Environment protection funds;
- c) Contributions from organizations and individuals; private capital and other legal sources of capital prescribed by law.

3. State budget shall be allocated within its capacity and in conformity with the requirements for protection and development of water sources. Sources of funding dedicated to environmental protection shall be used for water resource protection activities; restoration of degraded, depleted and polluted water sources; prevention, response to and recovery from damage caused by water.

4. The State encourages financial institutions to develop green credit, green bonds and financial products to support the protection, development and restoration of water resources.

5. Organizations and individuals shall efficiently manage and use the budget allocated and other revenues as prescribed by law.

Article 73. Incentives and assistance for management, protection, regulation, distribution, restoration, development, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water

Organization and individuals are entitled to incentives, assistance, exemption or reduction in fee for water resource exploitation right under regulations of this Law and relevant laws when performing the following activities:

1. Participate in restoring deteriorated, depleted or polluted water sources;
2. Prospect, explore and exploit water to supply domestic and production to inhabitants in areas facing freshwater scarcity, ethnic minority areas, mountainous areas, border areas, on islands, disadvantaged areas and extremely disadvantaged areas, and to the poor, women, children, persons with disabilities and other vulnerable persons;
3. Use water in a circular manner, reuse water; collect and use rainwater; ; convert seawater into fresh water; invest in water conservation equipment and technologies;
4. Build facilities for regulation and storage of water in water-scarce areas, ethnic minority areas, mountainous areas, border areas, on islands, in disadvantaged and extremely disadvantaged areas;
5. Develop technologies, equipment and products in service of protection, development and restoration of water sources;
6. Build and operate works for artificial recharge of groundwater.

Article 74. Private sector involvement in investment in development, water storage and restoration of water sources

1. The State encourages private sector involvement in the following activities:
 - a) Restore deteriorated, depleted or polluted water sources;

b) Build works for water source development and water storage.

2. Investors in projects involving the activities mentioned in clause 1 of this Article shall comply with regulations of this Law, law on investment, law on public - private partnership investment and other relevant regulations of law.

Chapter VII

INTERNATIONAL COOPERATION IN WATER RESOURCES

Article 75. Principles of international cooperation in water resources

1. Respect the independence, sovereignty, territorial integrity and legitimate interests of countries sharing water sources.
2. Ensure fairness and reasonableness during protection, exploitation, use and development of water sources, prevention of, response to and recovery from damage caused by water to transboundary water sources.
3. Do not inflict harm to legitimate rights and interests of countries sharing water sources in conformity with treaties to which the Socialist Republic of Vietnam is a signatory.
4. Comply with Vietnam's laws, international agreements and treaties to which the Socialist Republic of Vietnam is a signatory.
5. Protect, exploit, use and develop transboundary water sources so as to optimally and sustainably protect benefits brought by water sources, taking into account the interests of countries sharing water sources.
6. Take appropriate precautions to minimize damage caused by water to countries sharing water sources in the course of using transboundary water sources belonging to the territory of the Socialist Republic of Vietnam.

Article 76. Details about international cooperation in water resources

1. Proactively and actively cooperating with countries, foreign and international water resources organizations, prioritizing the protection and sustainable development of water resources, human resource training, scientific research, prevention of, response to and recovery of damage caused by water to ensure water security.
2. Proactively and actively cooperating in exchanging information and data on the status and forecasts of water resources, hydrometeorology, hydrogeology and ecology, and water quality related to transboundary water sources; cooperating in conducting research and formulating planning for protection, exploitation and use of transboundary water sources; preventing, responding to and recovering damage caused by water to transboundary water sources; facilitating the management, protection and sustainable

development of water resources and execution of projects related to transboundary water sources. If information or data is related to a state secret, regulations of law on protection of state secrets shall be complied with.

3. Proactively and actively participating in, making substantive contribution to, researching and proposing new ideas and initiatives on water resources at regional and international organizations, forums, and relevant international river basin organizations to promote cooperation, sustainable exploitation, use and development and ensure transboundary water security.

Article 77. Responsibility for protecting rights and interests of Vietnam regarding transboundary water sources

1. Organizations and individuals shall protect Vietnam's rights and interests related to transboundary water sources according to regulations of this Law, other regulations of Vietnamese law and international agreements and treaties related to water resources to which the Socialist Republic of Vietnam is a signatory.

2. The Ministry of Natural Resources and Environment shall monitor, supervise, receive and consolidate information about status of transboundary water sources, provide forecasts and warning about adverse impacts and promptly report them to and request the Government and the Prime Minister to deal with the issue to protect rights and interests of Vietnam.

3. People's Committees at all levels in border areas with transboundary water sources shall, upon detecting unusual issues concerning flow, water level and quality of water sources in areas under their management, report them to the superior People's Committees; provincial People's Committees shall report them to the Ministry of Natural Resources and Environment.

Article 78. Resolution of disputes and disagreement about transboundary water sources

Disputes and disagreement related to water resources between Vietnam and countries and territories sharing water sources shall be resolved on the basis of the principles set forth in Article 75 of this Law, by peaceful means and in conformity with international agreements and treaties to which the Socialist Republic of Vietnam is a signatory.

Any dispute or disagreement related to transboundary water sources occurring in a river basin for which an international river basin organization has been set up with the participation of the Socialist Republic of Vietnam must be also resolved according to the regulations imposed by that international river basin organization.

Chapter VIII

RESPONSIBILITY FOR STATE MANAGEMENT OF WATER RESOURCES

Article 79. Responsibility of the Government, Ministries and ministerial agencies for state management of water resources

1. The Government performs uniform state management of water resources nationwide.
2. The Ministry of Natural Resources and Environment shall act as a conduit assisting the Government in state management of management, protection, regulation, distribution, restoration, development, exploitation and use of water resources; manage river basins and water sources and assume the following responsibility:
 - a) Promulgate under its authority or submit to competent authorities for promulgation of legislative documents on water resources and organize the implementation thereof;
 - b) Promulgate national technical regulations; norms and unit prices for planning, baseline survey, exploration, exploitation, use and protection of water resources;
 - c) Develop and announce the set of national water security indicators and preside over and cooperate with other Ministries, ministerial agencies and provincial People's Committees in taking water security assurance measures;
 - d) Organize the compilation of and propose adjustments to the list of transboundary river basins and the list of inter-provincial river basins and submit them to the Prime Minister for promulgation; promulgate and adjust the list of intra-provincial river basins, the list of transboundary surface water sources, the list of inter-provincial surface water sources, and the list of groundwater sources;
 - d) Disseminate, propagate and communicate information about water resources to raise awareness of water resource protection, exploitation and economical and efficient use of water; carry out inspection and audit, and impose penalties for violations against the law on water resources; provide training in water resources;
 - e) Organize monitoring, surveillance, warning and forecasting of rain, floods, inundations, droughts, water scarcity, pollution, saltwater intrusion and abnormal phenomena in water resources;
 - g) Manage, store, announce and publish documents, information and data on water resources; organize the development of and provide guidelines on online public services regarding water resources under its authority;
 - h) Submit to the Government and Prime Minister a plan to resolve issues related to transboundary water sources, participation in international organizations, and signing of international agreements and treaties related to water resources; preside over international cooperation activities regarding water resources;
 - i) Act as a standing body of the Vietnam Mekong River Commission and other river basin organizations;

k) Carry out inspection and audit, and impose penalties for violations against law on water resources under its authority;

l) Fulfill other responsibilities as per regulations of this Law and other relevant regulations of law.

3. The Ministry of Agriculture and Rural Development shall, within its jurisdiction, perform state management of planning, construction and operation of works, hydraulic structures and rural water supply facilities, and ensure the safety of irrigation dams and reservoirs under its management according to regulations on exploitation and use of water resources; provide information and data to develop water source scenarios and fulfill other responsibilities as per regulations of this Law and other relevant regulations of law.

4. The Ministry of Industry and Trade shall, within its jurisdiction, perform state management of planning, construction and operation of works serving exploitation and use of water, and ensure the safety of hydroelectric dams and reservoirs under its management according to regulations on exploitation and use of water resources; provide information and data to develop water source scenarios and fulfill other responsibilities as per regulations of this Law and other relevant regulations of law.

5. The Ministry of Construction shall, within its jurisdiction, perform state management of planning, construction and operation of water supply and drainage works for urban areas, high density rural residential areas and dedicated areas under its management according to regulations on exploitation and use of water resources; provide information and data to develop water source scenarios and fulfill other responsibilities as per regulations of this Law and other relevant regulations of law.

6. The Ministry of Foreign Affairs shall, within its jurisdiction, cooperate with the Ministry of Natural Resources and Environment, Ministries, ministerial agencies and local authorities concerned in participating in signing and implementing treaties and international agreements related to water resources; participate in international cooperation with foreign countries and organizations in the area of water resources.

7. The Ministry of National Defense shall, within its jurisdiction, organize the creation of and mobilize forces and means to participate in responding to and remediate water resource deterioration and pollution incidents, and dam and reservoir safety incidents, responding to water-related incidents, disasters and search and rescue in accordance with regulations of law on civil defense, law on state of emergency and relevant laws; cooperate with the Ministry of Natural Resources and Environment in organizing, managing and operating the cross-border water source monitoring system.

8. The Ministry of Public Security shall, within its jurisdiction, formulate and organize the implementation of a plan to protect domestic water supply facilities of special importance; prevent, detect, and fight violations against law on water resources; cooperate and mobilize forces and means to respond to water-related incidents and

disasters; ensure political security, social order and safety in areas where water-related incidents and disasters occur according to regulations of law.

9. Ministries and ministerial agencies concerned shall, within their jurisdiction, cooperate with the Ministry of Natural Resources and Environment in state management of water resources in assuring water security and undertaking other tasks as prescribed by this Law.

Article 80. Responsibility of People's Committees at all levels for state management of water resources

1. Provincial People's Committees shall, within their jurisdiction, assume the following responsibility:

- a) Promulgate legislative documents on water resources under their authority and organize the implementation thereof;
- b) Organize the implementation of the national water resources strategy, comprehensive planning for baseline survey of water resources, water resources planning; establish and organize the implementation of a plan to exploit, use and protect water resources, prevent, respond to and recover damage caused by water under provincial planning;
- c) Determine deteriorated, depleted or polluted water sources; organize the implementation of the groundwater protection plan;
- d) Organize the response to and remediation of water source pollution incidents; monitor, detect and participate in handling transboundary water source pollution incidents under their authority;
- dd) Provide information and data to develop water source scenarios; promulgate and adjust the list of intra-provincial water sources;
- e) Disseminate, propagate and communicate information about water resources to raise awareness of water resource protection, exploitation and economical and efficient use of water;
- g) Manage water source protection corridors; organize surveillance of water resources as decentralized; report to the Ministry of Natural Resources and Environment the management, use and protection of water sources, prevention of, response to and recover from damage caused by water within their areas;
- h) Carry out inspection and audit, and impose penalties for violations against law on water resources within their areas;
- i) Organize the development of and provide guidelines on online public services regarding water resources under their authority;

k) Cooperate with the Vietnamese Fatherland Front Committee at the same level and its member organizations in disseminating, propagating and communicating information about water resources;

l) Fulfill other responsibility as per regulations of this Law.

2. District-level People's Committees shall, within their jurisdiction, assume the following responsibility:

a) Implement measures to protect water resources according to regulations of law; cooperate with agencies and organizations in managing water resources monitoring, measurement and surveillance stations and works, water exploration and exploitation works and works for discharging wastewater into water sources in protecting these works;

b) Organize the response to and remediation of water source pollution incidents; monitor, detect and participate in handling transboundary water source pollution incidents under their authority; organize the implementation of measures to prevent, respond to and recover damage caused by water;

c) Disseminate and propagate information about water resources to raise awareness of water resource protection, exploitation and economical and efficient use of water; carry out inspection and audit, and impose penalties for violations against the law on water resources within their areas;

d) Submit a consolidated periodic report on management, protection, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water;

dd) Receive, manage and protect water source protection corridor boundary markers as assigned; organize the registration of water resource exploitation and use under their authority;

e) Perform tasks in state management of water resources as decentralized or authorized by the provincial People's Committee;

g) Fulfill other responsibilities as per regulations of this Law.

3. Communal People's Committees shall, within their jurisdiction, assume the following responsibility:

a) Implement measures to protect water resources according to regulations of law; cooperate with agencies and organizations in managing water resources monitoring, measurement and surveillance stations and works, water exploration and exploitation works and works for discharging wastewater into water sources in protecting these works;

- b) Disseminate and propagate information about water resources to raise awareness of water resource protection, exploitation and economical and efficient use of water; inspect and impose penalties for violations against the law on water resources within their communes;
- c) Receive, manage and protect water source protection corridor boundary markers as assigned; supervise activities within water source protection corridors and domestic water safeguard zones as prescribed;
- d) Submit a consolidate periodic report on groundwater exploitation by households for domestic purposes to the district-level People's Committee;
- dd) Perform tasks in state management of water resources as decentralized or authorized by the superior People's Committee;
- e) Fulfill other responsibilities as per regulations of this Law.

Article 81. Coordinating and supervising activities of protection, regulation, distribution, restoration, development, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water in river basins

1. Coordination and supervision shall cover the following activities performed in river basins:

- a) Implement a combination of measures for protection of water resources, response to and remediation of water source pollution incidents, restoration of degraded, depleted and polluted water sources, prevention, response to and recovery from damage caused by water in river basins;
- b) Regulate and distribute water resources, maintain minimum flow in rivers and groundwater exploitation threshold; regulate and distribute water resources in the event of droughts and water scarcity in river basins;
- c) Build and operate dams, reservoirs and water regulation works in rivers; water transfer projects and large-scale and important water exploitation works in river basins;
- d) Discharge wastewater posing a risk of causing serious water source pollution or deterioration; respond to water source pollution incidents, restore degraded, depleted and polluted water sources in river basins;
- dd) Use soil, mine minerals, protect and develop forests in river basins;
- e) Improve landscapes, develop areas of land along rivers and lakes;

g) Formulate and implement comprehensive inter-provincial river basin planning, procedures for operating inter-reservoirs in river basins, projects involving the transfer of water or construction of lakes and dams in rivers; decision support system to regulate, distribute and regulate water resources in inter-provincial river basins.

2. The Ministry of Natural Resources and Environment shall provide comprehensive directions for coordinating activities of river basin organizations, provincial People's Committees, relevant agencies and organizations in regulating and distributing water resources, and supervising activities of exploitation, use and protection of water resources, prevention of, response to and recovery from damage caused by water in river basins.

3. Provincial People's Committees shall direct the regulation and distribution of water resources, coordination and supervision of activities of exploitation, use and protection of water resources, prevention of, response to and recovery from damage caused by water in intra-provincial river basins.

4. River basin organizations shall carry out coordination and supervision and undertake the tasks below:

a) Monitor and supervise activities related to the protection, regulation, distribution, development, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water;

b) Contribute their opinions in the course of formulating water resource-related planning, national sector planning, provincial planning, specialized and technical planning containing contents related to the exploitation and use of water resources; inter-reservoir operation procedures;

c) Monitor and supervise the implementation of water resource-related planning and inter-reservoir operation procedures; recommend adjustments where necessary;

d) Propose solutions for resolving disputes and disagreements between Vietnam and countries in transboundary river basins; monitor and supervise upstream countries' activities related to water resources;

dd) Propose plans to solve issues concerning protection, exploitation, use and development of water sources, wastewater discharge, water source pollution;

e) Participate in and contribute their opinions during the process of developing and approving programs, schemes and projects that have a major impact on water resources and during the process of developing and promulgating water resource-related investment incentives and assistance policies;

g) Support local authorities in deciding water resource regulation and distribution;

h) Participate in resolving conflicts during exploitation, use and protection of water resources in river basins;

i) Organize or participate in research, propose directions, mechanisms, policies, strategies, national sector planning, national key projects related to water resources and other tasks in the river basins regulated by the Government.

5. The Government shall elaborate on the coordination and supervision of activities of exploitation, use and protection of water resources, prevention of, response to and recovery from damage caused by water; promulgate regulations on organizational structure and operation of river basin organizations.

Chapter IX

WATER RESOURCE-RELATED INSPECTION AND AUDIT

Article 82. Specialized water resource-related inspection

1. Inspectorates of the Ministry of Natural Resources and Environment and Departments of Natural Resources and Environment shall carry out specialized water resource-related inspection.

2. Organize and carry out specialized water resource-related inspection in accordance with regulations of law on inspection.

Article 83. Audit of compliance with law on water resources

1. The audit of compliance with law on water resources is aimed at contributing to improving the effectiveness and efficiency in state management and awareness of law observance by organizations and individuals in protection, exploitation and use of water resources, prevention of, response to and recovery from damage caused by water; detect shortcomings and limitations to conduct a study and propose amendments to legislative documents on water resources; prevent, detect and impose penalties for violations against law on water resources.

2. The audit of compliance with law on water resources shall be carried out as planned and directed by a competent authority or upon detecting any sign of violations; in a manner that does not conflict with another inspection or audit in the same field at the same unit in terms of the scope and time; in an objective, public and transparent manner, intra vires and according to prescribed procedures; in a manner that does not hinder the normal operation of the audited entity.

3. The audit period is specified in the audit decision but must not exceed 10 days from the date of announcement of the audit decision; in case the scope of audit is broad and its details appear complicated, the audit may be extended once up to 10 days.

4. Responsibility for organizing and directing the audit of compliance with law on water resources is prescribed as follows:

- a) The Ministry of Natural Resources and Environment and related Ministries shall, within their jurisdiction, organize audit of compliance with law on water resources;
- b) People’s Committees at all levels shall, within their jurisdiction, organize audit of compliance with law on water resources.

5. The Minister of Natural Resources and Environment shall elaborate this Article.

Chapter X

IMPLEMENTATION CLAUSE

Article 84. Amendments to some laws related to water resources

1. Point 3 in the Appendix II - List of specialized and technical planning of the Law on Planning No. 21/2017/QH14 amended by the Law No. 15/2023/QH15 and Law No. 16/2023/QH15 is amended as follows:

3	Comprehensive inter-provincial river basin planning	Law on Water Resources No. 28/2023/QH15
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2. Several Articles of the Law on Irrigation No. 08/2017/QH14 amended by the Law No. 35/2018/QH14, Law No. 59/2020/QH14, Law No. 72/2020/QH14 and Law No. 16/2023/QH15 are amended as follows:

a) Point d clause 1 of Article 27 is amended as follows:

“d) In case of drought, water scarcity, saltwater intrusion, flood, inundation or waterlogging emergencies, operate reservoirs or inter-reservoirs under regulations of law on natural resources.”;

b) Point c clause 1 of Article 44 is amended as follows:

“c) Carrying out drilling or digging operations, geological survey; exploration and mining of minerals and building materials;”;

c) Point c clause 2 of Article 56 is amended as follows:

“c) Direct regulation and distribution of water and conduct formulation of plans for use of water within the system of hydraulic structures for domestic, agricultural production and other economic activity purposes; cooperate with the Ministry of Natural Resources and Environment and Ministry of Industry and Trade in regulation of water within

hydroelectric reservoirs for water uses in case of drought, water scarcity or saltwater intrusion;”.

3. Several Articles of the Law on Investment No. 61/2020/QH14 amended by the Law No. 72/2020/QH14, Law No. 03/2022/QH15, Law No. 05/2022/QH15, Law No. 08/2022/QH15, Law No. 09/2022/QH15 and Law No. 20/2023/QH15 are amended as follows:

a) Point g clause 1 of Article 16 is amended as follows:

g) Collection, treatment, recycling or re-use of waste; development and storage of water and restoration of water sources;”;

b) Several points in the Appendix IV - List of conditional business lines are amended as follows:

213	Water resource exploitation services
214	Water resource regulation and distribution decision support services; reservoir and inter-reservoir operation decision support services

4. Point c clause 1 of Article 4 of the Law on Public - Private Partnership Investment No. 64/2020/QH14 amended by the Law No. 03/2022/QH15 is amended as follows:

“c) Irrigation; clean water supply; water drainage and wastewater treatment; waste treatment; development and storage of water and restoration of water sources;”.

5. Article 5 of the Law on Amendments to some Articles concerning planning of 37 laws No. 35/2018/QH14 is repealed.

Article 85. Effect

1. This Law comes into force from July 01, 2024, except for the case specified in clauses 3 and 4 of this Article.

2. The Law on Natural Resources No. 17/2012/QH13 amended by the Law No. 08/2017/QH14, Law No. 35/2018/QH14 and Law No. 72/2020/QH14 (hereinafter referred to as “the Law No. 17/2012/QH13”) shall cease to have effect from the effective date of this Law, except for the case specified in clauses 1, 3 and 5 Article 86 of this Law.

3. The fee for right to exploit water resources to be supplied for domestic activities as prescribed in point b clause 1 Article 69 of this Law shall be charged from July 01, 2025.

4. The exploitation of groundwater by households as prescribed in clause 4 Article 52 of this Law shall be registered from July 01, 2026.

Article 86. Transitional clauses

1. The license to practice groundwater drilling or a water resource license which has been issued as per the Law No. 17/2012/QH13 shall still remain valid and may be extended, otherwise modified or re-issued as prescribed by this Law.

2. Any organization or individual in the case mentioned in point b clause 1 Article 69 of this Law that is granted a water resource license for supply to domestic activities prior to the effective date of this Law shall pay the fee for right to exploit water resources for domestic activities as prescribed by this Law and complete declaration serving calculation of the fee for water resource exploitation right by December 31, 2025 at the latest.

3. Any organization or individual in the case mentioned in point b clause 1 Article 69 of this Law that is granted a water resource license for supply to agriculture prior to the effective date of this Law but is not required to pay the fee for water resource exploitation right as per the Law No. 17/2012/QH13 is not required to pay the fee for water resource exploitation right for the amount of water supplied to agriculture until the expiry date written on the water resource license.

4. Any organization or individual in the case mentioned in point b clause 1 Article 69 of this Law that has their permit for exploiting surface water for supply to agriculture issued or extended as prescribed by this Law shall pay the fee for water resource exploitation right as per this Law at the same time the fee for using irrigation products or services is collected if the State does not provide financial support for use of public irrigation products or utilities under regulations of law on irrigation and law on prices.

5. Any application for issuance, extension, adjustment or re-issuance of the license to practice groundwater drilling or the water resource license that is submitted before the effective date of this Law but has yet to be processed may be processed as per the Law No. 17/2012/QH13, except for the case of applying for issuance of the license as per this Law.

6. For any hydraulic structure which was built and operated before January 01, 2013 but has yet to have its exploitation and use of water resources registered and licensed before the effective date of this Law, it is required to complete the procedures for registering and licensing exploitation of water resources as prescribed by this Law by June 30, 2027 at the latest.

7. For the provincial planning approved before the effective date of this Law, the plan to exploit, use, protect water resources and recover damage caused by water under the provincial planning may be implemented until the expiry of the provincial planning period or until the plan under the provincial planning is modified.

8. Any organization or individual in the cases specified in points e and g clause 5 Article 52 of this Law that possesses a lake, pond, canal or ditch to create space for collection, storage or conveyance of water or create landscapes and uses river, stream, canal, ditch or reservoir water surface for aquaculture, business and service provision before the

effective date of this Law shall complete procedures for registering their use of water as per this Law by June 30, 2026 at the latest.

This Law is adopted by the 15th National Assembly of Socialist Republic of Vietnam on this 27th of November 2023 during its 6th session.

**CHAIRMAN OF THE NATIONAL
ASSEMBLY**

Vuong Dinh Hue

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