LAW ON PROTECTION OF CONSUMERS’ INTERESTS

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam as amended and supplemented as to a number of articles under Resolution No. 51/2001/QH10;

The National Assembly issues the Law on protection of consumers’ interests.

CHAPTER I
GENERAL PROVISIONS

Article 1. Governing scope

This law provides for rights and tasks of consumers and responsibilities of business individuals, organizations to consumers; responsibilities of social organizations to consumers’ interests protection; mechanism of dispute settlement between consumers and business individuals, organizations; consumers protection associations and State management of consumers’ interests protection.

Article 2. Subjects of application

This law is applicable to the following subjects: Consumers; Business individuals, organizations that supply commodities and services; other agencies, organizations, individuals involved in the consumers’ interests protection activities in Vietnam.

Article 3. Interpretation of terms

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

1. “Consumers” are persons who purchase or legally use goods and services with goal of consumption of individuals and organizations.

2. “Business individuals, organizations those supply commodities and services” include:

   a) Traders in accordance with the Commerce Law;

   b) Individuals conducting their regular, independent commercial activities without business registration;
3. “Defective product” means a product that does not satisfy the safety for consumers, possibly causes damages to consumers’ lives, health and assets, even in case when the product manufactured right under the existing standards or regulations that has not detected defect yet at the time of selling to consumers, included:
   a) The product manufactured serially which its defectiveness arisen from technical design;
   b) Single defective product having its defectiveness arisen from the process of manufacturing, processing, transporting and maintaining;
   c) The product which has the implicit risk of un-safety during the process of using without fully guiding, warning for consumers.

4. “Disturbing consumer” means the direct or indirect contact with consumer for marketing goods or services or business individual, organization or for offering to enter contract in contrary to the consumer’s will which obstruct and affect the consumer’s normal work and life;

5. “Standard contract” means a contract unilaterally drafted by business individual, organization for making transactions with his/her consumers.

6. “General transaction conditions” include rules and regulations relating to sale of goods or supply of services which are unilaterally announced and applied by business individual, organization to their customers;

7. “Mediation” means a method of dispute settlement between consumers and business individual, organization conducted through a third party;

Article 4. Principles on the consumers’ interests protection

1. The legitimate rights and interests of the consumers are respected and protected by the State.

2. There are no agencies, organizations, individuals have the right to dispossess, reduce the legitimate rights and interests of the consumers.

3. All the violations to consumers’ interests have to be handled timely, in case of damages; it must be compensated under the regulations of law.

4. Individuals, organizations abusing the regulations on the consumers’ interests protection in order to violate the benefits of the State, the legitimate rights and interests of other individuals, organizations shall be responsible before the law.

Article 5. State policies on consumers’ interests protection

1. The State encourages the people to consume in a rational manner; implements the policies on consumers’ interests protection pursuant to the socio-economic
conditions and international commitments, encourages the expansion of international cooperation in the consumers’ interests protection field.

2. Protecting the legitimate rights and interests of the consumers is the common responsibility of the society. The State encourages all individuals and organizations to take part in the consumers’ interests protection activities.

3. Agencies and organizations, within the scope of their duties and powers, have the responsibility to propaganda, educate and encourage the people to take part in the consumers’ interests protection and to implement the law on the consumers’ interests protection.

Điều 1. **Chính sách của Nhà nước về bảo vệ quyền lợi người tiêu dùng**

1. Facilitate individuals and organizations to actively participate in protection of consumers’ interests.

2. Encourage individuals and organizations to apply and develop advanced technology for production of goods and supply of services in a safe way for good quality.

3. Implement regular and synchro measures of management and supervision of individuals and organizations’ law compliance.

4. Mobilize every resource for the aim of improving infrastructure, human resource of entities responsible for consumer protection; enhance giving consultation, assistance, propaganda, guidance to consumers.

5. Strengthen international integration and expansion; information sharing and experiences in protection of consumers’ interests.

Article 6. **Protection of consumers’ information**

1. Consumers’ information is protected in entering transactions of purchase, use of goods or services, unless authorized agencies make requirement.

2. In case of necessity to collect, use, hand over the consumer’s information of consumers, business individual, organization shall have obligation:

   a) To disclose to consumers the purpose of collecting and using personal information of the latter before doing such things;

   b) To use the received information for the purpose that must be disclosed and consented in advance by consumers;

   c) To ensure the safety, integrity and preciseness of consumer’s personal information during process of collecting, using, keeping and handing over it;
d) To take measures to update and adjust the received information if the consumers discover it incorrect;

d) To transfer the received information to the third party only after obtaining the consent of the concerned consumers except in cases provided by law.

**Article 7. Consumer’s interest protection in transaction with regular, independent commercial activities without business registration**

1. Base on regulations of this law and related regulations of other law, government regulate consumer’s interest protection in transactions with business individual.

2. Base on regulations of this law, regulations of government and certain conditions of region, people committee at all levels, market administration, trade centers implement certain measures to ensure consumer’s quality, quantity and safe food in transactions with business individuals.

**Article 8. Rights of consumers**

1. The consumers have the right to be ensured their safety in terms of their lives, health, assets and other legitimate rights and interests when they are involved in consumption transactions and when they use goods, services provided by the business individuals, organizations.

2. The consumers have the right to be provided with accurate and sufficient information about the business individuals, organizations, details of transactions, goods, services and other necessary information.

3. The consumers have the right to choose goods and services, the business individuals, organizations for supplying services and goods depending on their demand and actual conditions; to freely consider whether or not to participate in a transaction and to consider details of the agreement with the business individuals, organizations.

4. The consumers have the right to complain and give comments to the business individuals, organizations concerning the price, quality of goods and services, manner of serving, method of transaction and other details relating to the transactions between the consumers and the business individuals, organizations.

5. The consumers have the right on development and enforcement of the policies and laws on the protection of consumers’ interests.

6. The consumers have the right on compensation of damages caused by the goods or services supplied not in proper standards, quality, quantity, purported consumption goal, in price or in other details as already declared and committed by a business individual, organization.
7. The consumers have the right on complains, denounces or on a lawsuit against business individuals, organizations in accordance with this Law and other relevant laws.

8. The consumers have the right to be consulted and educated on the consumption of goods, services.

**Article 9. Obligations, responsibilities of consumers**

1. Examine goods thoroughly prior delivery; Consume goods and services having clear original; do not use goods, services making harmful to the environment and against habits and customs, causing harmful to their own and public lives and health.

2. The consumers have the obligation to inform the competent State authorities when discovering goods, services in market are unsafe, cause damages or threaten to cause damages to the consumers’ lives, health and assets; when discovering the violations of business individuals, organizations to the legitimate rights and interests of the consumers.

**Article 10. Prohibited acts**

1. The business individuals, organizations are prohibited from conducting fraudulent or misleading acts to the consumers by way of providing inaccurate, misleading, inexact information or hiding information about one of the followings:
   a) The goods, services which are provided by such business individuals, organizations;
   b) Reputation, goodwill, business capacity, capacity of supplying goods, services and other characteristics of the business individuals, organizations;
   c) Nature, characteristic of the transaction between the consumers and such business individuals, organizations;

2. The business individuals, organizations are prohibited from conducting continuous contacts with the consumers in contrary to their will up to 2 times or other acts disturbing the consumers which cause an obstruction, bad impacts to the consumers’ works and daily life.

3. The business individuals, organizations are prohibited from taking one of the following acts:
   a) Using force, threatening to use force or other ways to cause damages to the consumers’ lives, health, prestige, and dignity, assets in order to constrain the consumers to purchase goods or use services.
   b) Abusing consumers’ difficult situation for the purpose of constraining them to take the entering transactions;
4. Implementing commercial promotion activities and requesting for directly contacting with children, sick people and other consumers being in condition of limited capacity outside the permanent business location of the business individuals, organizations.

5. Requesting the consumers to pay for the provided goods, services without any the agreement prior with the latter;

6. The consumers, individuals, organizations abusing the regulations on the consumers’ interests protection in order to violate the benefits of the State, the legitimate rights and interests of other individuals, organizations shall be responsible before the law.

7. The business individuals, organizations are prohibited from abusing consumers’ difficult situation for the purpose of constraining them to take the entering transactions and using bad quality goods.

8. The business individuals, organizations provide goods, services which are not safe and threaten to cause damages on the health, lives and property of the consumers.

Article 11. Handling violation of law on consumers’ interests protection

1. Individuals violating any provisions of this Law shall be, depending on the nature and seriousness of the violation, dealt with in accordance with the current law on dealing with administrative offences or prosecuted for criminal liability in accordance with the laws;

2. Organizations violating any provisions of this Law shall be, depending on the nature and seriousness of the violation, dealt with in accordance with the current law on dealing with administrative offences, compensation must be paid for the losses in accordance with the laws;

3. Individuals abusing their duties and powers to violate any provisions of this Law shall be, depending on the nature and seriousness of the violation, dealt with in accordance with the current law on dealing with administrative offences, compensation must be paid for the losses in accordance with the laws.

4. The Government shall stipulate in detail dealing with administrative offences of consumer protection.

CHAPTER II
OBLIGATIONS, RESPONSIBILITIES OF BUSINESS INDIVIDUALS, ORGANIZATIONS TO CONSUMERS
Article 12. Obligations, responsibilities of business individuals, organizations in providing the consumers with information

1. To properly label their goods as provided for by law;
2. To publicly display prices of goods or services in business locations
3. To provide sufficient information about the possibility of adverse the supplied good or services on the health, lives and property of the consumers and about preventative measures;
4. To provide information about the capacity to supply spare parts or accessories for replacement;
5. To provide consumers with relevant information and documentations in the Vietnamese language about the user guides, conditions, terms, place and procedures of warranty if the goods and services are subject to warranty;
6. To provide consumers with accurate and sufficient information about general transaction conditions before the transaction takes place.

Article 13. Obligations, responsibilities of third party in providing consumer with information:

1. In cases where the business individual, organization provides information to the consumers through a third party, this third party shall be responsible for:
   a) Ensuring the accuracy, adequacy of the provided information.
   b) Requesting the business individuals, organizations to provide evidence proving the accuracy and adequacy of the information in case there is the suspicion that the information is inaccurate or inadequate, violating regulations of laws or may cause damages to the consumers prior to providing the information.
   c) Being jointly responsible for providing inaccurate or inadequate information, unless [this third party] can prove it having taken all the measures provided for by laws to examine the accuracy and adequacy of the information.
   d) Comply with the provisions of the law on press or advertising.
2. In case where the business individual, organization contacts the consumers via mass-media, the owner of the given mass-media shall be responsible:
   a) Comply with clause 1 of this Article
   b) To build, develop technical solutions to prevent the possibility that the media, services under their management are used for the purpose of disturbing the consumers;
   c) To refuse the business individuals, organizations in using the communication services under their management to conduct activities which may disturb the consumers.
d) To stop the contract with the business individuals, organizations who use the leased their media, services to conduct activities disturbing the consumers at the consumers’ complaint or the competent state bodies’ request.

**Article 14. Contract with consumers**

1. Form of contract with consumers must be complied with the Civil Law;
2. In case a contract is concluded with consumers in writing, then the wording of the contract must be clear, understandable and in Vietnamese except otherwise agreed by the parties
3. In case a contract is concluded with consumers by e-transaction, business individuals and organizations must create favorable conditions for consumers understanding whole contract.
4. The Government shall stipulate in detail forms of transactions with consumers

**Article 15. Contract interpretation with consumers**

If contents of the contract can be interpreted in different ways, the contracts shall be interpreted in favor of the consumers by person or organizations authorizing to handle violations

**Article 16. Terms of consumer contracts, Invalidity of terms and general transaction conditions**

1. Any clause of a contract entered into with the consumers and general transaction terms having one of the following cases shall be null and void:
   a) Excludes the business individuals, organizations from their liability to the consumers in accordance with the law;
   b) Excludes, restricts the consumers from the right to make complaint and initiate lawsuits;
   c) Allows the business individuals, organizations to be unilaterally entitled to change the commercial contractual obligations already agreed with the consumers or rules and customs of sale of goods or supply of services but not clearly identified in the contract to the consumers when purchasing, using such goods, services.
   d) Allows the business individuals, organizations to be unilaterally entitled to decide whether or not the consumers are to perform certain obligations;
   d) Allows the business individuals, organizations to stipulate, change prices at time of transferring goods or supplying services;
   e) Allows the business individuals, organizations to explain contract in case where the contract’s terms can be explained in different ways;
g) Excludes the responsibility of the business individuals, organizations in case where the business individuals, organizations sells goods or supplies services through a third party;

h) Stipulates that the consumers must comply with all obligations even when the business individuals, organizations do not complete their duties.

m) Allows the business individuals, organizations to transfer their rights and obligations to a third party without being agreed by the consumers.

2. Declaration of a contract term invalid shall be made in accordance with civil law.

**Article 17. Standard contracts**

1. Upon entry into a standard contract, the business individuals, organizations must provide a reasonable period of time for the consumers to consider the contract.

2. The business individuals, organizations must be responsible for maintaining the signed standard contract until the contract expires. If the copy of the contract kept by the consumer is lost or damaged, the business individuals, organizations must provide the consumer with a new copy of the contract with the same validity as the original.

**Article 18. General transaction conditions**

1. The business individuals, organizations using general transaction conditions have responsibility for making a public the general transaction conditions before entering into contract with consumers.

2. The general transaction conditions are clearly stated about time of transaction and shall be made public at viewable transacting places.

**Article 19. Control over standard contracts and general transaction terms**

1. The business individuals, organizations trading in the list of essential goods and services must register the sample of standard contracts with the competent State agency.

2. Specific State management agencies on consumers’ interests protection, by themselves or at the request of the consumers, have the right to request the business individuals, organizations to abolish or revise the standard contracts, the general transaction conditions if it finds out any terms in the sample contract that might violate the rights of the consumers.

3. The Government stipulates in detail of this article.

**Article 20. Responsibilities in providing evidence of transactions**
1. The business individuals, organizations are responsible for providing the consumers with vouchers or invoices relating to the transactions to consumers if it is so provided for by laws or at the consumers’ request.

2. In case of e-transactions, business individuals and organizations are obliged to help the consumers accessing, downloading, keeping and printing invoice in clause 1 of this Article.

**Article 21. Warranty liability for goods, parts and components of goods**

Goods or spare parts are warranted in accordance with agreement of parties or the law. In case the warranted goods or spare parts, business individuals and organizations have below responsibilities:

1. The business individuals, organizations are obliged to fulfill the obligation of warranty for goods they supply under agreements or the provisions of relevant law;

2. While performing their warranty obligation, the business individuals, organizations must provide consumers with an acknowledgement of warranty which specifies the time of implementation of such warranty;

The period to perform the warranty obligation in regard of goods or spare parts shall be excluded from warranty period in regard of the goods or spare parts. In case the business individuals, organizations replace the spare parts or substitutes with new goods, the warranty period shall be counted from beginning.

3. During the term of implementation of the warranty, the business individuals, organizations are obliged to provide the consumers with similar goods to enable them to temporarily use or to take other measures at the consumers’ consent.

4. When the term of implementation of the warranty expires and if the business individuals, organizations cannot repair the defect, they must replace it with new and similar goods or the spare parts or revoke the goods and return the money to the consumers.

5. If the business individuals, organizations implement the warranty for more than 3 times during the term of warranty and the defect cannot be rectified, the business individuals, organizations must replace with new and similar goods and spare parts for the consumers or revoke the goods and return the money to consumers.

6. The business individuals, organizations must bear the costs of repair and transportation of goods and spare parts to the place of warranty and from the place of warranty to the residence of the consumers.

7. If the business individual, organization authorizes for another business individual, organization to implement the warranty, the former must be held liable for the warranty of goods and services for the consumers.

**Article 22. Obligations of revoking products**
Business individuals, organizations are responsible, namely:

When discovering the defective product threatens to cause loss to lives, health and assets of consumers, business individual, organizations have to:

1. Take necessary measures to pause supply of that product on the market;

2. Disclose the product and revocation of that product in at least 5 continuous volumes of the announcement of the products on daily newspaper or broadcast on local Radio or Television with following contents:
   a) Description of revoked products.;
   b) Give reasons for revoking products and warning on threats of loss caused by the product’s defect;
   c) Time, place and methods of revoking products;
   d) Time, methods of repairing the defect of the product; and
   d) Necessary measures to be taken in ensuring consumers’ right in the course of revoking the product.

3. Carry out revocation accordingly with the content of the public announcement and bear all the cost arisen in the course of revocation.

4. After completing the revocation, the business individuals, organizations have to report the result to the specific management agency on consumers’ interests protection at local where the revocation taken; in case the withdrawal of defective goods shall be conducted in the territories of two or more provinces, the reported results for the State management agency on the protection of consumers' interests at national level.

**Article 23. Obligations of compensation for the damage caused by product’s defect**

1. Business individual, organization has the obligation to compensate damages caused by their defective product with regard to lives, health, and assets of consumers, even in case traders do not know or have no fault in causing defect, exemption for Article 24 of this Law.

2. Business individuals, organizations in one of the following cases must compensate damages caused by defects of product to consumers in accordance with clause 1 of this article:
a) Business individuals, organizations are the producers of defective product;

b) Business individuals, organizations imported defective product;

c) Business individuals, organizations affixing a trade name or using an indication on their products to make consumers aware that business individuals, organizations are producers or importers;

d). Business individuals, organizations directly distributing defective products to consumers shall be liable for such products if they fail to identity business individuals, organizations who are liable for the products in the cases referred to in point a, b, c clause 2 of this Article at the request of the consumers.

3. Compensation is done in accordance with provisions of civil procedural law.

**Article 24. Exemptions from product liability**

Business individuals, organizations shall be considered for an exemption from the obligation of compensation provided at Article 23 of this law if the product is proved that level of science and technology all over the world at the time the product was put into circulation did not make the business individuals, organizations capable to know the defect of the product;

**Article 25. Requirements of State management agencies to protect consumer interests**

1. If violations of laws on protection of consumer rights organizations and individuals trading goods and services cause damage to the interests of the State, the interests of many consumers and public, the consumers, social organizations may request verbally or in writing to the State management agency on protection of consumer rights at the district where the transaction is conducted.

2. Consumers, social organizations are obliged to provide information and evidence related to violations of organizations and individuals to trade goods and services.

**Article 26. Conducting request of consumer interests protection**

1. Upon receipt of the request of consumers, the state management agencies to protect the interests of consumers at district shall request the parties to explain and provide information, evidence or verify and collect information and evidence by themselves, to deal with as prescribed by law.
2. State management agencies to protect the interests of consumers at district level shall respond in writing to the resolution required to protect the interests of consumers; cases identified organizations and individuals trading goods services violate the rights of consumers, written reply must contain the following:

   a) The content violations;
   b) Measures to overcome the consequences;
   c) The duration of measures to overcome the consequences;
   d) Measures for administrative violations, if any.

3. Remedy to the consequences prescribed in Clause 2 of this Article including:

   a) Forced enterprises and individuals business withdraw and stop the destruction of goods or supply of goods or services;
   b) Suspension or suspended business activities of organizations and individuals violation;
   c) Compulsory enterprises and private business eliminating provisions that violate the rights of consumers from contract forms.

4. In addition to the measures specified in paragraph 3 of this Article, business organizations and individuals may also be repeated in the list public institutions and individuals trading goods and services violate rights consumers.

5. The Government will specify this Article.

CHAPTER III
Responsibility of Consumers’ interests protection association

Article 27. Consumers’ interests protection association

1. The consumers’ interests protection association may be assigned by the competent State agency to perform one or more activities associated with the State’s task on consumers’ interests protection.

2. When conducting the activities associated with the State’s duties of consumers’ interests protection, the consumers’ interests protection association will be supported by the State budget with funding to perform the assigned duties in accordance with the law on State budget.
Article 28 Obligation of the Consumers’ interests protection association

1. Society organizations to protect consumer interests in the following activities:

   a) Guidance and assistance, counseling consumers upon request;

   b) representatives of consumers own lawsuit or lawsuits because the public interest;

   c) Provide for state management agencies to protect the interests of consumers of information on violations of law institutions and individuals trading goods and services;

   d) Conducting Independent survey, test, announcing the survey results, test the quality of goods and services; information and warnings to consumers about goods and services and is responsible, warning her, and to suggest state agencies competent to handle violations of legislation on protection of consumer interests;

   e) Participate in formulating laws, guidelines, policies, directions, plans and measures to protect the interests of consumers;

   e) To perform the tasks assigned by state agencies as prescribed in Article 29 of this Law;

   g) Participate in advocacy, legal education and knowledge consumers.

2. The Government shall provide conditions for civil society participation to protect the interests of consumers make the right to complain because the public interest provisions of Point b, Clause 1 of this Law.

Article 29. Perform tasks assigned by state agency

1. When performing the tasks assigned by state agencies, social organizations to protect consumer interests are funded by State and other conditions prescribed by law.

2. The Government shall specify the tasks assigned to state agencies and social organizations to protect the interests of consumers.

CHAPTER V
RESOLUTION OF DISPUTES BETWEEN CONSUMERS AND BUSINESS INDIVIDUALS, ORGANIZATIONS
Article 30. Methods of disputes resolution between consumers and business individuals, organizations

1. Disputes arising between consumers and business individuals, organizations can be settled through:
   a. negotiation,
   b. mediation,
   c. arbitration,
   d. court and other methods in accordance with laws.

2. No negotiation, mediation in case of disputes causing damage to the interests of the State, the interests of many consumers, the public interest

Section 1
NEGO TIA TION

Article 31. Negotiation

1. Consumers have the right to make a complaint to the business individuals, organizations directly supplying goods and services when their rights and interest have been damaged.

2. Business individuals, organizations are obliged to start negotiating with consumers within no more than 7 working days from the date of receipt of the complaint.

Article 32. Negotiation results

The results of a successful negotiation between business individuals, organizations and consumers must be stated in writing, except otherwise agreed.

Section 2
Mediation

Article 33. Mediation

Business individuals, organizations and consumers have the right to agree upon the selection of a third party to conduct the mediation.
Article 34. Principles of mediation

1. The mediation must be conducted on the principles of objectiveness, truthfulness and willingness. Any act of compelling or deceiving the parties to mediation shall be regarded as a violation of laws.

2. The mediator and the parties are to ensure the information of the mediation confidential except where otherwise agreed between the parties or provided for by laws.

Article 35. Mediation organization

The State encourages organizations, individuals having ability to establish professional mediation organizations to settle disputes between consumers and business individuals, organizations.

Article 36. Minutes of mediation

1. The minutes of mediation must contain the following contents:
   a) Person conducting the mediation;
   b) Parties to the mediation;
   c) Content of the mediation;
   d) Date of the mediation;
   d) Venue of the mediation;
   e) Opinions of the parties to mediation;
   g) Mediation results;
   h) Time limit for implementation of the minutes of a successful mediation.

2. The minutes of mediation must be signed by the parties to mediation and signed by the mediation organization for certification.

Article 37. Implementation of the minutes of a successful mediation

The parties must voluntarily perform their obligations as set out in the minutes of successful mediation. If either party fails to voluntarily perform the obligations as set out in the minute of successful mediation the other party has the right to initiate a lawsuit requesting the competent court to consider and deal with the case in accordance with the current legislation.
Section 3

Arbitration

Article 38. Validity of arbitration agreement in common transaction conditions

Business individuals, organizations must announce the arbitration agreement before entering a contract with consumers. In case a dispute arising from the contract into which business individuals, organizations unilaterally included the arbitration agreement, the consumer shall have right to choose the mode of dispute resolution.

Article 39. Formalities and procedure of dispute resolution by arbitration

The contents, procedure of dispute resolution by arbitration shall be in compliance with arbitration law.

Article 40. Burden of proof

In a dispute to be resolved by way of arbitration, the burden of proof shall comply with Article 42 of this Law.

Section 4

DISPUTE RESOLUTION AT COURT

Article 41. Civil cases relating to consumers’ interests protection

1. A civil case for consumers’ interests’ protection is a civil case arising from a consumption relationship where the plaintiff is a consumer or a consumers’ interests’ protection association in accordance with this Law.

2. A civil case is handled in a simple process regulated in Civil Prosecution Law when the following conditions are met in full:
   a. There is only one plaintiff who is a consumer; the defendant directly supplies goods and services to the consumer;
   b. Simple cases, clear proof;
   c. The transaction is valued up to 100 million;
Article 42. Burden of proving fault in consumer protection civil cases

1. In a civil case for consumers’ interests’ protection, consumers and the consumers’ interests’ protection association shall bear the burden of proof to prove the mistake of the business individual, organization.

2. Business individuals, organizations shall bear the burden of proof with regard to their innocence.

3. The Court will make decision in civil cases.

Article 43. Exemption from court fees and charges in civil cases for consumer protection

1. Consumers and consumers’ interests’ protection organization involved in a civil case for consumer protection shall be exempted from the court fees and charges.

2. Consumers initiate civil lawsuits to protect their legitimate rights and interests without having to pay court fees, court fees in advance.

Article 44. Notification of information about the lawsuits initiated by consumers’ interests’ protection association

1. Social organizations protecting consumer interests shall publicize by appropriate forms on initiation and take responsibility for the information they publish to ensure that no affect to the normal operation by organizations and individuals trading goods and services.

2. Details of the notification referred to in clauses 1 of this Article include:
   a) Interest protection association
   b) The defendant of the case;
   d) Subject matter of the lawsuit;
   d) Procedures and time limit for registration of the participation.

3. Court has responsibility to post at the office of Court about the hearing the case within three working days after receipt of the case under the provisions of civil law.

Article 45. Mediation in the case for consumers’ interests protection initiated by consumer protection associations
Judgments and decisions of the courts to settle civil cases to protect the interests of consumers by organize social action must be publicly posted at the offices of the courts and the public media mass using appropriate forms

**Article 46. Companion in the case for consumers’ interests protection initiated by consumer protection associations for the public interest**

Companion in the case for consumers’ interests protection initiated by consumer protection associations for the public interest issued by decision of Court.

**CHAPTER V**

**STATE ADMINISTRATION ON CONSUMER’S INTERESTS PROTECTION AND HANDLING VIOLATIONS**

**Article 47. State administration responsibility on consumers’ interests protection**

1. The Government shall be responsible for common State administration on consumers’ interests protection in the whole nation.

2. The Ministry of Industry and Trade (MOIT) is responsible to the Government for carrying out common State administration in the sector of consumers’ interests protection.

3. Ministries, ministerial-level agencies and Government agencies, within the scope of their functions, duties and powers are responsible to coordinate with MOIT during the consumers’ interests protection activities.

4. People’s committees at all levels have to implement common State administration of consumers’ interests’ protection in their respective locality as assigned by the Government.

**Article 48. Responsibility of Ministry of Industry and Trade**

1. Issuing within its jurisdiction or submitting to state authorized agencies for issuance and then implement policy, strategy, plan, schedule, project on consumer interest protection.

2. Managing consumer protection activities of social association, mediation; form of contract and general conditions according to Article 19 of this Law;

3. Advocating on consumer interest’s protection; supporting, consulting and raising awareness of public on consumer protection;
4. Building database to contribute consumer protection activities, training and capacity building for official;

5. Inspecting, examine and conducting complaints and handle violations of legislation on protection of consumer interests within its jurisdiction;

6. International cooperation on consumer protection;

Article 49. Responsibility of People Committee

1. Issuing within its jurisdiction or submitting to the authorized state agencies for issuance and then enforcing legal documents on consumer protection in locality.

2. Managing consumer protection activities of social association, mediation; form of contract and general conditions according to Article 19 of this Law;

3. Advocating on consumer interest’s protection; supporting, consulting, educating and raising awareness of public on consumer protection at local;

4. Building database to contribute consumer protection activities, training and capacity building for official;

5. Inspecting, examine and conducting complaints and handle violations of legislation on protection of consumer interests within its jurisdiction

CHAPTER VI
IMPLEMENTING PROVISIONS

Article 50. Implementing effect
This Law takes implementing effect on 1st July 2011,

This Law shall replace the Ordinance No.13/1999/PL-UBTVQH10 dated 27/04/1999 on the protection of consumers’ interests.

Article 51. Guidance for implementation
The Government and the Supreme People’s Court shall provide detailed regulations and guidance for implementing this Law and shall provide guidelines for the necessary issues of this Law to meet the State management requirements.

This Law was passed by the National Assembly of the Socialist Republic of Vietnam on .........
Chairman

Nguyen Phu Trong