

**LAW**  
**On access to information**

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*Pursuant to the Constitution of the Socialist Republic of Vietnam;  
The National Assembly promulgates the Law on Access to Information.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1.** Scope of regulation

This Law prescribes the exercise of citizens' right of access to information, principles, order and procedures for the exercise of the right of access to information, and responsibilities and obligations of state agencies to guarantee citizens' right of access to information.

**Article 2.** Interpretation of terms

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

1. *Information* means information or data contained in available documents, dossiers or materials in the form of handwritten, printed or electronic copy, picture, photo, drawing, tape, or disc, or video or audio recording or another form created by a state agency.

2. *Information created by a state agency* means information or data created by a state agency during the course of performing its functions and tasks and exercising its powers as prescribed by law, which is signed and affixed with a seal, or certified in writing by a competent person of such state agency.

3. *Access to information* means the reading, watching, listening to, taking note of, copying or photographing of information.

4. *Provision of information* includes disclosure of information and supply of information by a state agency at the request of citizens.

**Article 3.** Principles of guaranteeing the right of access to information

1. All citizens are equal and not discriminated in exercising their right of access to information.

2. Provided information must be accurate and complete.

3. Provision of information must be timely, transparent and convenient for citizens and follow the order and procedures prescribed by law.

4. Any restriction on the right of access to information shall be prescribed by a law when it is necessary to ensure national defense and security, social order and safety, social morality or community well-being.

5. The exercise of the right of access to information by a citizen must not infringe upon interests of the country or people, or upon lawful rights and interests of agencies, organizations or other persons.

6. The State shall create favorable conditions for persons with disabilities and inhabitants of border, island and mountainous areas and areas with extremely difficult socio-economic conditions to exercise their right of access to information.

**Article 4.** Subjects exercising the right of access to information

1. Every citizen shall exercise the right of access to information in accordance with this Law.

2. A person who has lost his/her civil act capacity shall request the provision of information through his/her at-law representative.

A person who has difficulty in perceiving and controlling his/her acts shall request the provision of information through his/her guardian.

3. An under-18 person shall request the provision of information through his/her at-law representative, unless otherwise prescribed by the law on children or other laws.

**Article 5.** Information that is accessible to citizens

Citizens may access information of state agencies, except information that is inaccessible prescribed in Article 6 of this Law; and may access under certain conditions information prescribed in Article 7 of this Law.

**Article 6.** Information that is inaccessible to citizens

1. Information classified as state secrets, including information with important contents relating to politics, national defense and security, foreign relations, economy, science and technology and other fields as prescribed by a law.

Citizens may access in accordance with this Law information classified as state secrets which have been declassified.

2. Information the access to which could harm the interests of the State or adversely affect national defense and security, international relations, social order and safety, social morality or community well-being; or could harm the life, living or property of other persons; information classified as work secrets; information on internal meetings of state agencies; and documents drafted by state agencies for their internal affairs.

**Article 7.** Information accessible to citizens under certain conditions

1. Information relating to a business secret may be accessed if so consented by the owner of such secret.

2. Information relating to the privacy or a personal secret of a person may be accessed if so consented by such person; information relating to a family's secret may be accessed if so consented by such family's members.

3. When performing his/her functions and tasks and exercising his/her powers, the head of a state agency shall decide on the provision of information relating to business secrets, privacy, personal secrets and family secrets when it is necessary to ensure public interests or community well-being in accordance with a relevant law without having to obtain the consent as prescribed in Clause 1 or 2 of this Article.

**Article 8.** Rights and obligations of citizens in the access to information

1. A citizen has the rights:

a/ To be provided with complete and accurate information in a timely manner;

b/ To complain, initiate a lawsuit or denounce acts that violate the law on access to information.

2. A citizen has the obligations:

a/ To observe the law on access to information;

b/ To refrain from falsifying the content of provided information;

c/ To refrain from infringing upon lawful rights and interests of an agency, organization or another person when exercising the right of access to information.

**Article 9.** Scope of and responsibility for provision of information

1. A state agency shall provide information created by itself, except in the cases prescribed in Article 6 of this Law; and provide information when the prescribed conditions are fully met in the cases prescribed in Article 7 of this Law.

A commune-level People's Committee shall provide information created by itself and information it receives to directly perform its functions and tasks and exercise its powers, except in the cases prescribed in Article 6 of this Law; and provide information when the prescribed conditions are fully met in the cases prescribed in Article 7 of this Law.

2. A state agency shall directly organize the provision of information except in the following cases:

a/ The Office of the National Assembly shall provide information created by the National Assembly, agencies of the National Assembly, agencies of the

Standing Committee of the National Assembly and the National Election Council, and information created by itself;

b/ The President Office shall provide information created by the President and by itself;

c/ The Government Office shall provide information created by the Government and the Prime Minister and by itself;

d/ The Office of a National Assembly deputies' delegation shall provide information created by itself and by the National Assembly deputies' delegation;

dd/ The Office of a provincial-level People's Council shall provide information created by itself and by the provincial-level People's Council and its standing body and agencies;

e/ The Office of a provincial-level People's Committee shall provide information created by itself and by the provincial-level People's Committee and its chairperson;

g/ The Office of a district-level People's Council and district-level People's Committee shall provide information created by itself and by the district-level People's Council and its standing body and agencies and by the district-level People's Committee and its chairperson;

h/ A commune-level People's Committee shall provide citizens residing in its locality with information created by itself and by commune-level agencies and information received by the commune-level People's Committee to directly perform its functions and tasks and exercise its powers; and provide other citizens with such information in cases that directly relate to their lawful rights and interests;

i/ The Minister of National Defense and the Minister of Public Security shall appoint focal points in charge of information provision within their organizational systems.

#### **Article 10.** Modes of access to information

A citizen may access information by the following modes:

1. Freely accessing information disclosed by state agencies;
2. Requesting the provision of information by state agencies.

#### **Article 11.** Prohibited acts

1. Intentionally providing wrong or incomplete information, delaying the provision of information; destroying information; forging information.

2. Providing or using information to oppose the State of the Socialist Republic of Vietnam or to undermine the solidarity policy or to provoke violence.

3. Providing or using information to harm the honor, dignity or reputation of, or to cause property damage to an individual, agency or organization; or to cause gender discrimination.

4. Obstructing, intimidating or repressing a person who requests or provides information.

**Article 12.** Expenses for information access

1. A citizen may be provided with information free of charge or fee, unless otherwise prescribed by another law.

2. A requester for the provision of information shall pay the actual expenses for printing, copying, photocopying or sending information.

The Minister of Finance shall detail this Clause.

**Article 13.** Oversight of the assurance of the exercise of the right of access to information

1. The National Assembly shall perform the supreme oversight over the assurance of the exercise of the right of access to information by citizens.

2. A People's Council shall oversee the assurance of the exercise of the right of access to information by its local citizens; and annually scrutinize the report of the People's Committee of the same level on the exercise of the right of access to information by local citizens.

3. The Vietnam Fatherland Front and its member organizations shall perform the social oversight over the assurance of the exercise of the right of access to information by citizens.

**Article 14.** Complaint, lawsuit and denunciation

1. A requester for the provision of information has the right to lodge a complaint or institute a lawsuit against a state agency or a person responsible for information provision prescribed in Article 9 of this Law.

2. A citizen has the right to denounce acts that violate the law on access to information.

3. Complaints, lawsuits and denunciations relating to the access to information must comply with the law on complaints and denunciations and the law on administrative procedures.

**Article 15.** Handling of violations

1. A violator of the law on access to information shall, depending on the nature and severity of his/her violation, be disciplined, administratively handled or examined for penal liability.

2. When an information-providing person commits any of the acts prescribed in Article 11 of this Law and causes damage, the information-providing state agency shall compensate the damage and the information

providing-person shall refund the compensation in accordance with the law on the State's compensation liability.

3. A person who uses the provided information, which is obtained from his/her exercise of the right of access to information, to cause harm to the lawful rights and interests of an agency or organization or another person, shall take responsibility in accordance with law.

**Article 16.** Application of the law on access to information

This Law generally applies to the access to information by citizens. In case another law prescribes the access to information in conformity with Article 3 of this Law, that law shall prevail

## **Chapter II**

### **DISCLOSURE OF INFORMATION**

**Article 17.** Information to be disclosed

1. The following types of information shall be disclosed to the general public:

a/ Legal documents; administrative documents of general application; treaties to which the Socialist Republic of Vietnam is a contracting party, international agreements to which Vietnam is a contracting party; administrative procedures and work settlement processes of state agencies;

b/ Information disseminating, and guiding the implementation of, the laws, regulations and policies in the fields under the management of state agencies;

c/ Draft legal documents as prescribed by the law on promulgation of legal documents; contents and results of referendums and responses to the People's opinions on issues which state agencies have competence to decide on and put up for public comment in accordance with law; plans and draft plans on the establishment, dissolution, merger and division of administrative units and adjustment of administrative boundaries;

d/ National and local socio-economic development strategies, programs, projects, schemes, plans and master plans; sectoral master plans and methods and results of implementation; annual work programs and plans of state agencies;

dd/ Information on state budget estimates; reports on state budget implementation; final accounts of the state budget; estimates and implementation and final accounts of budgets for state-funded capital construction investment programs and projects; state budget procedures;

e/ Information on the allocation, management and use of official development assistance funds and non-governmental aid according to regulations; information on the management and use of social relief and subsidies; management and use of the People's contributions and funds of all types;

g/ Information on the lists of public investment and procurement projects and programs and the management and use of public investment capital, the situation and results of implementation of public investment plans, programs and projects; information on bidding; information on land use master plans and plans; land prices; land recovery; plans on compensation, ground clearance and resettlement related to projects and works in localities;

h/ Information on the investment, management and use of state capital at enterprises; assessment reports on the performance and classification of enterprises; reports on supervision of the disclosure of financial information of enterprises and state agencies acting as representatives of the owner of enterprises; information on the organization and operation of state enterprises;

i/ Information on products, goods and services that have adverse impacts on health and environment; conclusions of examinations, inspections and supervisions related to environmental protection, community well-being, food safety and occupational safety;

k/ Information on the functions, tasks, powers and organizational structures of agencies and their attached units; tasks and powers of cadres and civil servants directly settling the People's affairs; internal rules and regulations issued by state agencies;

l/ Periodical work reports; annual financial statements; statistical information on sectors and fields of management; national databases of sectors and fields; information on the recruitment, employment and management of cadres, civil servants and public employees; information on lists and results of scientific programs and projects;

m/ Lists of information subject to disclosure prescribed at Point b, Clause 1, Article 34 of this Law; names, addresses, telephone numbers, fax numbers and email addresses of state agencies or persons acting as focal points for receiving requests for information provision;

n/ Information relating to public interests and community well-being;

o/ Information on taxes, charges and fees;

p/ Other information subject to disclosure as prescribed by law.

2. In addition to the information prescribed in Clause 1 of this Article, based on practical conditions, state agencies shall proactively disclose other information created or held by them.

**Article 18.** Forms and time of disclosure of information

1. Forms of disclosure of information include:

a/ Posting on the e-portals and websites of state agencies;

b/ Publishing in the mass media;

c/ Publishing on Cong bao (Official Gazette);

d/ Posting up at the offices of state agencies and other places;

dd/ Through citizen receptions, press conferences, press releases and activities of spokespersons of state agencies as prescribed by law;

e/ Other forms convenient for citizens as decided by agencies responsible for disclosure of information.

2. In case a form of disclosure of specific information is prescribed by law, such form shall be used.

In case no specific form of disclosure of information is prescribed by law, based on practical conditions, state agencies responsible for disclosure of information may select one or more than one of the forms of disclosure prescribed in Clause 1 of this Article to ensure citizens' access to information.

3. For persons with disabilities or inhabitants of border, island or mountainous areas or areas with extremely difficult socio-economic conditions, in addition to the forms prescribed in Clause 1 of this Article, state agencies shall determine forms of disclosure of information suitable to these citizens' capacity and conditions to access information.

4. The time of disclosure of information on each field must comply with relevant law. In case the time of disclosure of information is not prescribed by law, competent state agencies shall disclose information within 5 working days after creating it.

#### **Article 19.** Posting of information on e-portals and websites

1. Among the types of information prescribed in Article 17 of this Law, the following types of information shall be posted on e-portals and websites:

a/ Legal documents; treaties to which the Socialist Republic of Vietnam is a contracting party, international agreements to which Vietnam is a contracting party; administrative procedures, work settlement processes of state agencies;

b/ Information disseminating, and guiding the implementation of, the laws, regulations and policies in the fields under the management of state agencies;

c/ National and local socio-economic development strategies, programs, projects, schemes, plans and master plans; sectoral master plans and methods and results of implementation; annual work programs and plans of state agencies;

d/ Information on lists of public investment and procurement projects and programs and implementation results of public investment and procurement, and the management and use of public investment capital and loans;

dd/ Information on the functions, tasks, powers, organizational structures and organizational diagrams of agencies and their attached units; addresses, telephone numbers, fax numbers and email addresses of state agencies or persons acting as focal points for receiving requests for information provision;



e/ Annual financial statements; statistical information on sectors and fields of management; information on lists and results of scientific programs and projects;

g/ List of information subject to disclosure, clearly stating the address, form, time and time limit for disclosure of each type of information;

h/ Information deemed necessary for the sake of public interests or community well-being;

i/ Other information to be posted on e-portals and websites as prescribed by law.

2. The posting of information on e-portals and websites in provinces and centrally run cities must follow information technology application plans of provincial-level People's Committees.

3. State agencies responsible for information provision as prescribed by this Law shall keep dossiers and materials as listed and shall arrange them by methods and in manners that facilitate citizens' right of access; ensure that information can be electronically stored and digitalized within a reasonable period of time and accessible to the public; and concurrently ensure connection with the national electronic network for easy access from different systems.

4. The e-portals and websites of state agencies shall be connected to and integrated with those of their attached agencies for updating information and facilitating citizens' search for and exploitation of information.

5. In addition to the types of information prescribed in Clause 1 of this Article, based on practical conditions, state agencies shall proactively post other information created by them on their e-portals and websites.

6. A state agency that has not had an e-portal or a website shall disclose information prescribed in Clause 1 of this Article in other appropriate forms based on its practical conditions.

#### **Article 20.** Publishing of information in the mass media

1. Information-providing state agencies shall fully, accurately and timely provide mass media agencies with information subject to disclosure in the mass media as prescribed by law.

2. The publication and broadcasting of information in the press must comply with the press law. When publishing or broadcasting information, mass media agencies shall ensure the completeness, accuracy and timeliness of information.

#### **Article 21.** Publication on Cong bao, posting up

1. The disclosure of information in the form of publication on Cong bao or posting up must comply with law.

2. In cases in which the place and time limit for posting up information have not yet been specifically prescribed by law, information shall be posted up at the offices of state agencies or community gathering places for at least 30 days.

**Article 22.** Handling of cases in which disclosed information is inaccurate

1. When detecting that the information it has created and disclosed is inaccurate, an agency shall promptly correct such information and disclose the corrected information.

2. When an agency detects that it has inaccurately disclosed information that is created by another agency, it shall promptly correct such information and disclose the corrected information.

3. When an agency detects that information it has created is inaccurately disclosed by another agency, it shall request the disclosing agency to promptly correct such information and disclose the corrected information.

4. When a citizen holds that the disclosed information is inaccurate, he/she shall lodge a petition with the agency having disclosed such information. Within 15 days after receiving a petition, such agency shall verify the accuracy of the information and reply the citizen. If ascertaining that the disclosed information is inaccurate, it shall promptly correct it and disclose the corrected information.

5. Inaccurate information shall be corrected in the form in which it has been disclosed.

**Chapter III**

**PROVISION OF INFORMATION AT REQUEST**

**Section 1**

**GENERAL PROVISIONS ON PROVISION OF INFORMATION AT REQUEST**

**Article 23.** Information to be provided at request

1. Information subject to disclosure prescribed in Article 17 of this Law which falls into the following cases:

a/ Information which has not been disclosed yet within the time limit for disclosure;

b/ Information of which the time limit for disclosure prescribed by law has expired;

c/ Information which has been disclosed but cannot be accessed by the requester due to a *force majeure* event.

2. Information relating to business secrets, privacy, personal secrets or family secrets which is eligible for disclosure as prescribed in Article 7 of this Law.

3. Information relating to the life, living, production or business of the requester other than the information prescribed in Article 17 of this Law and Clause 2 of this Article.

4. In addition to the types of information prescribed in Clauses 1, 2 and 3 of this Article, on the basis of its tasks, powers, conditions and actual capacity, a state agency may provide other information it creates or holds.

**Article 24.** Forms of request for information

1. A person may request information in the following forms:

a/ Coming in person or authorizing another person to come to the office of a state agency to request information.

The person receiving the request shall guide the requester to fill in the information request form prescribed in Clause 2 of this Article.

In case the requester is illiterate or is disabled and cannot write, the person receiving the request shall help the requester fill in the information request form.

b/ Sending an information request form online, by post or by fax to the information-providing agency.

2. An information request form shall be completed in Vietnamese, containing the following details:

a/ Full name; place of residence, address; people identity card, citizen identity card or passport number of the requester; fax and telephone numbers and email address (if any);

b/ Requested information, specifying the name of document, dossier or material;

c/ Form of provision of information;

d/ Reason for and purpose of the request for information.

3. In case of requesting provision of the information prescribed in Clauses 1 and 2, Article 7 of this Law, a written consent of the relevant person or organization shall be enclosed with.

4. The Government shall prescribe the information request form.

**Article 25.** Forms of provision of information at request

1. Information shall be provided at request in either of the following forms:

a/ Right at the office of the information-providing agency;

b/ Online, by post or by fax.

2. A requested state agency shall provide information in the form proposed by the requester suitable to the nature of the requested information and the agency's capacity, unless otherwise prescribed by law.

**Article 26.** Receipt of requests for information

1. A state agency shall receive requests for information and record them in its register of information requests.

2. For an information request form which has not been fully or clearly filled in as required in Clause 2, Article 24 of this Law, the information-providing agency shall guide the requester to complete it.

3. An agency which receives a request for information not under its charge shall notify it to the requester and guide the latter to go to the agency responsible for providing such information.

**Article 27.** Settlement of information requests

When receiving a valid information request, the state agency responsible for information provision shall notify the time, place and form of information provision; and actual expenses for printing, copying, photocopying and sending information by post or fax (if any) and the method and deadline for payment; and provide information in accordance with the order and procedures prescribed in this Chapter.

**Article 28.** Refusal of information requests

1. A state agency may refuse to provide information in the following cases:

a/ Information prescribed in Article 6 of this Law; information failing to meet the conditions prescribed in Article 7 of this Law;

b/ Information eligible for disclosure as prescribed in Article 17 of this Law, except for the cases prescribed in Clause 1, Article 23 of this Law;

c/ Requested information not under its charge;

d/ Information already provided to the requester twice, unless the requester has a plausible reason;

dd/ Requested information falling beyond its capacity or affecting its routine activities;

e/ The information requester failing to pay the actual expenses for printing, copying, photocopying or sending information by post or fax.

2. In case of refusal to provide information, a state agency shall issue a written notice clearly stating the reason.

**Section 2**

**ORDER AND PROCEDURES FOR PROVISION OF INFORMATION AT REQUEST**

**Article 29.** Order and procedures for provision of information right at offices of information providing agencies

1. For simple and available information which can be provided immediately, an information requester shall be allowed to directly read, watch,

listen to, take note of, copy or photograph the materials or request prompt provision of copies of the materials.

2. For complex and unavailable information which has to be gathered from different sections of the requested agency or for information which requires opinions from another agency, organization or unit, within 10 working days after receiving a valid request, the requested agency shall notify the requester to come to its office to read, watch, listen to, take note of, copy or photograph the materials or receive copies of the materials, or shall issue a written refusal to provide the information.

In case the requested agency needs more time for considering, searching, collecting and copying information to meet an information request, it may extend the information provision time limit for another 10 working days at most and shall, within this time limit, issue a written notice of such extension.

**Article 30.** Order and procedures for electronic provision of information

1. Information may be provided electronically when the following conditions are fully met:

a/ The requested information is in an available file and may be transmitted electronically;

b/ The state agency has all technical conditions to provide the requested information electronically.

2. Information may be provided electronically by the following modes:

a/ Attaching the file to an email;

b/ Providing a one-time passcode;

c/ Providing a link for accessing and downloading information.

3. For simple and available information which may be provided immediately, the requested agency shall provide the information within 3 working days after receiving a valid request.

4. For complex and unavailable information which has to be gathered from different sections of the requested agency or information which requires opinions from another agency, organization or unit, within 3 working days after receiving a valid information request, the requested agency shall notify in writing the deadline for response to the request. Within 15 working days after receiving a valid request, the requested agency shall provide information or issue a written refusal to provide information.

In case the requested agency needs more time for considering, searching, collecting, copying information to meet an information request, it may extend the information provision time limit for another 15 days at most and shall, within this time limit, issue a written notice of such extension.

**Article 31.** Order and procedures for provision of information by post or fax

1. For simple and available information which may be provided promptly, the requested agency shall provide information within 5 working days after receiving a valid request.

4. For complex and unavailable information which has to be gathered from different sections of the requested agency or information which requires opinions from another agency, organization or unit, within 3 working days after receiving a valid information request, the requested agency shall notify in writing the deadline for response to the request. Within 15 working days after receiving a valid request, the requested agency shall provide information or issue a written refusal to provide information.

In case the requested agency needs more time for considering, searching, collecting and copying information to meet an information request, it may extend the information provision time limit for another 15 days at most and shall, within this time limit, issue a written notice of such extension.

**Article 32.** Handling of cases in which inaccurate information is provided at request

1. Within 5 working days after detecting that the information it has provided is inaccurate, a state agency shall correct and provide again such information, except in the case prescribed in Clause 3 of this Article.

2. An information requester that believes the provided information is inaccurate may request the information-providing agency to provide the accurate information.

Within 15 days after receiving a request, the agency having provided the information shall verify the accuracy of such information and reply the requester. If the provided information is inaccurate, it shall correct and provide the information again, except in the case prescribed in Clause 3 of this Article.

3. In case a commune-level People's Committee cannot verify the accuracy of the information it keeps, within 5 working days after detecting the inaccuracy or receiving a request from the information requester, it shall request consideration by the agency having created such information. Within 15 days after receiving a request, the agency having created the information shall verify the accuracy of such information and reply the commune-level People's Committee. If the provided information is inaccurate, it shall send the accurate information together with the reply.

Within 3 working days after receiving a reply, the commune-level People's Committee shall correct the information or notify the information requester.

#### **Chapter IV**

### **RESPONSIBILITIES TO GUARANTEE THE EXERCISE OF CITIZENS' RIGHT OF ACCESS TO INFORMATION**

**Article 33.** Measures to guarantee the exercise of citizens' right of access to information

1. Providing professional training in the guarantee of citizens' right of access to information for persons assigned to provide information.

2. Operating e-portals and websites; establishing and operating databases on information to be provided by agencies as prescribed by the Government.

3. Increasing the provision of information through spokespersons of state agencies and through the mass media.

4. Identifying units and persons acting as focal points for information provision.

5. Arranging appropriate citizen reception places for information provision suitable to the conditions of each agency.

6. Improving and strengthening clerical, archival and statistical work; furnishing technical facilities, information technology and other necessary conditions to enable information requesters to directly read, watch, listen to, take note of, copy and photograph materials at the offices of state agencies and online.

**Article 34.** Responsibilities of information-providing agencies for guaranteeing the exercise of the right of access to information

1. State agencies responsible for information provision prescribed in Article 9 of this Law shall:

a/ Disclose and provide information promptly, accurately and fully; correct information or add information if detecting that the provided information is inaccurate or incomplete;

b/ Take the initiative in making, updating and disclosing the list of information subject to disclosure and post this list on their e-portals or websites; regularly update and disclose information at the time and deadlines and in the forms specified in the list of information subject to disclosure;

c/ Maintain, store and update the database on information to be provided under their charge, ensuring that information is systematic, complete, comprehensive, updated and easy to look up;

d/ Ensure the accuracy and completeness of information and compliance with law in the transfer of information among different databases;

dd/ Provide technical guidance on measures and processes to protect information and information management systems;

e/ Review, classify, check and ensure the confidentiality of information before provision;

g/ Promptly consider the benefits of provision of information for disclosure or provision at request for the sake of public interests or community well-being;

h/ Issue and publicly display their internal rules on the provision of information under their charge, covering the following principal contents: the focal point for information provision; transfer of information from information-creating units to the focal point for information provision; classification of information eligible and ineligible for provision; updating of information to be disclosed and information to be provided at request; order and procedures for handling information provision requests between the focal point, unit managing the database and relevant units;

i/ Review regulations on access to information relating to their functions, tasks and powers in order to propose to competent state agencies to revise these regulations in compliance with this Law;

k/ Settle written complaints and denunciations and handle violations of the law on access to information in accordance with law;

l/ Report to competent state agencies on the guarantee of citizens' right of access to information at their agencies when so requested.

2. The head of the unit assigned to act as the focal point for information provision shall ensure the fulfillment of his/her agency's information provision task and promptly handle information-providing persons under his/her management who commit acts of obstructing citizens' right of access to information.

3. A person assigned to provide information shall promptly and fully provide information to citizens and, when on duty, may not cause troubles, obstacles or difficulties to citizens.

**Article 35.** Responsibilities of the Government, ministries, ministerial-level agencies, government-attached agencies and People's Committees at all levels for guaranteeing the exercise of the right of access to information

1. The Government shall perform the uniform state management of the guarantee of the exercise of citizens' right of access to information and perform the following tasks and exercise the following powers:

a/ To promulgate according to its competence, or propose competent state agencies to promulgate, amend, supplement and complete the law on access to information;

b/ To prescribe measures to facilitate the exercise of the right of access to information by persons with disabilities and inhabitants of border, island and mountainous areas and areas with extremely socio-economic difficult conditions;

c/ To implement public information and education measures to raise the awareness of agencies, units, cadres, civil servants and public employees and citizens about their rights and responsibilities in the exercise of the right of access to information;



d/ To guide agencies, organizations, units and citizens in exercising the right of access to information;

dd/ To inspect and examine the implementation, and handle violations, of the law on access to information;

e/ To provide technical guidance on measures and processes to preserve information and information management systems;

g/ To monitor, press for and examine the guarantee of the exercise of citizens' right of access to information.

2. Ministries, ministerial-level agencies and government-attached agencies shall, based on their assigned functions and tasks, perform the tasks prescribed at Points a, c, d, dd and g, Clause 1 of this Article.

3. The Ministry of Information and Communications shall assist the Government in performing the task prescribed at Point e, Clause 1 of this Article.

4. The Ministry of Justice shall assist the Government in generally monitoring the implementation of this Law.

5. Provincial-level People's Committees shall perform the state management in their localities and take measures to guarantee citizens' right of access to information under the guidance of the Government.

6. Based on their practical conditions, state agencies shall create conditions for information requesters to directly read, watch, listen to, take note of, copy and photograph materials at their offices; and procure information boards or other equipment to disclose information.

## **Chapter V**

### **IMPLEMENTATION PROVISIONS**

#### **Article 36.** Provisions on application

1. Foreigners residing in Vietnam have the right to request the provision of information directly concerning their rights and obligations.

The order and procedures for requesting information applicable to foreigners residing in Vietnam must comply with Chapter III of this Law.

2. Citizens may request information through their organization, mass organization or enterprise in case many persons of that organization, mass organization or enterprise request provision of the same information.

The Government shall detail this Clause.

#### **Article 37.** Effect

This Law takes effect on July 1, 2018.

The Government and competent state agencies shall detail the articles and clauses as assigned in this Law.

*This Law was passed on November April 6, 2016, by the XIII<sup>th</sup> National Assembly of the Socialist Republic of Vietnam at its 11<sup>th</sup> session.-*

*Chairperson of the National Assembly*  
NGUYEN THI KIM NGAN