

THE GOVERNMENT

SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom - Happiness

No: 12/2002/ND-CP

Hanoi, January 22, 2002

DECREE

ON GEODESIC AND CARTOGRAPHIC ACTIVITIES

THE GOVERNMENT

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the November 12, 1996 Law on the Promulgation of Legal Documents;

In order to ensure the unified management and deployment of geodesic and cartographic activities nationwide;

At the proposal of the General Director of Land Administration,

DECREES:

Chapter I

GENERAL PROVISIONS

Article 1.- Regulation scope

This Decree prescribes the deployment and unified management of geodesic and cartographic activities nationwide.

The geodesic and cartographic activities in the mainland, airspace and marine areas under the sovereignty and jurisdiction of the Socialist Republic of Vietnam must comply with this Decree.

Article 2.- Interpretation of terms and phrases

Terms and phrases used in this Decree shall be construed as follows:

1. Geodesy means a field of scientific and technical activities where information-receiving and processing equipment are used in order to determine the geometrical characteristics and relevant information of subjects on the earth surface, under the ground, on water surface, in the water, at water bottom, in space, which are in forms of static objects or non-static objects changing with the passing of time. The geodesic types include ground geodesy, water-bottom geodesy,

gravimetric geodesy, photogrammetric geodesy, aerial geodesy, satellite geodesy, maritime geodesy, astronomical geodesy, space geodesy.

2. Cartography means a field of scientific and technical activities of receiving and processing information, data gathered from the process of field measurement and survey in order to display the earth surface in form of a miniature model with the systems of signs and colors according to certain mathematical rules. Types of map include topographic maps, base maps, cadastral maps, administrative maps, sea maps, specialized maps and other types of topical maps.

3. The system of reference means the system of mathematical coordinates in space and on the plane used to display thereon the geodesic and cartographic results; the national reference system is the system of reference selected for uniform use throughout the country.

4. The national system of original geodesic data includes the original geodesic coordinates, original astronomic coordinates, original satellite coordinates, original value of absolute gravity, original height value, original depth value; this system is prescribed uniformly for the whole country; each national original geodesic datum is associated to a point with fixed and durable marker called national original geodesic point.

5. The system of base geodesic points means points with solid markers on the field, which are linked through combined measurement into networks for the purpose of determining the quantity values in various forms: coordinate, height, depth, gravity, astronomy, satellite at such points for use as geodesic base for each region; the national system of base geodesic points is the system of base geodesic points, set up under uniform standards in service of the requirement of common use by all branches and all localities; the system of special-use base geodesic points means the system of base geodesic points, set up in service of exclusive requirement of each branch or each locality.

6. The aerial photo system includes assorted photos of the earth surface and sea surface, taken from equipment installed on airplanes (airplane photos) and on satellites or spacecraft (satellite photos), including the system of fundamental aerial photos in service of the establishment of the national system of topographic maps and the system of base maps, the system of special-use aerial photos in service of other purposes.

7. The national topographic map system means the system of topographic maps displaying the terrain and geo-locations of the earth surface both on land and seabed, covering the whole country or territorial regions according to a number of certain scales.

8. Geodesic construction projects include:

a) Fixed astronomical, geodesic, satellite, gravity, height, depth and temporal observation stations, hereinafter referred collectively to as fixed observation stations;

b) National base geodesic points;

c) Establishments for expertise of parameters of geodesic equipment, hereinafter referred collectively to as geodesic equipment-expertising establishments;

d) Markers of points in the base geodesic point system, hereinafter referred collectively to as geodesic markers.

9. Geodesic products mean the results of the implementation of various geodesic types, geodesic construction projects and accompanying explanation documents, geodesic data and processed data, aerial photos and processed aerial photos, other relevant survey materials.

10. Cartographic products mean assorted diagrams, plane maps, maps, photo maps, map collections, atlas, models, embossed maps, terrestrial globes made on traditional materials or digital technical means. Cartographic publications mean cartographic products multiplied on paper or other materials or multiplied through digital technique.

11. Scientific research into the earth by geodesic methods means activities of researching into the geometrical characteristics of the earth by geodesic technology methods.

12. Geodesic and cartographic projects, products include geodesic products, cartographic products, results of scientific research into the earth by geodesic methods, geodesic and cartographic service products.

13. Geodesic and cartographic information and data include geodesic products, excluding architectural objects in the geodesic construction projects, cartographic products, geographic information system, land information system.

Article 3.- Interests and responsibilities of organizations, individuals

1. Organizations and individuals are entitled to use geodesic and cartographic products according law provisions.

2. Organizations and individuals are entitled to carry out geodesic and cartographic activities according to law provisions.

3. Organizations and individuals have the responsibility to preserve and protect geodesic and cartographic projects and products as provided for by law.

4. Organizations and individuals must not obstruct or cause difficulties to persons responsible for performing the geodesic and cartographic tasks.

5. The State encourages organizations and individuals to participate in scientific research into and development of geodesic and cartographic technology according to law provisions on science and technology.

6. All geodesic and cartographic activities which cause harms or threaten to cause harms to national defense, security and social order and safety of the Socialist Republic of Vietnam are strictly forbidden.

Chapter II

GEODESIC AND CARTOGRAPHIC ACTIVITIES

Article 4.- Geodesic and cartographic activities

1. The geodesic and cartographic activities cover the measurement of all types; compilation, publication and distribution of cartographic products; storage, supply, exchange, reception, transmission and dissemination of geodesic and cartographic information and data; scientific research into the earth by geodesic methods; research into, development, application and transfer of geodesic and cartographic technologies; professional training in geodesy and cartography.

2. Basic geodesic and cartographic activities mean the construction of technical infrastructures and establishment of geodesic and cartographic products to meet the requirement of common use by branches and localities, including:

a) The establishment of the national reference system and the national original data system;

b) The establishment of the national system of base geodesic points;

c) Scientific research into the earth by geodesic methods;

d) Building of the national system of topographical maps, the system of base maps, the system of administrative maps and the system of general geographic maps;

e) Building of the basic aerial photo system;

f) Building of national geographic database on the basis of the national topographic map system and the base map system.

3. Specialized geodesic and cartographic activities cover the establishment of geodesic and cartographic products in service of each requiring branch or each locality, including:

a) Establishing the system of special-use base geodesic points;

b) Building the special-use aerial photo system;

c) Building the system of topographic maps for special-use purpose, the cadastral map system and topical map systems;

d) Building the special-use geographic information system, land information system.

Article 5.- Permits for geodesic and cartographic activities

1. Economic organizations and individuals, when carrying out geodesic and cartographic activities, must acquire the permits therefor, which are granted by competent State agencies as provided for in Article 21 of this Decree.
2. Economic organizations and individuals, that wish to carry out geodesic and cartographic activities within the permitted scopes and fully meet the professional and technical conditions on geodesy and cartography, shall all be granted permits for geodesic and cartographic activities.

Article 6.- Compilation, publication and distribution of cartographic products

1. State agencies, political organizations, socio-political organizations, social organizations, socio-professional organizations, people's armed force units, economic organizations and individuals are entitled to make cartographic products of various types in accordance with the granted permits for geodesic and cartographic activities; to disseminate their products by the means as prescribed in the Law on Publication; when publishing maps, apart from the copyright deposit made according to regulations, one copy must be paid to the State management body in charge of geodesy and cartography. Those cartographic products subject to confidentiality can only be published and distributed at the office of the State management agency in charge of geodesy and cartography for civil-use purposes and at the Ministry of Defense and the Ministry of Public Security for defense and security purposes.
2. The compilation of topical cartographic products of various kinds must be based on base information taken from the system of base maps, national topographic maps, administrative maps, set up by the State management agency in charge of geodesy and cartography; in cases where it is necessary to use other base information, the consent of the State management agency in charge of geodesy and cartography is required.

Article 7.- Responsibility to ensure the quality of geodesic and cartographic projects and products financed with the State budget

1. The investors must bear full responsibility for the quantity and quality of geodesic and cartographic projects and products, which are assigned to them for implementation with the State budget; organizations and individuals directly implementing the geodesic and cartographic projects and products must bear responsibility for the quality of the sections of geodesic and cartographic projects and products assigned to them for implementation.
2. The State agencies assigned to supply information and materials in service of geodesic and cartographic projects and/or products shall have to supply accurately, adequately and promptly information and data being under their management.

Article 8.- Examination and evaluation of quality of geodesic and cartographic projects and/or products, which are implemented with the State budget

Geodesic and cartographic projects and/or products, which are implemented with the State budget, must be qualitatively examined and evaluated according to regulations in Article 24 of this Decree, with the implementation responsibility being prescribed as follows:

1. The State management agency in charge of geodesy and cartography shall have to examine and evaluate the quality of geodesic and cartographic projects and/or products it has implemented; and other geodesic and cartographic projects and/or products assigned by the Government.
2. The ministries, ministerial-level agencies and agencies attached to the Government as prescribed in Articles 15 and 16 of this Decree shall have to examine and evaluate the quality of geodesic and cartographic projects and/ or products they have respectively implemented.
3. The People's Committees of the provinces or centrally-run cities (hereinafter referred collectively to as provincial-level People's Committees) shall have to examine and evaluate the quality of geodesic projects and/or products and cadastral maps, measurement and special-use maps of their respective localities.
4. Non-business geodesic and cartographic organizations performing the function of evaluating the quality of geodesic and cartographic projects and products shall have to evaluate the quality thereof at the request of the competent state agencies and take responsibility before law for the evaluation results.
5. Economic organizations granted permits for geodesic and cartographic activities, which contain the technical examination and quality evaluation, are entitled to conduct the technical examination and quality evaluation of geodesic and cartographic projects and/or products at the request of investors.

Article 9.- Protection of geodesic construction projects

1. The geodesic construction projects are the State property, which the People's Committees at all levels shall have to preserve and protect these projects and educate all citizens on the sense of protecting them.
2. The State management agency in charge of geodesy and cartography shall specify the management of the use and protection of geodesic construction projects.
3. All organizations and individuals must not use the geodesic construction projects if they are not so permitted by the State management agency in charge of geodesy and cartography at the central or provincial level according to management decentralization; in the course of use thereof, they must protect geodesic markers and not damage them, after the use thereof, they must restore their initial state.
4. After completing the construction of geodesic markers, units performing the geodesic tasks must make records on the hand-over of markers, accompanied with diagrams on location and state of markers on the field to commune, ward and district town (hereinafter referred

collectively to as commune level) officials in the presence of the land users; after completing the whole projects, the investors must hand over the total volume of markers, accompanied with the sheet of point footnotes, to the State management agency in charge of geodesy and cartography, as decentralized.

5. The land users and the project owners at places where exist markers shall have to report thereon to the commune land administration officials when building or renovating projects if such activities affect the geodesic markers.

6. After being handed over the geodesic markers, the commune land administration official shall have to:

a) Record in the note section of the land administration books the geodesic markers on the land plots;

b) Protect the geodesic markers from being removed, destroyed or damaged;

c) When detecting signs of infringement or possible infringement upon geodesic markers, the commune land administration officials shall have to report such to the provincial/municipal Land Administration Services or Land Administration- House and Land Services (hereinafter referred collectively to as Land Administration Services) as soon as possible.

7. The provincial/municipal Land Administration Services have the responsibility to:

a) Clearly show the land users the geodesic markers on their land plots and inscribe them in the hand-over records when assigning land on field to organizations and individuals;

b) Settle or report to the State management agency in charge of geodesy and cartography according to the marker management decentralization the cases where the construction works on the land plots affect the geodesic markers so that the latter may make decision on abolition, consolidation or removal thereof;

c) Annually report in writing to the State management agency in charge of geodesy and cartography on the quantity of newly built markers in their respective localities according to the statistical sheet, grades and use status.

Article 10.- Storage and supply of geodesic and cartographic information and data

1. The State management agency in charge of geodesy and cartography shall have the responsibility to:

a) Make annual statistical reports on the present situation of geodesic and cartographic information and data for civil use nationwide;

b) Update, store and supply information and data on the national reference system; the national original geodesic data system; the national base geodesic point system; the system of basic aerial

photos and aerial photos in service of land management; the system of national topographic maps, base maps, general geographical maps, administrative maps, cadastral maps, land-use map; the national geographic database and land database system.

2. The Ministry of Defense and the Ministry of Public Security shall have to update, store and supply information and materials on the reference system, the base geodesic point system, the aerial photo system, the topographic map and topical map system, the geographic database system in service of defense and security purposes.

3. The ministries, the ministerial-level agencies and the agencies attached to the Government prescribed in Articles 15 and 16 of this Decree shall have to update, store and supply information and data on the base geodesic point system, the aerial photo system, the topographic map and topical map system, the geographic database system in service of their specialized branches.

4. The provincial-level People's Committees shall have to update, store and supply information and data on the base geodesic point system, the system of topographic maps, administrative maps, cadastral maps, topical maps; the geographic information and land information system in exclusive service of the special-use purposes in their respective localities.

Article 11.- Geodesic and cartographic activities carried out in Vietnam by foreign organizations and individuals

1. Foreign organizations and/or individuals carrying out directly or in cooperation with domestic organizations the geodesic and cartographic activities in Vietnam must have their geodesic and cartographic projects approved by competent State bodies and be granted permits for geodesic and cartographic activities.

2. After completing the geodesic and cartographic projects, the project investors must submit 01 copy of the results to the State management agency in charge of geodesy and cartography.

Article 12.- International exchange of geodesic and cartographic information and data

1. Various types of geodesic and cartographic information and data and geodesic and cartographic products, which are classified as State secrets, must not be exchanged with foreign countries; in case of necessity, the permission of the agency competent to decide on the degree of State secrets defined in the Ordinance on the Protection of State Secrets is required.

2. Organizations and individuals may exchange with foreign countries assorted cartographic publications, geographic information, which have already been published.

3. Organizations and individuals that promulgate or disseminate abroad unpublished geodesic and cartographic information and data and/or geodesic and cartographic products shall comply with the Government's Decree No. 72/2000/ND-CP of December 5, 2000 on the promulgation and dissemination of works abroad and the guidance of the State management agency in charge of geodesy and cartography.

Article 13.- Export and import of geodesic and cartographic products

1. Geodesic and cartographic products of various kinds, which have been already published and not classified as State secrets, may be exported.
2. The import of geodesic and cartographic products of various kinds into Vietnam shall comply with the stipulations of the Ministry of Culture and Information and the State management agency in charge of geodesy and cartography.

Article 14.- Ownership over geodesic and cartographic products, information and/or data

1. The ownership right and the copyright over geodesic and cartographic products, information and data shall comply with the provisions of the Civil Code.
2. Organizations and individuals of all economic sectors are entitled to use geodesic and cartographic products, information and/or data under the State's ownership in their products according to the provisions of law.

Chapter III

PERFORMING GEODESIC AND CARTOGRAPHIC TASKS

Article 15.- Tasks of the State management agency in charge of geodesy and cartography

The State management agency in charge of geodesy and cartography shall have to:

1. Build the national reference system.
2. Build the national original geodesic data system.
3. Set up the national base geodesic point system.
4. Set up the basic aerial photo system and the special-use aerial photo system in service of periodical land management.
5. Establish, readjust, publish and distribute the national land and marine topographic map system, the base map system, the administrative map system, the base cadastral map system, the land-use map system, the regional and world administrative map system, the general geographic map system, the national atlas.
6. Set up national geographic information database and system, national land information database and system.
7. Conduct scientific research into the earth by geodesic methods.

8. Set up and organize the operation of, geodesic-equipment expertise, inspection and maintenance establishments, ensuring the national standard derivatives and the conformity with the geodesic equipment-inspecting and standardizing system.

Article 16.- Tasks of the Ministry of Defense and the Ministry of Public Security

The Ministry of Defense and the Ministry of Public Security shall have to:

1. Build the reference system in service of defense and security purposes.
2. Build the specialized system of coordinate points and base altitudes in service of defense and/or security purposes.
3. Build the specialized aerial photo system in service of defense and/or security purposes.
4. Build the system of topographic maps, marine maps and other topical maps in service of defense and/or security purposes.
5. Carry out geodesic and cartographic work in service of activities of the armed forces.

Article 17.- Tasks of the ministries, the ministerial-level agencies, the agencies attached to the Government

1. The Ministry of Construction shall be tasked to carry out geodesic and cartographic work, the geographic information system in service of urban-rural construction management and planning, the observation of project deformation and the compilation of maps of underground civil projects.
2. The Ministry of Communications and Transport shall be tasked to organize the deployment of geodesic work in service of the traffic construction projects and accompanying projects, set up the geographic information system for traffic road management, build the maritime-guarantee geodesic and cartographic system.
3. The Ministry of Industry shall be tasked to organize the geodesic and cartographic work in service of geological research, mineral prospection and exploration, compile maps and system of national geological information, compile maps of industrial economy.
4. The Ministry of Agriculture and Rural Development shall be tasked to organize the deployment of geodesic and cartographic activities in service of the basic survey, management, forecast, planning, exploitation and development of agricultural and rural socio-economic resources under its management.
5. The Ministry of Aquatic Resources shall be tasked to organize the geodesic and cartographic work in service of aquatic resource survey and management; locate fishing grounds in service of offshore fishing; plan the aquaculture and fishing port system, anchoring and mooring and storm-

sheltering areas for ships and boats; set up the geographic information system for specialized aquatic resource management.

6. The Ministry of Education and Training shall be tasked to set up the textbook map system.

7. The Ministry of Science, Technology and Environment shall have to coordinate with the State management agency in charge of geodesy and cartography in organizing the geodesic standard derivatives, geographic information system in service of environmental development supervision and forecast.

8. The Government Commission for Organization and Personnel shall be tasked to organize the establishment of geographic information system in service of the management of administrative boundaries at all level.

9. The Ministry for Foreign Affairs shall be tasked to organize the establishment of geographic information system in service of border management, national land and marine border negotiation and delimitation.

10. The General Department of Hydrography and Meteorology shall be tasked to organize the establishment of the system of climatic, weather and hydrographic maps.

Article 18.- Tasks of the provincial-level People's Committees

The provincial-level People's Committees shall be tasked to build up the special-use base geodesic point systems, the cadastral map systems, compile topical subject maps in service of special purposes, set up the land and real estate information systems of their respective localities.

Chapter IV

STATE MANAGEMENT OF GEODESIC AND CARTOGRAPHIC ACTIVITIES

Article 19.- Elaborating strategy and planning for long-term geodesic and cartographic development

1. The State management agency in charge of geodesy and cartography shall have to work out and submit to the Prime Minister for decision the development policies and strategies, plans, programs, objectives and key projects on measurement and basic maps, measurement and specialized maps in service of land management, and organize the implementation thereof when they are approved.

2. The ministries, the ministerial-level agencies and the agencies attached to the Government prescribed in Articles 15 and 16 of this Decree as well as the provincial-level People's Committees shall have to approve the long-term and annual plans as well as projects on measurement and maps of their respective branches or localities, avoiding overlapping with the plans and projects of the State management agency in charge of geodesy and cartography as well as of other ministries and branches.

Article 20.- Management of annual plans on geodesy and cartography

1. Agencies and organizations, which are assigned to execute geodesic and cartographic projects and/or products with the sources of State budget capital, must manage the annual plans on the basis of projects formulated according to technical criteria and economic-technical norms promulgated by the State management agency in charge of geodesy and cartography.
2. The State management agency in charge of geodesy and cartography shall have to join the Council for Evaluation of projects with geodesic and cartographic items, which are formulated by ministries, ministerial-level agencies, agencies attached to the Government or provincial-level People's Committees, before they are submitted to the Prime Minister for approval, except for projects relating to defense and/or security secrets.
3. Geodesic and cartographic projects with capital invested by international organizations or foreign-invested enterprises must be commented by the State management agency in charge of geodesy and cartography or the provincial-municipal Land Administration Services according to responsibility decentralization before they are submitted to competent State bodies for approval, except for defense or security projects.

Article 21.- Promulgation of geodesic and cartographic eco-technical criteria system

1. The Prime Minister shall issue decisions on national reference system.
2. The State management agency in charge of geodesy and cartography shall promulgate:
 - a) The stipulations on the national original geodesic data system, the national base geodesic point system, the basic aerial photo system, the national topographic map system, the base map system, the administrative map system and the general geographic map system;
 - b) The stipulations on cadastral map and land-use map system;
 - c) The stipulations on geodesic and cartographic eco-technical criteria, regulations, process and norms;
 - d) The stipulations on technological standards of geodesic and cartographic equipment, standards of the construction of geodesic and cartographic equipment-expertising and inspecting establishments, which are compatible with the national technological standards system;
 - e) The uniform regulations on data standards, technological standards, the regime to ensure data safety and confidentiality, measures to protect the ownership rights to geographic information and land information data.
3. The Ministry of Defense shall promulgate:
 - a) The stipulations on geodesic and cartographic activities in service of defense and/or security purposes;

b) The specific stipulations on geodesic and cartographic eco-technical criteria, regulations, process and norms in service of defense and security purposes on the basis of the eco-technical standards system promulgated by the State management agency in charge of geodesy and cartography.

4. The ministries, the ministerial-level agencies and the Government-attached agencies defined in Articles 15 and 16 of this Decree shall promulgate regulations on specialized geodesic and cartographic eco-technical standards compatible to the eco-technical standards system issued by the State management agency in charge of geodesy and cartography.

5. The provincial-level People's Committees shall promulgate regulations guiding the application of geodesic and cartographic eco-technical standards set by the State management agency in charge of geodesy and cartography, suitable to their respective localities.

Article 22.- Management of geodesic and cartographic activities

1. The State management agency in charge of geodesy and cartography shall have to:

a) Promulgate and guide the implementation of, the regulation on registration of geodesic and cartographic activities;

b) Grant permits for geodesic and cartographic activities to organizations and individuals that fully meet the conditions prescribed by the regulation;

c) Examine and approve contents of geodesic data, aerial photos, which are received and transmitted between ground stations and special-use satellites in service of civil purposes before the State management agency in charge of post grant permits for the installation and use thereof;

d) Inspect the observance of the regulation on registration of geodesic and cartographic activities.

2. Vietnam Civil Aviation Department shall have to grant permits for flights in service of geodesic and aerial- photographing purposes on the basis of the consents of the Ministry of Defense.

3. The Ministry of Defense shall have to:

a) Supervise the execution of flights in service of aerial photographing purpose;

b) Prescribe the permit- granting order and procedures and supervise the geodesic and cartographic activities in defense or security zones;

c) Strike out military targets on the aerial photos before they are used for civil purposes.

4. The provincial-level People's Committees shall have to:

a) Evaluate the geodesic and cartographic capabilities of organizations and individuals that register for geodesic and cartographic activities in their respective localities and propose the State management agency in charge of geodesy and cartography to grant geodesic and cartographic permits;

b) Periodically inspect the observance of the regulation on registration of geodesic and cartographic activities by organizations and individuals engaged in geodesic and cartographic activities in their respective localities.

Article 23.- Management of the publication and distribution of cartographic products

The State management agency in charge of geodesy and cartography shall have to monitor the publication and distribution of maps and request the State management body in charge of publication to suspend the distribution of and recover cartographic publications with errors in displaying the national sovereignty, administrative boundaries, place names; cartographic publications with serious technical errors; and cartographic publications with contents strictly banned by the Law on Publication.

Article 24.- Management of quality of geodesic and cartographic projects and products

1. The State management agency in charge of geodesy and cartography shall promulgate general provisions on the management of the quality of geodesic and cartographic projects and products and the specific provisions on the management of the quality of basic geodesic and cartographic projects and products, the geodesic and cartographic activities in service of land management.

2. The ministries, the ministerial-level agencies and the Government-attached agencies prescribed in Articles 15 and 16 of this Decree shall promulgate specific provisions on the management of the quality of specialized geodesic and cartographic projects and products falling under their respective tasks.

Article 25.- Management of geodesic and cartographic activities concerning administrative boundaries and national borders

1. The State management agency in charge of geodesy and cartography shall assume the prime responsibility and coordinate with the Government Commission for Organization and Personnel in:

a) Managing the geodesic and cartographic activities in service of delimitation and adjustment of administrative boundaries at all levels and settling disputes thereover;

b) Evaluating the display of administrative boundaries of the provincial, district and commune levels on assorted maps on the basis of the administrative boundary dossiers made under Directive No. 364/CT of November 6, 1991 of the Prime Minister; where administrative boundary sections are being on dispute, the display thereof on maps must be clearly inscribed with " the boundary sections being on dispute".

2. The State management agency in charge of geodesy and cartography shall assume the prime responsibility and coordinate with the Foreign Ministry in:

a) Managing the geodesic and cartographic activities in service of national land and marine border negotiations, determination and delimitation;

b) Evaluating the display of the national borderlines of the Socialist Republic of Vietnam on assorted maps according to the systems of border delimitation and marker post installation maps accompanying international agreements on borders; where the borderlines are not yet delimited with marker posts according to international agreements, the evaluation of the display of the national borderlines shall comply with the State's policies.

c) Printing, publishing and distributing assorted maps and documents relating to national land borderlines, sea regions, islands and continental shelf of Vietnam.

Article 26.- System of place names on maps

The State management agency in charge of geodesic and cartographic activities shall promulgate the list of place names to be displayed on maps for uniform use nationwide according to the following principles:

1. The place names of administrative units shall be decided by competent State bodies.

2. The place names of natural geographical and social objects, which have not yet been used uniformly shall be decided on the basis of reaching agreement with the provincial-level People's Committees.

3. The international place names which have not yet been used uniformly shall be decided on the basis of reaching agreement with the Ministry for Foreign Affairs.

Article 27.- Management of confidentiality of geodesic and cartographic information and data

1. The geodesic and cartographic information and data classified as State secrets shall include:

a) Top secret category: coordinates of national base points of grade II or higher, which formulate a comprehensive national network with accompanied point footnotes; military maps of various kinds; documents on national borderline investigation and survey, which have not yet been made public;

b) Confidential category shall be decided by the Minister of Public Security at the proposal of the Defense Minister and the head of the State management agency in charge of geodesic and cartographic activities.

2. The head of the State management agency in charge of geodesic and cartographic activities shall have to:

a) Decide on the confidentiality degree for each specific kind of geodesic and cartographic information and data in service of civil-use purposes as State secrets based on the list of State secrets classified as top secret and confidential in the geodesic and cartographic fields, which have already been decided by competent State bodies;

b) Promulgate and organize the implementation of, regulations on the protection of State secrets regarding geodesic and cartographic information and data in service of civil-use purposes;

c) Make the lists of re-classified and declassified State secrets regarding the geodesic and cartographic information and data in service of civil-use purposes and submit them to the competent State bodies for decision.

3. The Defense Minister shall have to:

a) Decide on the confidentiality degree for each specific kind of geodesic and cartographic information and data in service of defense and security purposes, which are classified as State secrets on the basis of the list of State secrets classified as top secret and confidential in the geodesic and cartographic fields, already decided by the competent State bodies;

b) Promulgate and organize the implementation of, the regulations on protection of State secrets regarding the geodesic and cartographic information and data in service of defense and security purposes;

c) Make the lists of re-classified and declassified State secrets regarding the geodesic and cartographic information and data in service of defense and security purposes and submit them to the competent State bodies for decision.

Article 28.- Management of the supply of geodesic and cartographic information and data

1. The State management agency in charge of geodesic and cartographic activities shall promulgate the regulations on decentralized management, exploitation, use and supply of geodesic and cartographic information and data.

2. The geodesic and cartographic information and data, which have been published and not classified as State secrets, shall be widely distributed.

3. The geodesic and cartographic information and data, which have not been published and classified as State secrets, shall be supplied only upon the requests of the heads of agencies or organizations having the demand to use them.

4. The geodesic and cartographic information and data classified as confidential shall be supplied only upon the written requests of officials of the department or equivalent level.

5. The geodesic and cartographic information and data classified as top secret shall be supplied only upon the written requests of ministers, heads of the ministerial-level agencies or agencies attached to the Government, presidents of the provincial-level People's Committees, chief judge

of the Supreme People's Court, chairman of the Supreme People's Procuracy, director of the State President's Office, heads of the agencies of the National Assembly, heads of the agencies of the Party Central Committee, heads of socio-political organizations.

Article 29.- Geodesic and cartographic inspectorate

1. Tasks of the geodesic and cartographic inspectorate:

a) Inspectors of the State management agency in charge of geodesic and cartographic activities have the task of organizing the inspection of geodesic and cartographic activities in service of civil-use purposes nationwide;

b) Inspectors of the ministries, the ministerial-level agencies and the Government-attached agencies, prescribed in Articles 15 and 16 of this Decree have the tasks of inspecting the geodesic and cartographic activities carried out by their own agencies.

2. Contents of geodesic and cartographic inspection:

a) Inspecting the observance of legal documents on geodesy and cartography;

b) Inspecting the measurement and mapping at the requests of the head of the State management agency in charge of geodesic and cartographic activities, the ministers, the heads of the ministerial-level agencies, the heads of the Government-attached agencies, as prescribed in Articles 15 and 16 of this Decree or the presidents of provincial-level People's Committees;

c) Assisting the superiors of the same level in verifying and concluding on contents of complaints and denunciations; propose to the superiors of the same level measures to settle complaints and denunciations in the geodesic and cartographic fields.

3. Rights of inspection teams or inspectors when conducting the geodesic and cartographic inspection:

a) To request relevant organizations and individuals to supply documents necessary for the inspection;

b) To decide on the suspension of construction of geodesic and cartographic projects and products, which have been executed with the source of State budget capital and not strictly according to the approved plans or projects, thus causing budgetary waste or failing to ensure the quality, and to take responsibility before law for such decision, and at the same time to immediately report it to the competent State bodies for decision and handling;

c) To handle according to competence or request the competent State bodies to handle violations in the geodesic and cartographic fields according to law provisions.

Article 30.- Settlement of complaints and denunciations in the geodesic and cartographic fields

1. Organizations and individuals shall have the right to complain about or denounce acts of violating the legislation on geodesy and cartography.

2. The competent State bodies, upon receiving written complaints and denunciations, shall have to settle them strictly according to the order and procedures prescribed by the legislation on complaints and denunciations.

Article 31.- Handling of violations

1. All organizations and individuals that commit acts of violating the legislation on geodesy and cartography shall be administratively sanctioned or examined for penal liability, depending on the nature and seriousness of their violations.

2. Those State officials and employees who abuse their positions and powers and commit acts of violating the legislation on geodesy and cartography shall be disciplined or examined for penal liability, depending on the nature and seriousness of their violations as well as the Government's and the Prime Minister's earlier regulations on geodesy and cartography.

Chapter V

IMPLEMENTATION PROVISIONS

Article 32.- Implementation effect

This Decree shall take the implementation effect 15 days after its signing. To annul Decree No. 404-HDBT of November 14, 1990 of the Council of Ministers on keeping secret the geodesic and cartographic documents.

Article 33.- Implementation guidance

The head of the State management agency in charge of geodesic and cartographic activities, the ministers, the heads of the ministerial-level agencies and the heads of the agencies attached to the Government shall, within the scope of their respective functions, tasks and powers, have to guide the implementation of this Decree.

Article 34.- Implementation responsibility

The ministers, the heads of the ministerial-level agencies, the heads of the agencies attached to the Government and the presidents of the provincial/municipal People's Committees shall have to implement this Decree.

**ON BEHALF OF THE GOVERNMENT
PRIME MINISTER**

Phan Van Khai