

Chapter XVII

ENVIRONMENT-RELATED CRIMES

Article 182.- Causing air pollution

1. Those who discharge into the air different kinds of smoke, dust, toxic matters or other harmful elements; emit radiation and/or radioactive elements in excess of the permitted criteria, have already been administratively sanctioned but still deliberately refuse to apply remedial measures under the decisions of the competent agencies, thus causing serious consequences, shall be subject to a fine of between ten million dong and one hundred million dong, non-custodial reform for up to three years or a prison term of between six months and three years.

2. Committing the crime and causing very serious consequences, the offenders shall be sentenced to between two years and seven years of imprisonment.

3. Committing the crime and causing particularly serious consequences, the offenders shall be sentenced to between five and ten years of imprisonment.

4. The offenders may also be subject to a fine of between five million dong and fifty million dong, a ban from holding certain posts, practicing certain occupations or doing certain jobs for one to five years.

Article 183.- Causing water source pollution

1. Those who discharge into water sources oil, grease, toxic chemicals, radioactive substances in excess of prescribed criteria, wastes, animal and plant residues, bacteria, micro bacteria, harmful and epidemical parasites or other harmful elements, have already been administratively sanctioned but deliberately refuse to apply remedial measures under decisions of the competent agencies, thus causing serious consequences, shall be subject to a fine of between ten million dong and one hundred million dong, non-custodial reform for up to three years or a prison term of between six months and three years.

2. Committing the crime and causing very serious consequences, the offenders shall be sentenced to between two years and seven years of imprisonment.

3. Committing the crime and causing particularly serious consequences, the offenders shall be sentenced to between five years and ten years of imprisonment.

4. The offenders may also be subject to a fine of between five million dong and fifty million dong, a ban from holding certain posts, practicing certain occupations or doing certain jobs for one to five years.

Article 184.- Causing land pollution

1. Those who bury or discharge onto land toxic matters in excess of prescribed criteria, have already been administratively sanctioned but still deliberately refuse to take remedial measures under decisions of competent bodies, causing serious consequences, shall be subject to a fine of between ten million dong and one hundred million dong, non-custodial reform for up to three years or a prison term of between six months and three years.

2. Committing the crime and causing very serious consequences, the offenders shall be sentenced to between two years and seven years of imprisonment.

3. Committing the crime and causing particularly serious consequences, the offenders shall be sentenced to between five years and ten years of imprisonment

4. The offenders may also be subject to a fine of between five million dong and fifty million dong, a ban from holding certain posts, practicing certain occupations or doing certain jobs for one to five years.

Article 185.- Import of technologies, machinery, equipment, discarded materials or materials which fail to satisfy environmental protection criteria

1. Those who import or permit the import of technologies, machinery, equipment, biological preparations, chemical preparations, noxious matters, radioactive substances or discarded materials which fail to satisfy the environmental protection criteria, have already been administratively sanctioned for such acts but still commit them, causing serious consequences, shall be subject to a fine of between ten million dong and one hundred million dong, non-custodial reform for up to three years or a prison term of between six months and three years.

2. Committing the crime and causing very serious consequences, the offenders shall be sentenced to between two and seven years of imprisonment.

3. Committing the crime and causing particularly serious consequences, the offenders shall be sentenced to between five and ten years of imprisonment.

4. The offenders may also be subject to a fine of between five million dong and fifty million dong, a ban from holding certain posts, practicing certain occupations or doing certain jobs for one to five years.

Article 186.- Spreading dangerous epidemics to human beings

1. Those who commit one of the following acts of spreading dangerous epidemics to other persons, shall be sentenced to between one and five years of imprisonment:

a) Taking out of epidemic areas animals, plants, animal or plant products or other objects capable of spreading dangerous epidemics to human beings;

b) Bringing into or permitting to bring into Vietnam animals, plants or animal or plant products, which are infected with diseases or carry dangerous disease germs capable of spreading to human beings;

c) Other acts of spreading dangerous epidemics to human beings.

2. Committing the crime and causing very serious or particularly serious consequences, the offenders shall be sentenced to between five and twelve years of imprisonment.

3. The offenders may also be subject to a fine of between ten million dong and one hundred million dong, a ban from holding certain posts, practicing certain occupations or doing certain jobs for one to five years.

Article 187.- Deliberately spreading dangerous epidemics to animals and/or plants

1. Those who commit one of the following acts of spreading dangerous epidemics to animals and/or plants, causing serious consequences or who have been administratively sanctioned for

such acts but still commit them, shall be subject to a fine of between ten million dong and one hundred million dong, non-custodial reform for up to three years or a prison term of between six months and three years:

a) Bringing into or taking out of restricted circulation areas animals, plants, animal or plant products or other objects, which are infected with diseases or carry disease germs;

b) Bringing into or permitting to be brought into Vietnam animals, plants, animal or plant products which should be quarantined, but failing to comply with law provisions on quarantine;

c) Other acts of spreading dangerous epidemics to animals, plants.

2. Committing the crime and causing very serious or particularly serious consequences, the offenders shall be sentenced to between two and seven years of imprisonment.

3. The offenders may also be subject to a fine of between five million dong and fifty million dong, a ban from holding certain posts, practicing certain occupations or doing certain jobs for one to five years'.

Article 188.- Destroying aquatic resources

1. Those who breach regulations on the protection of aquatic resources in one of the following circumstances, causing serious consequences, or who have already been administratively sanctioned for such acts or sentenced for such offenses, not yet entitled to criminal record remission but still commit them, shall be subject to a fine of between ten million dong and one hundred million dong, non-custodial reform for up to three years or a prison term of between six months and three years:

a) Using toxic substances, explosives, chemicals, electric current or banned fishing means and gears to exploit aquatic products or destroy aquatic resources;

b) Exploiting aquatic products in restricted areas, during the spawning seasons of a number of species or other time periods banned by law;

c) Exploiting aquatic products of precious and rare species, the exploitation of which is banned under Government regulations;

d) Destroying the habitats of precious and rare aquatic species protected under Government regulations;

e) Breaching other regulations on the protection of aquatic resources.

2. Committing the crime and causing serious or particularly serious consequences, the offenders shall be subject to a fine between fifty million dong and two hundred million dong or a prison term of between two and five years.

3. The offenders may also be subject to a fine of from two million dong to twenty million dong, a ban from holding certain posts, practicing certain occupations or doing certain jobs for one to five years.