SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

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DECREE

ON GAS BUSINESS

Pursuant to the Law on Government Organization dated June 19, 2015; Pursuant to the Law on Commerce dated June 14, 2005; Pursuant to the Law on Quality of Products and Goods dated November 21, 2007; Pursuant to the Law on Prices dated June 20, 2012; Pursuant to the Law on Investment dated November 26, 2014; At the request of the Minster of Industry and Trade; The Government promulgates a Decree on gas business.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Decree provides for gas business and requirements for gas trading in Vietnam.

Article 2. Regulated entities

1. Traders prescribed in the Law on Commerce

2. Other organizations and individuals engaged in gas business

Article 3. Definition

For the purpose of this Decree, the terms below shall be construed as follows:

1. Gas herein refers to liquefied petroleum gas, liquefied natural gas and compressed natural gas.

2. Liquefied petroleum gas (hereinafter referred to as "LPG") means a mixture of hydrocarbon gases derived from petroleum containing two major compositions called propane (C_3H_8) or butane (C_4H_{10}) or the mixture of both propane and butane. At the normal temperature and pressure, LPG presents in a vapor form but may turn into liquid at a limited temperature and pressure.

3. Liquefied natural gas (hereinafter referred to as "LNG") means a liquid hydrocarbon product derived from natural gases, mainly containing methane (CH₄) and presents in a vapor form at the normal temperature and pressure but may turn into liquid at a limited temperature and pressure.

4. Compressed natural gas (hereinafter referred to as "CNG") means a vapor hydrocarbon product made by compressing natural gases at a high pressure (from 200 to 250 bar) that mainly contains methane (CH_4).

5. Gas business means the continual performance of at least one of the following activities; gas producing, processing, export, import, trading, filling, distribution; gases for temporary

import for re-export; lease of tanks or bottles, bottled LPG warehouse, wharves; delivery or transport of gases for the purpose of making profits.

6. Gas producing and processing means a process in which associated gases and natural gases are treated and converted into gas products.

7. Gas blending means a process of mixing gases and semi-finished gas products with additives and other preparations for making gas products.

8. Gas filling station means any station using dedicated equipments and instruments to fill up vehicles; tank trucks or LPG bottles.

9. Gas distribution means any station using dedicated equipments and instruments to distribute gases to its customers through gas pipeline from fixed gas tanks or a system of LPG bottles.

10. LPG bottle means any high-pressure gas bottle that is made in accordance with national technical regulations for storing and refilling LPG, known as the standard gas bottle.

11. Bottled LPG means LPG that is pumped into LPG bottle at a limited volume in accordance with applicable standards.

12. Mini-sized LPG bottle means any high-pressure gas bottle that is made in accordance with national technical regulations for storing LPG with the maximum capacity of 1.000 milliliters per bottle.

13. LPG bottle owner means any trader engaged in LPG business who is entitled to own, use and dispose LPG bottles in accordance with provisions of laws.

14. Bottled LPG retail store means any store that sell types of bottled LPG and LPG auxiliary equipments to customers.

15. LPG auxiliary equipments include LPG cookers, LPG pipes, LPG bottle valves and LPG pressure regulators.

16. Gas business facilities include traders producing or processing gases; gas importers and exporters; traders engaged in gas business, lease of ports for gas import and export, tanks, bottled LPG warehouses and vehicles carrying gases; filling and distribution stations; bottled LPG retail stores; traders producing and repairing LPG bottles or producing mini-sized LPG bottles.

17. LPG storage warehouse means any place used for storing bottled LPG with total number of bottled LPG weighing at least 70 kilograms.

18. CNG compressing station means any station using dedicated compressors to compress CNG into CNG tanks.

19. A copy means a photo of the original or typewritten document containing full and accurate contents stated in the original one.

Article 4. Application of international agreements and relevant law provisions

Traders engaged in gas business in Vietnam have to comply with both regulations hereof and other relevant provisions of laws; if any difference between provisions of international agreements and regulations hereof is found, provisions of international agreements will prevail.

Article 5. Management of gas measurement and gas quality

1. Traders may only import, circulate and consume gases of which quality is consistent with national technical regulations and applicable standard announced.

2. Traders engaged in gas business must comply with regulations on management of gas measurement and gas quality during gas business.

3. With regard to gases not subject to any national technical regulations, gas importers; traders producing and processing gases must assure the gas quality is consistent with applicable standards announced such as facility standards, national standards or international standards.

4. Blended gas products must meet the quality standard announced by the trader.

Chapter II

GAS BUSINESS

Section 1. GAS BUSINESS REQUIREMENTS

Article 6. Requirements applied to gas importers and exporters

1. Every gas importer or exporter must:

a) be an enterprise founded in accordance with provisions of laws;

b) own wharves or enter into a contract for leasing wharves of Vietnam port system for at least 5 years which have been permitted to be put in use by competent authorities.

c) own gas tanks or enter into a contract of gas tank lease which meets all safety regulations;

d) satisfy all requirements for fire preventing and fire extinguishing in accordance with provisions of laws;

dd) own LPG bottles or enter into a contract of leasing LPG bottles eligible to be put on the market (applied to bottled LPG importers and exporters)

2. Gas importers and exporters using gas pipelines must not only meet all requirements prescribed in point a, b and c in clause 1 in this Article but also own gas pipelines and gas distribution stations which satisfy all conditions for safety, fire preventing and fire extinguishing in accordance with provisions of laws.

Article 7. Requirements applied to gas-producing and gas-processing traders

1. Every trader producing or processing gases must:

a) be an enterprise founded in accordance with provisions of laws;

b) own a producing or processing facility that is permitted to be constructed by competent authorities;

c) have production or processing line, machines and equipments tested as regulated;

d) own a laboratory for testing gas quality or enter into a contract of leasing such laboratory for at least1 year with any trader or organization eligible for quality testing in accordance with national technical regulations;

dd) satisfy all requirements for fire preventing and fire extinguishing in accordance with provisions of laws;

2. Traders producing and processing LNG must not only meet all requirements prescribed in clause 1 in this Article but also own a LNG pumping and filling system to transport LNG or an equipment system serving gas conversion to distribute to customers.

3. Traders producing and processing CNG must not only comply with regulations prescribed in clause 1 in this Article but also own a CNG compressing station.

Article 8. Requirements applied to gas sellers and purchasers

1. Every gas seller and purchaser must:

a) be a trader in accordance with provisions of laws;

b) own gas tanks meeting safety requirements or LPG bottles eligible for circulation on the market or enter into a contract of tank or LPG bottle lease;

c) satisfy all requirements for fire preventing and fire extinguishing in accordance with provisions of laws;

2. Gas sellers and purchasers using gas pipelines must not only meet all requirements prescribed in clause 1 in this Article but also own gas pipelines and gas distribution stations which satisfy all conditions of safety, fire preventing and fire extinguishing in accordance with provisions of laws.

3. LNG sellers and purchasers must not only meet all requirements prescribed in clause 1 in this Article but also own a LNG distribution station or LNG filling station which satisfies all requirements for safety, fire preventing and fire extinguishing in accordance with provisions of laws.

4. CNG sellers and purchasers must not only meet all requirements prescribed in point a and c in clause 1 in this Article but also own CNG tank trucks, a CNG compressing station or CNG filling station which satisfies all requirements for safety, fire preventing and fire extinguishing in accordance with provisions of laws.

Article 9. Gas blending

1. Traders producing and processing gases as well as gas importers and exporters may blend gases at their producing or processing facilities or gas warehouses.

2. Gas blending traders must own a laboratory for testing gas quality or enter into a contract of leasing such laboratory for at least1 year with any trader or organization eligible for quality testing in accordance with national technical regulations;

3. Any gas blending trader must a make a registration of blending facility with the Ministry of Science and Technology in accordance with laws in force.

Article 10. Requirements applied to bottled LPG retail stores

Every trader retail bottled LPG must

1. be founded in accordance with provisions of laws;

2. enter into of a bottled LPG sales contract for at least 1 year with another trader having a Certificate of Eligibility which remains unexpired in accordance with regulations herein, except for the case in which the retail store is owned by such trader.

3. satisfy all requirements for fire preventing and fire extinguishing in accordance with provisions of laws;

Article 11. Requirements applied to LPG filling stations, LPG filling stations for tank trucks and LPG/LNG/CNG filling stations for vehicles

1. The station must be owned by the trader in accordance with provisions of laws.

2. The station must be permitted to be constructed by competent authorities.

3. Such station must satisfy all requirements for fire preventing and fire extinguishing in accordance with provisions of laws;

Article 12. Requirements applied to LPG/LNG/CNG distribution stations

1. The station must be owned by the trader in accordance with provisions of laws.

2. The station must be permitted to be constructed by competent authorities.

3. Such station must satisfy all requirements for fire preventing and fire extinguishing in accordance with provisions of laws;

Article 13. Requirements applied to CNG compressing stations

1. A CNG compressing station must be owned by a trader in accordance with provisions of laws.

2. Such station must be permitted to be constructed by competent authorities.

3. Such station must satisfy all requirements for fire preventing and fire extinguishing in accordance with provisions of laws;

Article 14. Requirements for producing and repairing LPG bottles

Every trader producing or repairing LPG bottles must:

1. be a trader in accordance with provisions of laws;

2. issue all regulations on safety, production and repair process as well as product quality testing process.

3. have his/her equipments tested meeting the safety requirement and have the quality of finished LPG bottle products or repaired LPG bottles tested, including:

a) pressure testing system which can produce a pressure of at least 3 megapascal (MPa);

b) leak testing system;

c) non-destructive testing system;

d) system of testing mechanical properties of bottle materials;

dd) weight measurement equipment;

e) torque measurement equipment;

g) explosion testing equipment;

h) volume expansion testing equipment

4. Such station must satisfy all requirements for fire preventing and fire extinguishing in accordance with provisions of laws;

Article 15. Requirements for producing mini-sized LPG bottles

Every trader producing mini-size LPG bottles must:

1. be a trader in accordance with provisions of laws;

2. issue all regulations on safety, production process as well as product quality testing process.

3. own production line, machines, equipment and materials and equipments in accordance with national technical regulations

4. own testing equipments meeting the requirement for safe testing of mini-size LPG bottles as regulated

5. satisfy all requirements for fire preventing and fire extinguishing in accordance with provisions of laws;

Article 16. Requirements for circulation of LPG bottles, bottled LPG and mini-sized LPG bottles

1. Every LPG bottle circulating on the marker must:

a) undergo safety techniques inspection and must be certified to be conformed to provisions of laws

b) meet all safety requirements prescribed in national technical regulations and undergo periodical inspection as regulated;

c) have its dossier and origin provided by the producer as regulated

2. Every bottled LPG or mini-sized LPG bottle circulating on the market must:

a) meet all requirements prescribed in clause 1 in this Article;

b) have weight and quality in consistent with that presented in the label conformable to and quality standard announced by the trader and must be sealed as regulated

Article 17. Requirements for leasing ports for gas import and export

Every trader leasing ports for gas import and export must:

1. own wharves of Vietnam port system that is permitted to be put in use by competent authorities

2. own wharves included in the planning approved by competent authorities

3. satisfy all requirements for fire preventing and fire extinguishing in accordance with provisions of laws;

Article 18. Requirements for leasing tanks and bottled LPG warehouses

1. Every trader leasing gas tanks must own gas tanks that meet all requirements for safety, fire preventing and fire extinguishing prescribed in this Decree and relevant law provisions.

2. Every trader leasing bottled LPG warehouses must own bottled LPG warehouses that meet all requirements for safety, fire preventing and fire extinguishing prescribed in this Decree and relevant law provisions.

Article 19. Requirements for gas transport service

Every trader transporting gases must:

1. be a trader in accordance with provisions of laws;

2. own means of transport that is permitted to carry dangerous cargo in accordance with provisions of laws.

Section 2. RIGHTS AND OBLIGATIONS OF TRADERS

Article 20. Rights and obligations of LPG/LNG/CNG importers and exporters

Every LPG/LNG/CNG importer and exporter shall:

1. be entitled to import and export such gases depending on their business methods and guarantee the quality of imported or exported LPG/LNG/CNG as regulated.

2. be entitled to authorize in writing the branch or subsidiary to sell LPG/LNG/CNG in free-trade zones

3. be entitled to sell or purchase LPG/LNG/CNG and bottled LPG under the contract with traders having a Certificate of Eligibility that remains unexpired and with industrial customers

4. stipulate the selling price of LPG/LNG/CNG and bottled LPG offered to traders under their management

5. provide services of leasing warehouses, ports for import and export as well as means of transport carrying LPG/LNG/CNG

6. constitute a system of gas distribution in accordance with provisions of the Commercial Law

7. inspect and supervise the distribution system under management in accordance with regulations herein.

8. jointly take responsibility for violations of the distribution system under management during the gas business in accordance with provisions of laws

9. manage the number of LPG bottles owned.

10. retail LPG and bottled LPG through the distribution system under management or sell directly to customers and quote the retail price.

11. have their LPG bottles, LPG /LNG/CNG tanks; LPG auxiliary equipments; LNG/CNG trading auxiliary equipments owned tested.

12. inspect the quality, maintain and renew LPG bottles, LPG/LNG/CNG auxiliary equipments for safe use of customers

13. develop, apply and maintain the gas quality management system,

14. give a written notice to entities in the distribution system and the Department of Industry and Trade, Department of Finance of the locality in which such distribution system is set when there is a change in LPG selling price.

15. comply with provisions of the law on goods label registration.

16. meet all requirements for safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant law provisions.

17. publish standards applied to gas products imported themselves. For the case in which the importer and exporter blend gases using additives, they must notify the Ministry of Science and Technology the additive standard and make assure the additives quality will not pose any risk to human, animals, plants, environments or gas quality.

18. Send a report of distribution system, goods label, gas export, import and trading activities to the Ministry of Industry and Trade before March 30 each year.

19. make a following-up book or develop an electronic data system applying information technology to supervise bottled LPG sold to other LPG traders or customers Such following-up book or electronic data system must specify the following information on bottled LPG: the owner, bottle type, series number, testing expiry, name and address of the purchaser or customer and delivery date.

Article 21. Rights and obligations of traders producing and processing LPG/LNG/CNG

Every trader producing and processing LPG/LNG/CNG shall:

1. have rights and obligations prescribed in clause 3 through 16 in Article 20 hereof.

2. directly export or import gases or authorize their branch or subsidiary to import and export gases if such branch or subsidiary are eligible for gas import and export as prescribed in Article 6 of hereof.

3. inspect gas products to make sure their quality meeting regulations on quality and measurement standards as regulated by laws before initially circulating such products on the market.

4. publish the standard applied to gas products created, processed or blended themselves. If using additives in gas producing, processing or blending, the trader must notify the Ministry of Science and Technology the additive standard and make assure the additives quality will not pose any risk to human, animals, plants, environments or gas quality.

5. regularly check the technique safety of machines, equipments or technology line to timely discover and handle safety risks during gas producing and processing.

Article 22. Rights and obligations of gas sellers and purchasers

Every gas seller and purchaser shall:

1. have rights and obligations prescribed in clause 3 through 16 in Article 20 hereof.

2. make invoices and documents in accordance with regulations issued by the Ministry of Finance.

3. enter into the sales/purchase contract with gas importers or exporters or other gas sellers and purchasers having a Certificate of Eligibility that remains unexpired or traders producing and processing gases.

4. send a report of distribution system, goods label, gas export, import and trading activities to the Department of Industry and Trade of the locality in which their head office is located before December 15 each year.

5. make a following-up book or develop an electronic data system applying information technology to follow up bottled LPG sold to other LPG traders or customers Such following-up book or electronic data system must specify the following information on bottled LPG: the owner, bottled type, series number, testing expiry, name and address of the purchaser and delivery date.

Article 23. Rights and obligations of LPG bottling station owners

Every LPG bottle owner shall:

1. only fill up LPG bottles eligible to be put on the market and must not fill the LPG bottles that are not eligible for circulation

2. fill up LPG bottles meeting requirements prescribed in clause 1 in this Article owned by other traders having a Certificate of Eligibility that remains unexpired under the signed contract.

3. request traders who employ others to fill up their LPG bottles to present the Certificate of Eligibility and certificate of label registration; not fill up or store LPG bottles of traders without a Certificate of Eligibility, Certificate of label registration and not entering into the contract for LPG bottling

4. ensure the LPG weight limit is pumped into bottles and LPG quality is consistent with that stated in the label, conformable to national technical regulations and quality standard announced by traders producing, processing, exporting or importing LPG in accordance with provisions of laws.

5. own a bottled LPG warehouse meeting regulations on safety, fire preventing and fire extinguishing as prescribed in this Decree and relevant law provisions.

6. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant law provisions. 7. offer periodical training courses in safe technique for employees working at the bottling station as regulated.

8. regularly check, maintain and renew equipments of the bottling station for safety assurance during the operation.

9. make a following-up book or develop a electronic data system applying information technology in management of bottling LPG at the station. Such following-up book or electronic data system must specify the following information about bottled LPG: the owner, bottle type, quantity, series number, testing expiry, date of bottling and date of delivering bottles to the trader entering a contract for LPG bottling

10. develop, apply and maintain the gas quality management system.

Article 24. Rights and obligations of owners of LPG filling stations for vehicles

Every owner of LPG filling station for vehicles shall:

1. ensure the nameplate and logo of their station are conformable with provisions of laws.

2. be entitled to jointly contribute capital to establish LPG filing stations for vehicles with petroleum shops having a Certificate of Eligibility for petroleum business in forms of joint-venture of partnership.

3. only sell LPG that is conformable with quality regulations; not purchase LPG with unknown origin or LPG that is illegally imported for re-selling.

4. only fill up vehicles running on LPG.

5. quote the selling price and apply such fixed price in sales; be responsible for the weight, quality and price of LPG sold to customers. ensure the LPG quality is conformable with that presented in the label and consistent with national technical regulations and the standard announced in accordance with provisions of the law on product quality and other relevant documents.

6. ensure the accuracy of measurement equipments and regularly check the LPG filling equipments and safety conditions during the operation.

7. develop, apply and maintain the gas quality management system.

8. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant laws.

9. couple the filling column to a flexible hose for filling vehicle with LPG.

Article 25. Rights and obligations of owners of LPG filling station for tank trucks

Every owner of LPG filling station for tank trucks shall:

1. fill up tank trucks under a contract with other traders having a Certificated of Eligibility that remains unexpired.

2. only fill up tank trucks with LPG that is conformable with quality regulations; not purchase LPG with unknown origin or LPG that is illegally imported for re-selling.

3. not pump LPG into vehicles.

4. quote the selling price and apply such fixed price in sales; be responsible for the weight, quality and price of LPG sold to customers.

5. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant laws.

6. offer periodical training courses in safe technique for employees working at the filling station as regulated.

7. regularly check, maintain and renew equipments of the bottling station to ensure the safety during the operation.

8. develop, apply and maintain the gas quality management system.

Article 26. Rights and obligations of LPG distribution station owners

Every LPG distribution station owner shall:

1. only sell LPG to customers entering into a LPG sales contract and satisfy all regulations on LPG using safety, fire preventing and fire extinguishing.

2. sell LPG at the price quoted and ensure the LPG volume sold is consistent with that stipulated in the signed contract and LPG quality is conformable with its label, national technical regulations and the standard announced in accordance of provisions of the law on product quality and other relevant documents.

3. suspend the LPG selling or terminate the LPG sales contract before its expiration date if customers disobey regulations on LPG safety, fire preventing and fire extinguishing or replace or install LPG auxiliary equipment without consent of the owner.

4. send technicians to install LPG equipments when required by customers.

5. regularly check the safety conditions, measurement instruments or equipments, fire alarm, tightness of valve, safety valve, LPG auxiliary equipments; coupling, LPG pipelines; timely discover and handle fire risks that cause safety hazard for customers using LPG.

6. provide customers with instructions of safety for LPG use in which the telephone number of LPG distribution station, manager of the station is clearly specified.

7. notify customers when adjusting the selling price of LPG.

8. only sell LPG to dedicated vehicles eligible for LPG as regulated or sell LPG through the pipelines under the contract and must not bottle LPG.

9. develop, apply and maintain the gas quality management system.

10. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant law provisions.

Article 27. Rights and obligations of owners of LNG filling stations for vehicles

Every owner of LNG filling station for vehicles shall:

1. ensure the nameplate and logo of their station are conformable with provisions of laws.

2. be entitled to jointly contribute capital to establish LNG filing stations for vehicles with petroleum shops having a Certificate of Eligibility for petroleum business in forms of joint-venture of partnership.

3. only sell LNG that is consistent with quality regulations; not purchase LNG with unknown origin.

4. only fill up vehicles running on LNG.

5. quote the selling price and apply such fixed price in sales; be responsible for the weight, quality and price of LNG sold to customers. ensure the LNG quality is conformable with that presented in the label and consistent with national technical regulations and the standard

announced by LNG producer, processors, importer or exporters in accordance with provisions of the law on product and goods quality and other relevant documents.

6. ensure the measurement equipments are tested and calibrated in accordance of provisions of the laws on measurement; regularly check LNG filling equipments and safety conditions during the business.

7. develop, apply and maintain the gas quality management system.

8. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant law provisions.

Article 28. Rights and obligations of LNG distribution station owners

Every LNG distribution station owner shall:

1. only sell LNG to customers entering into LNG sales contracts and meeting all regulations on LNG safety, fire preventing and fire extinguishing; sell LNG at the price quoted with LPG volume as agreed in the signed contract and ensure LNG quality is consistent with its label, national technical regulations and the standard announced by LNG producers, processors, importers or exporters in accordance with provisions of the law on product and goods quality and other relevant documents.

2. suspend the LNG selling or terminate the LNG sales contract before its expiration date if customers disobey regulations on LNG safety, fire preventing and fire extinguishing or replace or install LNG auxiliary equipment without consent of the owner.

3. send technicians to install or replace LNG equipments when required by customers.

4. regularly check the safety conditions, measurement instruments or equipments, fire alarm, tightness of valve, safety valve, LNG auxiliary equipments; coupling, LNG pipelines; timely discover and handle fire risks that cause safety hazard for customer using LNG.

5. provide customers with an instruction of safety for LNG use in which the telephone number of LNG distribution station, manager of the station is clearly specified.

6. only sell LNG through pipelines under a contract; not distribute LNG to any customer or any other LNG trader.

7. develop, apply and maintain the gas quality management system.

8. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant laws.

Article 29. Rights and obligations of owners of CNG filling stations for vehicles

Every owner of CNG filling station for vehicles shall:

1. put on the nameplate and logo of their station and ensure such nameplate provides sufficient information as regulated.

2. be entitled to jointly contribute capital to establish CNG filing stations for vehicles with petroleum shops having a Certificate of Eligibility for petroleum business in forms of joint-venture of partnership.

3. only sell CNG that is consistent with quality regulations; not purchase LNG with unknown origin.

4. only fill up vehicles running on CPG.

5. quote the selling price and apply such fixed price in sales; be responsible for the weight, quality and price of CNG sold to customers. ensure the CNG quality is conformable with that presented in the label and consistent with national technical regulations and the standard announced by CNG producers, processors, importers or exporters in accordance with provisions of the law on product and goods quality and other relevant documents.

6. ensure the measurement equipments are tested and calibrated in accordance of provisions of the laws on measurement; regularly check CNG filling equipments and safety conditions during the business.

7. develop, apply and maintain the gas quality management system.

8. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant law provisions.

Article 30. Rights and obligations of CNG distribution station owners

Every CNG distribution station owner shall:

1. only sell CNG to customers entering into CNG sales contracts and meeting all regulations on CNG safety, fire preventing and fire extinguishing; sell CNG at the price quoted with the volume as agreed in the signed contract and ensure its quality is consistent with that presented in the label and conformable to national technical regulations and the standard announced in accordance with provisions of the law on product and goods quality and other relevant documents as well as take responsibility for the quantity, quality and price of CNG sold to customers.

2. suspend the CNG selling or terminate the CNG sales contract before its expiration date if customers disobey regulations on CNG safety, fire preventing and fire extinguishing or replace or install CNG auxiliary equipment without consent of the owner.

3. send technicians to install or replace CNG equipments when required by customers.

4. regularly check the safety conditions, measurement instruments or equipments, fire alarm, tightness of valve, safety valve, CNG auxiliary equipments; coupling, CNG pipelines; timely discover and handle fire risks that cause safety hazard for customers using CNG.

5. provide customers with an instruction of safety for CNG use in which the telephone number of CNG distribution station, manager of the station is clearly specified.

6. only sell CNG through pipelines under a contract; not distribute CNG to any customer or any other LNG trader.

7. develop, apply and maintain the gas quality management system.

8. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant laws.

Article 31. Rights and obligations of CNG compressing station owners

Every CNG compressing station owner shall:

1. not purchase CNG with unknown origin or CNG that is illegally imported for re-selling.

2. be responsible for the volume and quality of CNG sold to customers.

3. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant laws.

4. offer periodical training courses in safety technique for employees working at the filling station as regulated.

5. regularly inspect, maintain and renew equipments of the compressing station for safety assurance during the operation.

6. develop, apply and maintain the gas quality management system.

Article 32. Rights and obligations of bottled LPG retail stores

Every store selling bottled LPG shall:

1. not purchase or sell bottled LPG and LPG bottles with unknown origin and not eligible to be put on the market or not consistent with those agreed in the signed contract.

2. select and put on nameplate and logo of the trader entering into the bottled LPG sales contract.

3. only sell bottled LPG of traders having a Certificate of Eligibility that remains unexpired under the signed contract within its validity period; not sell mini-sized bottled LPG that fails to meet the safety regulation.

4. not seize LPG bottles of other LPG traders not entering into the signed contract.

5. quote the selling price and apply such fixed price in sales; be responsible for the volume, quality and price of LPG bottles sold to customers.

6. make invoices and documents in accordance with regulations issued by the Ministry of Finance.

7. comply with regulations on safety, fire preventing and fire extinguishing prescribed in this Decree and relevant law provisions.

8. ensure LPG bottles sold to customers must remain unopened and their quality, volume and labels are consistent with those registered.

9. check the tightness of valves, couplings and flexible hoses after installing or replacing LPG bottles in the presence of customers and sign the delivery minutes.

10. only replace or provide customers with dedicated LPG auxiliary equipments that is consistent with safety regulation or flexible hoses that are protective against rodent invasion.

11. provide guiding documents and directly give instructions about essential information on safe use of LPG, preventative methods, steps to deal with leaking LPG; procedures for using gas cooker, bottles and accessories to customers purchased their gas cookers and LPG bottles. notify customers the following information:

a) Information about the LPG bottles such as their origin, sealing specification, label, volume and testing period;

b) Stop using LPG bottles and immediately inform the LPG store for timely settlement when discovering such LPG bottles are no safe for use or could cause fire or explosion (the LPG smell is spread out due to the non-tightness of LPG valves or accessories).

c) Inform the store for recollecting when no longer requiring LPG bottles or using LPG bottles of other traders

12. make a following-up book or develop a electronic data system applying information technology to manage the LPG bottles sold. Such following-up book or electronic data system must specify the following information on the bottles: the owner, bottle type, series number, testing expiry, import date and place, name and address of the customer and delivery date.

13. ensure the store's owner and employees have completed a training course in safe techniques, fire preventing and fire extinguishing as regulated.

14. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant law provisions.

Article 33. Rights and obligations of traders leasing ports for gas import and export, gas tanks and bottled LPG warehouses

Every trader leasing ports for gas import and export, gas tanks and bottled LPG warehouses shall:

1. only entering contracts for leasing ports for gas import and export, gas tanks and bottled LPG warehouses which meet requirements for safety, fire preventing and fire extinguishing prescribed in this Decree and relevant law provisions.

2. fulfill all commitments as agreed in the signed contract and take responsibility for the gas volume and quality as well as ensure safety conditions when storing gases in tanks or in bottled LPG warehouses.

3. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant law provisions.

Article 34. Rights and obligations of traders providing gas transport service

Every trader transporting gases shall:

1. only transport gases under the contract with the trader having a Certificate of Eligibility that remains unexpired and fulfill all commitments agreed in such contract.

2. not transport gases with unknown origin or unqualified gases; bottled LPG not eligible to be put on the market; not purchase, sell or transport LPG bottles and bottled LPG of other traders not entering the signed contract.

3. be entitled to hire means of transport meeting the regulation in force and permitted to be put in use in accordance with provisions of laws.

4. comply with regulations herein and other laws concerning transport safety and take responsibility for gas volume and quality during the transport and delivery.

5. purchase insurance for such means of transport as regulated and insurance for goods after gaining the consent of goods' owner.

6. undergo inspection and supervisory by the trader purchasing transport service and competent authorities.

7. ensure the driver, escort and warehouse keeper have completed the training course in safe techniques as regulated.

8. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant law provisions.

Article 35. Rights and obligations of facilities producing and repairing LPG bottles; producing mini-sized LPG bottles

Every facility producing and repairing LPG bottles or producing mini-sized LPG bottles shall:

1. produce and repair LPG bottles or mini-sized as prescribed in national technical regulations.

2. announce conformity of LPG bottles and mini-sized LPG bottles that are conformable with national technical regulations.

3. make a dossier of LPG bottles and mini-sized LPG bottles in accordance with provisions of laws.

4. develop, apply and maintain the gas quality management system to ensure the product quality is consistent with applicable technical regulations.

5. not put bottles with same series number on the market.

6. not repair LPG bottles without origin and not repair mini-sized LPG bottles.

7. comply with all regulations on safety, fire preventing and fire extinguishing, management of measurement and quality in gas business prescribed in this Decree and relevant law provisions.

Chapter III

APPLICATION, ORDER AND AUTHORITY REGARDING ISSUANCE OF CERTIFICATE OF ELIGIBILITY

Article 36. Types of Certificate of Eligibility

1. Certificate of Eligibility for LPG/LNG/CNG importer/exporter

2. Certificate of Eligibility for LPG/LNG/CNG seller/purchaser

3. Certificate of Eligibility for bottled LPG retail store

4. Certificate of Eligibility for producing and repairing LPG bottles

5. Certificate of Eligibility for producing mini-sized LPG bottles

6. Certificate of Eligibility for LPG bottling station

7. Certificate of Eligibility for LPG filling station for tank trucks

8. Certificate of Eligibility for LPG/LNG/CNG filling station for vehicles

Article 37. Application for Certificate of Eligibility for LPG/LNG/CNG importer/exporter

1. An application form for Certificate of Eligibility for LPG/LNG/CNG importer/exporter according to Form No.1 provided in Appendix issued thereto.

2. A copy of certificate of enterprise registration

3. Documents proving the ownership of wharves or a contract for leasing wharves in the Vietnam port system that are permitted to be put in use by competent authorities

4. A copy of certificate of technical verification of labor safety for tanks

5. Documents proving the compliance with requirements for fire preventing and extinguishing

6. Bottled LPG importers/exporters are required to submit the following additional documents apart from documents prescribed in clause 2, 3, 4 and 5 in this Article:

a) A copy of Certificate of Verification for LPG bottles that remains unexpired;

a) A copy of Certificate of Conformity for LPG bottles that remains unexpired;

7. Traders importing or exporting gases through pipelines not only have to submit documents prescribed in clause 2, 3, 4 and 5 in this Article but they must also submit documents proving

that they own a pipeline system or enter into a contract for leasing gas pipelines; a copy of Certificate of Verification for pipelines that remains unexpired and documents proving that they also have a gas distribution station meeting all regulations on safety, fire preventing and extinguishing prescribed in this Decree and relevant law provisions.

Article 38. Application for Certificate of Eligibility for LPG/LNG/CNG seller/purchaser

1. An application form for Certificate of Eligibility for LPG/LNG/CNG seller/purchaser according to Form No.3 provided in Appendix issued thereto.

2. A copy of certificate of registration of enterprise/cooperatives/business household

3. A copy of certificate of technical verification of labor safety for tanks

4. Documents proving the compliance with requirements for fire preventing and extinguishing

5. Bottled LPG sellers/purchasers are required to submit the following additional documents apart from documents prescribed in clause 2, 3, and 5 in this Article:

a) A copy of Certificate of Verification for LPG bottles that remains unexpired;

a) A copy of Certificate of Conformity for LPG bottles;

6. Traders selling or purchasing gases through pipelines not only have to submit documents prescribed in clause 2, 3 and 4 in this Article but they must also submit documents proving that they own a pipeline for gas transport or enter into a contract for leasing such pipelines; a copy of Certificate of Verification for pipelines that remains unexpired and documents proving that they also have a gas distribution station meeting all regulations on safety, fire preventing and extinguishing prescribed in this Decree and relevant law provisions.

7. LNG sellers and purchasers not only have to submit documents prescribed in clause 2, 3 and 4 in this Article but must also provide additional documents proving that they own a LNG distribution station or LNG filling station for vehicles which satisfies all requirements for safety, fire preventing and fire extinguishing in accordance with regulation herein and provisions of laws.

8. CNG sellers/purchasers are required to submit the following additional documents apart from documents prescribed in clause 2 and 4 in this Article:

a) Documents proving that they own CNG tank trucks with unexpired certificate of verification;

b) Documents proving that they have a CNG distribution station or a CNG filing station for vehicles that meets regulations on safety, fire preventing and extinguishing in accordance with this Decree and relevant law provisions;

c) Documents proving that they have a CNG compressing station meeting requirements for safety, fire preventing and extinguishing in accordance with regulations herein and relevant law provisions.

Article 39. Application for Certificate of Eligibility for bottled LPG retail store

1. An application form for Certificate of Eligibility for bottled LPG retail store according to Form No.5 provided in Appendix issued thereto.

2. A copy of LPG sales contract with other traders having a Certificate of Eligibility that remains unexpired

3. Documents proving the compliance with requirements for fire preventing and extinguishing

Article 40. Application for Certificate of Eligibility for LPG bottling station, LPG filling station for tanks and LPG/LNG/CNG filling station for vehicles

1. An application form for Certificate of Eligibility for filling station according to Form No.7 provided in Appendix issued thereto.

2. A copy of certificate of registration of enterprise/cooperatives/business household

3. Documents proving that such station is permitted to be constructed by competent authorities.

4. Documents proving the compliance with requirements for fire preventing and extinguishing

Article 41. Application for Certificate of Eligibility for producing and repairing LPG bottles

1. An application form for Certificate of Eligibility according to Form No.10 provided in Appendix issued thereto.

2. A copy of certificate of registration of enterprise/cooperatives/business household

3. A list of equipments serving LPG bottle inspection

4. A list of procedures for safe production of LPG bottles and procedures for LPG bottle repair

5. A procedure for producing a typical LPG bottle including the durability measurement

6. A procedure for quality testing after production or repair

7. A copy of Certificate of verification of safety testing equipments after production and repair or a copy of Certificate of Conformity in accordance with provisions of the law on measurement

8. Documents proving the compliance with requirements for fire preventing and extinguishing

Article 42. Application for Certificate of Eligibility for producing mini-sized LPG bottles

1. An application form for Certificate of Eligibility for filling station according to Form 10 provided in Appendix issued thereto.

2. A copy of certificate of registration of enterprise/cooperatives/business household

3. A list of equipments serving mini-sized LPG bottle inspection

4. A procedure for mini-sized LPG bottle production

5. A procedure for safe production of mini-sized LPG bottles

6. A procedure for quality testing of mini-sized LPG bottles

7. A copy of Certificate of verification for mini-sized LPG bottle production line, machines, equipment and materials and equipments

8. Documents proving the compliance with requirements for fire preventing and extinguishing

Article 43. The order and procedure for issuing Certificate of Eligibility

1. The trader meeting all requirements herein shall send an application for Certificate of Eligibility directly to competent regulatory agencies or by post or via the website.

2. Competent regulatory agencies may send a written request for additional documents to the trader if finding the application of such trader is unsatisfactory.

3. Competent regulatory agencies must process and appraise the application then issue a Certificate of Eligibility to the trader within 15 working days from the day on which the

satisfactory application is received. A written response with clear explanation is required if the application is rejected.

4. The trader submitting an application for Certificate of Eligibility must pay a fee for appraisal of conditions for trading goods or services subject to business restrictions; goods or services subject to business conditions in commerce in accordance with provisions of the law on fees and charges in force.

5. The Certificate of Eligibility will expire after 10 years from the issuance date.

Article 44. The authority to issue Certificate of Eligibility

1. The Ministry of Industry and Trade shall have the authority to issue the Certificate of Eligibility prescribed in clause 1, 4 and 5 in Article 36 hereof.

2. The Department of Industry and Trade shall have the authority to issue the Certificate of Eligibility prescribed in clause 2, 6, 7 and 8 in Article 36 hereof.

3. People's Committees of districts shall have the authority to issue the Certificate of Eligibility prescribed in clause 3 in Article 36 hereof.

Article 45. Re-issuing and adjusting Certificate of Eligibility

1. Re-issuing the Certificate of Eligibility

a) Certificate of Eligibility will be re-issued if being lost, damage or carrying false information;

b) The content and expiration date of the re-issued Certificate will remain unchanged. The reissued Certificate must abolish the effective period of the lost, damage or false one.

c) The application and procedure for re-issuance include an application form for re-issuance of Certificate of Eligibility according to Form No.12 provided in Appendix issued thereto.

d) Competent regulatory agencies shall re-issue the Certificate with 7 working days from the day the satisfactory application is received by verifying the dossier of Certificate issuance kept.

2. Adjusting Certificate of Eligibility

a) A Certificate of Eligibility will be adjusted if there is a change in business registration; location of head office or information relating to the trader making the registration;

b) The application and procedure for adjustment include an application form for adjustment to Certificate of Eligibility according to Form No.12 provided in the Appendix issued thereof and relevant documents proving the content adjusted;

d) Competent regulatory agencies shall adjust the Certificate with 7 working days from the day the satisfactory application is received. b) The effective period of adjusted Certificate will remain unchanged.

Article 46. Revocation of Certificate of Eligibility

1. a) A Certificate of Eligibility will be revoked in the following cases:

a) The application for the Certificate is counterfeited;

b) The applicant no longer satisfies or fails to satisfy prescribed requirements;

c) The applicant put out the Certificate to lease or adjust its content without consent of issuance authorities.

d) The business is shut down;

dd) The Certificate is issued ultra vires;

e) The real business location is inconsistent with the location stated in the Certificate of Eligibility issued by competent authorities.

g) The applicant illegally seize, sell, purchase or exchange LPG bottles of other traders

h) The applicant illegally changes the primary form, structure and weight of LPG bottles, for instance: replaces the base, cuts the handle, grinds the logo, changes the label or series number; attaches more metal or switches the bottle valve.

2. Competent regulatory agencies issuing the Certificate of Eligibility shall have the authority to revoke such issued Certificate.

3. The trader having his/her Certificate of Eligibility revoked must send such Certificate and all copies in hand of such Certificate to the issuance authority within 7 working days from the day on which the revocation decision is issued.

Chapter IV

GAS BUSINESS SAFETY

Article 47. General safety provisions applied to gas business facilities

1. Gas producers, processors, importers, exporters, sellers or purchasers; traders producing and repairing LPG bottles or mini-sized LPG bottles; filling stations, distribution stations and compressing stations; traders leasing tanks, bottled LPG warehouse and means of transport must develop a safe management program and send a report of risk assessment as well as plans for dealing with emergency events to competent authorities for approval.

For the case in which the gas business facility includes producing and processing premises, ports for import and export, a filling station adjacent to a distribution station owned by a single person, the safe management program, risk assessment report and plans for dealing with emergency events shall be applied to the whole facility.

2. Facilities prescribed in clause 1 in this Article must annually practices the methods presented in the approved plan for dealing with emergency events.

3. Every facility must issue all procedures for operation, procedures for solving problems and safety regulations approved by the head of such facility.

4. All machines and equipments strictly subject to labor safety requirement must undergo an inspection of labor safety technique as regulated.

5. Instruments and equipments used for measurement must be inspected and calibrated in accordance with provisions of the law on measurement.

6. There must be a safe distance between the equipment, construction works and barriers of facilities or protected places as regulated.

7. Regulations on fire preventing and fire extinguishing in accordance with provisions of laws must be satisfied.

8. People engaged in the management works, employees working at the gas business facility including the drivers of vehicles used for gas transport must be trained in safe techniques.

9. Annually, every gas business facility must self-offer or hire other organization to offer a training course in labor safety techniques for its employees.

10. The Ministry of Industry and Trade shall decide the training program and content of safety technique course in gas business.

11. The Department of Industry and Trade shall check the training in safety techniques of gas business facilities.

Article 48. Safety requirements applied to gas tanks

1. A gas tank must be installed with sufficient safety equipments and calibrated as regulated.

2. A gas tank must be attached to an emergency shut-off valve.

3. A tank must be placed outdoor, outside the house or enclosed construction works. Do not place the tank on the roof, in the balcony, basement or under construction works.

4. Fixed tanks must not be placed onto one another. Horizontal cylindrical tanks must not aligned along the vertical axis towards the house or service buildings.

5. Underground tanks must not be placed under flammable liquids storage facilities.

Article 49. Safety requirements applied to gas pipelines

1. A gas pipeline must be put on a firm support and painted with prescribed color when coupling.

2. An underground pipeline must be protected against erosion by appropriate methods. A gas pipeline and its thickness must undergo periodical inspections as regulated.

3. Safe distance among the pipelines themselves, between the pipeline and coupled objects must satisfy the regulations.

Article 50. Safety requirements applied to LPG bottling station

1. LPG bottling station must not be placed in the basement or in floors of apartments or high buildings.

2. The floor of the station must be flat, equal or higher than surrounding ground. Where the floor is raised, the space beneath must be filled up, if left empty, ventilation is required. Flammable objects or substances must not be stored or maintained in such space.

3. LPG bottling must follow the bottling process of the station. The volume of bottled LPG must be consistent to that designed for each type of bottle.

4. Bottled LPG must be checked for its tightness and must be labeled and sealed.

5. Bottled LPG warehouses of the station must be consistent with regulations in Article 57 hereof.

6. LPG must not be bottled and LPG bottles must be discarded or repaired or tested in the following cases:

a) The information on the bottle volume presented in the bottle jacket is unreadable or none information is shown;

b) Bottles have defects or defects in their handle of base belt;

c) Bottles have physical defects in their body;

d) Bottles are eroded to the visible extent;

dd) Bottles burn due to arc or fire;

e) Bottles, valves or structures for pressure relief (if being equipped) are leaked or broken;

g) Bottles have been expired for test;

h) Bottles have not been tested or not able to identify the expiry for test.

Article 51. Safety requirements applied for gas filling station for vehicles

1. There must be at least 3-meter-distance between the tank and the station's barriers.

2. There must be a coupling between the filling column and flexible hoses for filling vehicle with gases.

3. The filling column must be far from the tank at least 10 meters.

4. The filling column and the gas pipeline connector must be placed outdoor, in a ventilated and covered area.

5. Technological hoses must be put on the ground and the vehicle coming to the station for gas delivery must be connected to the ground.

6. The tank with capacity over 20 cubic meters must be equipped with a sprinkler system to cool its top.

Article 52. Safety requirements applied to gas distribution stations

1. The distance between the tank and another tank of flammable liquid having a flash point less than 65 degrees Celsius must not be less than 7 meters.

2. Requirements applied to the area getting gases from the tank truck:

a) There must be a speed limit sign at the entrance for tank trucks;

b) The area receiving tank trucks must be marked with a signboard and cannot be entered by people without duty while gases are being pumped into the tank;

c) During the gas filling, the tank truck must face the main road or emergency exit and not be obstructed in case of emergency evacuation.

3. Fire engines must always be allowed to enter and exit the station when necessary.

4. Equipments placed in vulnerable areas must be protected by safety methods such as barriers, iron columns, concrete columns and warning signs. These safety equipments must not produce any effect on the ventilation of the gas storage areas.

Article 53. Safety requirements applied to bottled LPG retail stores

1. The store must be in an area of at least 12 square meters.

2. The store must be isolated from fire sources at least 3 meters towards no fireproof walls; if there exist fireproof walls, such distance between the store and fire sources is not required. Construction structure and fire resistance level of the shop must be at least level II. Electronic equipments of the store must be proof against explosion and stay far from LPG bottles at least 1.5 meters.

3. Only empty bottles are permitted to be displayed in shelves for promotion.

4. LPG bottles storage areas must be ventilated. LPG bottles must not be stored in closed chambers or enclosed basements or not be placed in the entrance or public passage. For the case in which there is a bottled LPG warehouse, such warehouse must have at least 1 main door and 1 emergency exit with door open to the outside.

5. LPG bottle repairing and LPG bottling are prohibited.

Article 54. Safety requirements for transporting bottled LPG by motor vehicles

1. Motor vehicles carrying bottled LPG must be licensed to transport dangerous cargo in accordance with regulations in force.

2. Bottles must be aligned vertically with their valves on the top. There must be only one layer of bottles with volume over 99 liters laid on the motor vehicle. Bottles with volume under 99

liters can be laid in 2 or more layers or more but not higher the car and there must be a batten between two layers.

3. The motor vehicle cannot be parked close to fire sources or a place of crowded people or means of transport. For the case in which the motor vehicle is parked temporarily for loading or unloading cargo, it must be parked in a place that not poses a risk to human and not obstruct any other means of transport.

Article 55. Safety requirement for transporting and delivering bottled LPG to customers

1. Motorbikes (two-wheeled motor vehicle) carrying bottled LPG must have a firm support and the bottles whereon must be aligned vertically with their valves on the top.

2. It is prohibited to transport bottled LPG along with person in the elevator, except the one directly transporting them.

3. When providing bottled LPG for customers, the store shall keep 1 delivery note itself and give the customers another one which specifies at least the following information: the owner, bottle type, series number, testing expiry, import place, name and address of the customer, delivery date, name, address and contacts of the store.

4. When delivering, the seller must check the tightness of the bottle's valve, couplings and hoses after installing or renewing LPG bottles in the presence of customers and sign the delivery minutes provided by such customers.

Article 56. Safety requirements for transporting and delivering gases by tanks

1. The driver, escort and warehouse keeper must be trained in safe techniques as regulated.

2. Tank trucks or tank-cars carrying gas tanks must be licensed to transport dangerous cargo as regulated.

3. When awaiting for gas delivery, the tank truck must park in a safe place with appropriate barrier facing the nearest emergency exit and must be separated from fire sources at least 7 meters. Tank trucks are not permitted to park or operate in enclosed-3-side house.

4. Tank trucks must be connected to the ground and the front tire must be blocked completely before gas delivery.

5. Tank trucks must park at the designated location if gases are delivered and received at the station. Location for parking and delivering gases must be convenient to couple the hoses and valves; the truck must turn towards the exit. The exit for the truck must not be obstructed during the gas delivery.

6. When delivering gases to tank-cars, the train coupling with such tank-cars must be blocked by brakes; tank-cars must be arranged which makes sure their entire valve boxes will stay in one side of the train.

7. The liquid LPG pipelines of a LPG tank truck must be equipped with a check valve at the back of hand valve to block the entrance of the pipeline.

Article 57. Safety requirements applied to bottled LPG warehouses

1. Bottled LPG warehouses must have equipments for testing and warning LPG leaking.

2. Bottled LPG in such warehouses must be stored in ventilated places not in areas lower than the surrounding ground, in the vault or basement.

3. Outdoor warehouses storing at least 1.000 kilograms of bottled LPG must be divided into small batches. The LPG bottle warehouse must be separated from bottled LPG warehouse at least 3 meters.

4. Indoor bottled LPG warehouse must meet requirements for volume and place of storage as regulated.

Chapter V

STATE MANAGEMENT IN GAS BUSINESS

Article 58. Responsibilities of ministries and ministerial agencies

1. The Ministry of Industry and Trade is required to:

a) preside over and cooperate with relevant entities in professionally inspecting, checking and supervising the nationwide compliance with regulations hereof of gas business.

b) check the conditions, issuance, re-issuance, adjustment and revocation of the Certificate of Eligibility according to Form No.2 and 11 provided in the Appendix issued thereto.

c) preside over and cooperate with relevant agencies in issuing national technical regulations and international technical regulations on safety in gas business.

d) develop and issue training programs and contents for the course in labor safety techniques in gas business.

dd) receive reports of the distribution system, registration of goods label and gas import, export and trading of gas importers/exporters according to Form No.13 provided in the Appendix issued thereto.

2. The Ministry of Science and Technology is required to:

a) preside over and cooperate with relevant ministries in developing, amending and completing the system of national technical standards and regulations on gases; finalize the system of legislative documents on measurement and quality in gas business, regulations on consistent implementation nationwide; manage, inspect and check the measurement and quality in gas producing, processing, import, export, delivery, transport and circulation.

b) provide guidelines for testing and calibrating measurement equipments and instruments used in gas business in accordance with provisions of the law on measurement;

c) issue a regulation on using additives in gas producing, processing and blending; regulation on applying the quality management system and laboratory capacity management system.

d) formulate and issue a regulation on registration of gas blending facilities

3. The Ministry of Transport is required to:

preside over and cooperate with relevant ministries in amending and completing national technical standards and regulations on ports for gas import and export, means of transport carrying and using types of gases.

4. The Ministry of Construction is required to:

preside over and cooperate with relevant ministries in providing guidelines and checking the construction of buildings serving gas business in provinces and centrally-affiliated cities in accordance with provisions of the law on construction and guiding documents in force.

5. The Ministry of Public Security is required to:

a) ensure the consistency in state management of security, order, fire preventing and fire extinguishing applied to facilities producing and processing gases nationwide.

b) instruct the public security force to inspect and check the compliance with regulations on security, order, fire preventing and fire extinguishing of facilities producing, processing and transporting gases.

c) offer a training course in fire preventing and fire extinguishing for officials and employees working in gas producing and processing facilities in accordance with provisions of laws.

6. The Ministry of Labor, War Invalids and Social Affairs is required to:

provide guidelines and inspect, check the labor safety conditions in gas business facilities in accordance with law in force.

7. The Ministry of Natural Resources and Environment is required to:

preside over and cooperate with relevant ministries in checking and supervising gas producing and processing facilities to make sure they comply with provisions of the law on environment.

8. The Ministry of Finance is required to:

a) preside over and cooperate with the Ministry of Industry and Trade in inspecting, checking and supervising gas traders to make sure they abide by provisions of the law on price;

b) publish or submit methods for stabilizing prices to competent authorities which is then published in accordance with provisions of the law in force

Article 59. Responsibilities of local authorities

1. People's Committees of provinces and centrally-affiliated cities take responsibility to:

a) provide guidelines and inspect gas producing and processing facilities owned by traders in the localities in terms of safety in gas production and business; fire preventing and fire extinguishing as well as environment safety in accordance with provisions of laws; fight against trade frauds and stabilize the market;

b) provide guidelines and conduct an inspection of measurement and quality of gases circulating in the locality.

2. The Department of Industry and Trade shall take responsibility to:

a) check the conditions, issuance, re-issuance, adjustment and revocation of the Certificate of Eligibility according to Form No.4, 8 and 9 provided in the Appendix issued thereto;

b) preside over and cooperate with relevant agencies in inspecting and supervising the compliance with regulations on training in safety techniques of gas business facilities;

c) receive reports of the distribution system, registration of goods label and gas sale and purchase on the market by gas traders in the locality where their head office is located according to Form No.13 provided in the Appendix issued thereto.

d) make a list and consolidated report of distribution system, registration of goods label and gas trading activities of gas traders then send them to the Ministry of Industry and Trade before December 31 each year.

3. People's Committees of communes take responsibility to:

a) check the conditions, issuance, re-issuance, adjustment and revocation of the Certificate of Eligibility according to Form No.6 provided in the Appendix issued thereto;

b) preside over and cooperate with relevant agencies in inspecting and supervising the compliance with regulations hereof and relevant law provisions of bottled LPG retail stores.

Chapter VI

IMPLEMENTATION PROVISIONS

Article 60. Transferring provisions

1. Traders receiving the Certificate of Eligibility which expires before the day on which this Decree comes into force may continue to run their business until the expiration date of their Certificate.

2. Gas business facilities founded before the day on which this Decree comes into force which fails to meet the requirement for safe distance in placing tanks or filling stations must comply with regulations hereof and national technical regulations 3 years after the day on which this Decree takes effect.

3. LPG bottling stations receiving the Certificate of Eligibility which remains unexpired not owned by any LPG wholesaler as prescribed in Decree No.19/2016/ND-CP dated March 22, 2016 of the Government in gas business may continue to operate until the date on which this Decree comes into force and expiration date of the Certificate.

Article 61. Effect

1. This Decree comes into force on August 01, 2018.

2. This Decree replaces Decree No.19/2016/ND-CP dated March 22, 2016 of the Government on gas business. This Decree abolish Chapter V of Decree No.77/2016/ND-CP dated July 01, 2016 of the Government which amended regulations on conditions for investment in the trading of national goods; chemicals; industrial explosive materials, fertilizer, gas business and food business under state management of the Ministry of Industry and Trade.

Article 62. Implementation

Ministers, Directors of ministerial agencies and Governmental agencies, Chairperson of People's Committees of provinces and centrally-affiliated cities shall take responsibility to implement this Decree./.

PP. THE GOVERNMENT MINISTER

Nguyen Xuan Phuc

APPENDIX

(Issued together with Decree No.87/2018/ND-CP dated June 15, 2018 of the Government)

Form No.1	Application form for Certificate of Eligibility for LPG/LNG/CNG importer/ exporter
Form No.2	Certificate of Eligibility for LPG/LNG/CNG importer/exporter
Form No.3	Application form for Certificate of Eligibility for LPG/LNG/CNG seller/purchaser
Form No.4	Certificate of Eligibility for trading LPG/LNG/CNG seller/purchaser
Form No.5	Application form for Certificate of Eligibility for bottled LPG retail store
Form No.6	Certificate of Eligibility for bottled LPG retail store
Form No.7	Application form for Certificate of Eligibility for LPG bottling station, LPG filling station for tanks and LPG/LNG/CNG filling station for vehicles
Form No.8	Certificate of Eligibility for LPG bottling station and LPG filling stations for tank trucks
Form No.9	Certificate of Eligibility for LPG/LNG/CNG filling stations for vehicles
	Application form for Certificate of Eligibility for producing and repairing LPG bottles/producing mini-sized LPG bottles
Form No.11	Certificate of Eligibility for producing and repairing LPG bottles/producing mini- sized LPG bottles
Form No.12	Application form for re-issuing and adjusting Certificate of Eligibility
Form No.13	Report of gas business distribution system, goods label and gas trading

Form No.1

SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

APPLICATION FORM FOR CERTIFICATE OF ELIGIBILTY FOR LPG/LNG/CNG IMPORTERS AND EXPORTERS

To: The Ministry of Industry and Trade

Name of importer/exporter:	
Foreign name:	
Address of head office:	
Tell:	. Fax:
Certificate of enterprise registration No	issued by on date

Tax code:

By this application, we respectfully request the Ministry of Industry and Trade to consider and issue Certificate of Eligibility for LPG/LNG/CNG importer/exporter as prescribed in Decree No..../2018/ND-CP dated of the Government on gas business.

We hereby commit to abide by regulations in Decree No..../2018/ND-CP dated ... of the Government on gas business, other relevant legislative documents and totally take legal responsibility./.

(Location and date) **REPRESENTATIVE** (Sign, full name and seal)

Form No.2

MINISTRY OF INDUSTRY AND TRADE

SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

No..../GCNDDK-BCT

.

Hanoi, *on*.../.../...

CERTIFICATE OF ELIGIBILITY FOR LPG/LNG/CNG IMPORTER/EXPORTER MINISTER OF INDUSTRY AND TRADE

Pursuant to Decree No.98/2017/ND-CP dated August 18, 2017 of the Government on functions, duties, rights and organizational structure of the Ministry of Industry and Trade; Pursuant to Decree No.../2018/ND-CP dated of the Government on gas business Consider the application for issuance/re-issuance/adjustment of Certificate of Eligibility for LPG/LNG/CNG importer/exporter of⁽¹⁾; At the request of⁽²⁾,

HEREBY DECIDES:

 Article 1. Issuing Certificate of Eligibility for LPG/LNG/CNG importer/exporter

 Name of importer/exporter:

 Foreign name:

 Address of head office:

 Tell:

 Certificate of enterprise registration No.

 Fax:

 Tax code:

 (1)

 is eligible for importing and exporting LPG/LNG/CNG

 Article 2.

 (1)

 must comply with all regulations in Decree No.../2018/ND-CP dated of the Government on gas business and other relevant law provisions.

Article 3. Certificate of Eligibility for LPG/LNG/CNG importer/exporter will be valid until date....;⁽³⁾ replace the Certificate of Eligibility for LPG/LNG/CNG importer/exporter No....../GCNDDK-BCT issued by the Minister of Industry and Trade on date.....

MINISTER

(Sign, full name and seal)

Note:

⁽¹⁾Name of the importer/exporter receiving the Certificate of Eligibility

⁽²⁾Name of the authority receiving the application for Certificate of Eligibility

⁽³⁾ Apply for re-issuing or adjusting the Certificate of Eligibility

Form No.3

SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

APPLICATION FORM FOR CERTIFICATE OF ELIGIBILITY FOR LPG/LNG/CNG SELLER/PURCHASER

To: The Ministry of Industry and Trade

Name of seller/purchaser:		
Foreign name:		
Address of head office:		
Tell:	. Fax:	
Certificate of enterprise registration No	issued by	on date
Tax code:		

By this application, we respectfully request the Department of Industry and Trade to consider and issue a Certificate of Eligibility for LPG/LNG/CNG seller/purchaser as prescribed in Decree No.../2018/ND-CP dated of the Government on gas business.

We hereby commit to abide by regulations in Decree No..../2018/ND-CP dated ... of the Government on gas business, other relevant legislative documents and totally take legal responsibility./.

(Location and date) **REPRESENTATIVE** (Sign, full name and seal)

Form No.4

PEOPLE'S COMMITTEE OF [NAME OF PROVINCE/CITY] DEPARTMENT OF INDUSTRY AND TRADE SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

No..../GCNDDK-SCT

(Location and date)

CERTIFICATE OF ELIGIBILITY FOR LPG/LNG/CNG SELLER/PURCHASER DIRECTOR OF INDUSTRY AND TRADE DEPARTMENT

Pursuant to Decision No..../QD/UBND datedof on functions, duties, rights and organizational structure of the Department of Industry and Trade; Pursuant to Decree No..../2018/ND-CP dated of the Government on gas business Consider the application for issuance/re-issuance/adjustment of Certificate of Eligibility for LPG/LNG/CNG seller/purchaser of

At the request of⁽²⁾,

HEREBY DECIDES:

Article 1. Issuing Certificate of Eligibility for LPG/LNG/CNG seller/purchaser
Name of seller/purchaser:
Foreign name:
Address of head office:
Tell: Fax:
Certificate of enterprise registration No issued by on date
Tax code:
⁽¹⁾ is eligible to sell or purchase LPG/LNG/CNG.
Article 2
Article 3. Certificate of Eligibility for LPG/LNG/CNG seller/purchaser will be valid until date; ⁽³⁾ replace the Certificate of Eligibility for LPG/LNG/CNG seller/purchaser No/GCNDDK-BCT issued by the Director of Industry and Trade Department on date

DIRECTOR

(Sign, full name and seal)

Note:

⁽¹⁾Name of the seller/purchaser receiving the Certificate of Eligibility

⁽²⁾Name of the authority receiving the application for Certificate of Eligibility

⁽³⁾ Apply for re-issuing or adjusting the Certificate of Eligibility

SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

APPLICATION FORM FOR CERTIFICATE OF ELIGIBILITY FOR BOTTLED LPG RETAIL STORE

To: People's Committees of [name of district]

Name of trader/cooperati	ves/business household:	
Address:		
	Fax:	
Certificate of registration issued by	n of enterprise/cooperatives/business household N on date	lo
Tax code:		
	espectfully request the People's Committee of [na	

district] to consider and issue Certificate of Eligibility for bottled LPG retail store as prescribed in Decree No..../2018/ND-CP dated of the Government on gas business. We hereby commit to abide by regulations in Decree No..../2018/ND-CP dated ... of the Government on gas business, other relevant legislative documents and totally take legal responsibility./.

(Location and date) **REPRESENTATIVE** (Sign, full name and seal)

Form No.6

PEOPLE'S COMMITTEE OF [NAME OF PROVINCE/CITY] PEOPLE'S COMMITTEE OF [NAME OF DISTRICT] SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

No..../GCNDDK-UBND

(Location and date)

CERTIFICATE OF ELIGIBILITY FOR BOTTLED LPG RETAIL STORE CHAIRPERSON OF PEOPLE'S COMMITTEE OF [NAME OF DISTRICT]

Pursuant to the Law on Local Government Organization dated June 19, 2015; Pursuant to Decree No.../2018/ND-CP dated of the Government on gas business Consider the application for issuance/re-issuance/adjustment of Certificate of Eligibility for bottled LPG retail store of⁽¹⁾; At the request of⁽²⁾,

HEREBY DECIDES:

CHAIRPERSON

(Sign, full name and seal)

Note:

⁽¹⁾Name of trader/cooperatives/business household receiving Certificate of Eligibility

⁽²⁾Name of the authority receiving the application for Certificate of Eligibility

⁽³⁾ Apply for re-issuing or adjusting the Certificate of Eligibility

Form No.7

SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

APPLICATION FORM FOR CERTIFICATE OF ELIGIBILITY FOR LPG BOTTLING STATION/LPG FILLING STATION FOR TANK TRUCKS/LPG/LNG/CNG FILLING STATION FOR VEHICLES

To: The Department of Industry and Trade

Name of trader/coop	eratives/business household:
Address of head offi	ce:
Tell:	
e	ation of enterprise/cooperatives/business household No
Tax code:	
and issue a Certifica	we respectfully request the Department of Industry and Trade to consider te of Eligibility for LPG bottling station/LPG filling station for tank NG filling station for vehicles as prescribed in Decree No/2018/ND-CP
dated of the Gov	ernment on gas business.
Name of the station:	

We hereby commit to abide by regulations in Decree No..../2018/ND-CP dated ... of the Government on gas business, other relevant legislative documents and totally take legal responsibility./.

(Location and date) **REPRESENTATIVE** (Sign, full name and seal)

Form No.8

PEOPLE'S COMMITTEE OF [NAME OF PROVINCE/CITY] DEPARTMENT OF INDUSTRY AND TRADE SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

No..../GCNDDK-SCT

(Location and date)

CERTIFICATE OF ELIGIBILITY FOR LPG BOTTLING STATION/LPG FILLING STATION FOR TANK TRUCKS

DIRECTOR OF INDUSTRY AND TRADE DEPARTMENT

Pursuant to Decision No.../QD/UBND datedof on functions, duties, rights and organizational structure of the Department of Industry and Trade; Pursuant to Decree No.../2018/ND-CP dated of the Government on gas business Consider the application for issuance/re-issuance/adjustment of Certificate of Eligibility for LPG bottling station/LPG filling station for tank trucks of^{(1);} At the request of⁽²⁾,

HEREBY DECIDES:

Article 1. Issuing Certificate of Eligibility for LPG bottling station and LPG filling stations for tank trucks

Name of the station:

Address:

Tell:

Fax:

Name of owner:

Image:

Image:
</tr

Article 3. Certificate of Eligibility for LPG bottling station/LPG filling station for tank trucks will be valid until date....;⁽³⁾ replace the Certificate of Eligibility for LPG bottling station/LPG filling station for vehicles No....../GCNDDK-SCT issued by the Director of Industry and Trade Department on date.....

DIRECTOR

(Sign, full name and seal)

Note:

⁽¹⁾Name of trader receiving Certificate of Eligibility

⁽²⁾Name of the authority receiving the application for Certificate of Eligibility

⁽³⁾ Apply for re-issuing or adjusting the Certificate of Eligibility

Form No.9

PEOPLE'S COMMITTEE OF [NAME OF PROVINCE/CITY] DEPARTMENT OF INDUSTRY AND TRADE SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

No..../GCNDDK-SCT

(Location and date)

CERTIFICATE OF ELIGIBILITY FOR LPG/LNG/CNG FILLING STATION FOR VEHICLES

DIRECTOR OF INDUSTRY AND TRADE DEPARTMENT

Pursuant to Decision No.../QD/UBND datedof on functions, duties, rights and organizational structure of the Department of Industry and Trade; Pursuant to Decree No.../2018/ND-CP dated of the Government on gas business Consider the application for issuance/re-issuance/adjustment of Certificate of Eligibility for LPG/LNG/CNG filling station for vehicles of⁽¹⁾; At the request of⁽²⁾,

HEREBY DECIDES:

Article 1. Issuing Certificate of Eligibility for	LPG/LNG/CNG filling stations for vehicles
Name of the station:	
Address:	
Tell:	. Fax:
Name of owner:	(1)
Address of head office:	
Tell:	. Fax:
Certificate of registration of enterprise/cooper issued by on date	atives/business household No
Tax code:	

⁽¹⁾.... is eligible to fill up vehicles with LPG/LNG/CNG.

Article 2.⁽¹⁾ must comply with all regulations in Decree No..../2018/ND-CP dated of the Government on gas business and other relevant law provisions.

Article 3. Certificate of Eligibility for LPG/LNG/CNG filling station for vehicles will be valid until date....;⁽³⁾ replace the Certificate of Eligibility for LPG/LNG/CNG filling station for vehicles No....../GCNDDK-SCT issued by the Director of Industry and Trade Department on date.....

DIRECTOR

(Sign, full name and seal)

Note:

⁽¹⁾Name of trader/cooperatives/business household receiving Certificate of Eligibility

⁽²⁾Name of the authority receiving the application for Certificate of Eligibility

⁽³⁾ Apply for re-issuing or adjusting the Certificate of Eligibility

Form No.10

SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

APPLICATION FORM FOR CERTIFICATE OF ELIGIBILITY FOR PRODUCING, REPAIRING LPG BOTTLES/ PRODUCING MINI-SIZED LPG BOTTLES

To: The Ministry of Industry and Trade

By this application, we respectfully request the Ministry of Industry and Trade to consider and issue Certificate of Eligibility for producing, repairing LPG bottles; producing mini-sized LPG bottles as prescribed in Decree No..../2018/ND-CP dated of the Government on gas business.

We hereby commit to abide by regulations in Decree No..../2018/ND-CP dated ... of the Government on gas business, other relevant legislative documents and totally take legal responsibility./.

(Location and date) **REPRESENTATIVE** (Sign, full name and seal) MINISTRY OF INDUSTRY AND TRADE SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

No..../GCNDDK-BCT

Hanoi, on .../.../...

CERTIFICATE OF ELIGIBILITY FOR PRODUCING, REPAIRING LPG BOTTLES/PRODUCING MINI-SIZED LPG BOTTLES

To: The Ministry of Industry and Trade

At the request of⁽²⁾,

HEREBY DECIDES:

Article 1. Issuing Certificate of Eligibility for producing and repairing LPG bottles/producing mini-sized LPG bottles

Tax code:

⁽¹⁾ is eligible for producing and repairing LPG bottles; producing mini-sized LPG bottles.

Article 3. Certificate of Eligibility for producing, repairing LPG bottles/producing mini-sized LPG bottles will be valid until date....;⁽³⁾ replace the Certificate of Eligibility for producing, repairing LPG bottles/producing mini-sized LPG bottles No...../GCNDDK-BCT issued by the Minister of Industry and Trade on date.....

MINISTER

(Sign, full name and seal)

Note:

⁽¹⁾Name of the facility requesting for Certificate of Eligibility

⁽²⁾Name of authority issuing business registration certificate

⁽³⁾ The Department of Industry and Trade of locality in which the facility producing, repairing LPG bottles is located.

Form No.12

SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

APPLICATION FORM FOR RE-ISSUANCE/ADJUSTMENT OF CERTIFICATE OF ELIGIBILITY

To: Ministry of Industry and Trade/People's Committee of [name of district] Department of Industry and Trade:

We hereby commit to abide by regulations in Decree No..../2018/ND-CP dated ... of the Government on gas business, other relevant legislative documents and totally take legal responsibility./.

(Location and date) **REPRESENTATIVE** (Sign, full name and seal)

Form No.13

SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness

REPORT OF GAS DISTRIBUTION SYSTEM, GOODS LABEL AND GAS TRADING

To: Ministry of Industry and Trade/Department of Industry and Trade

Name of trader:
Foreign name:
Address of head office:

 Tell:
 Fax:

 Certificate of registration of enterprise/cooperatives/business household No.

 issued by
 on date

 Tax code:
 Certificate of Eligibility for

For the purpose of conforming to regulations in Decree No..../2018/ND-CP dated of the Government on gas business, we hereby make a report of distribution system; goods label; gas import, export and trading as follows:

1. Distribution system:

No.	Distribution system	Certificate of Eligibility No.
I.	Gas business facility	
1		
2		
II.	Stores owned by traders	
1		
2		

2. Goods label

No.	Name of label	Certificate of Label Registration No.
1		
2		

3. Gas import, export and trading

a) Gas import and export

b) Gas trading activities

(Location and date) **REPRESENTATIVE** (Sign, full name and seal)