

NATIONAL ASSEMBLY
SOCIALIST REPUBLIC OF VIETNAM

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STATISTICS LAW

To enhance the efficiency of statistical performances and ensure transparent, objective, complete, accurate and timely statistical information to serve agencies in assessing and predicting situations, strategic planning, policy-making, making socio-economic development plans and meeting statistics needs of other organizations and individuals as well as enforcing state management in statistical performance;

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under the Resolution No. 51/2001/NQ-QH10 issued on December 25, 2001 by the National Assembly, 10th tenure, at its 10th meeting;

This Law provides for statistics.

Chapter I
GENERAL RULE

Article 1: Scope of Adjustment

1. This Law provides for statistical activities, use of statistical information, and state statistics organizations.
2. The Government provides specific regulations on statistical surveys of the organizations and individuals outside the state statistics organization system.

Article 2: Applicability

The applicable subjects of the Statistics Law shall include:

1. Vietnamese State agencies, administrative organizations, organizations in the people's armed forces, political organizations, socio-political organizations, socio-political-occupational organizations, social organizations, socio-occupational organizations, businesses from all economic sectors and their subservient organizations, cooperatives, cooperative groups, household businesses, households, individuals and other Vietnamese organizations at home and abroad, as well as foreign organizations and individuals operating in Vietnam's territory (hereafter collectively referred to as organizations and individuals) that provide statistical information;
2. Organizations and individuals using statistical information;
3. Statistics organizations and statistics workers.

Article 3: Interpretation of terms:

In this Law, the terms underneath shall be understood as follows:

1. "Statistical activities" are surveys, reports, aggregation, analysis and publication of the information reflecting the nature and regularity of socio-economic phenomena in specific conditions, places and time, and conducted by state statistics organizations.
2. "Statistical information" is products of statistical activities, including statistics data and their analyses.
3. "Statistical indicators" are those indicators that are demonstrated with figures, reflecting the size and pace of the development, the structure and the proportional relationship of socio-economic phenomena in specific conditions, places and time.
4. A "statistical indicator system" is a set of statistical indicators issued by state authorities.
5. A "national statistical indicator system" is a set of statistical indicators reflecting the country's major socio-economic situations.
6. A "statistical survey" is a way of collecting statistical information through survey designs.

7. "Statistical report" is a way of collecting statistical information under the statistical reporting regulations issued by state authorities.
Statistical report includes basic statistical report and aggregated statistical report.

Article 4: Fundamental principles of statistical activities

Statistical activities must follow the fundamental principles underneath:

1. Ensuring transparency, objectivity, completeness, accuracy and timeliness in statistical activities.
2. Ensuring its independence in statistical performances.
3. Being consistent regarding indicators, templates, calculation methods, classification tables, measurement units and statistical years; and ensuring international comparability;
4. Avoiding duplication and overlapping among statistical surveys and statistical reporting regulations;
5. Being accountable regarding methodologies and publishing statistical information;
6. Ensuring equal rights regarding access and use of the published state statistical information.
7. The statistical information on each organization and individual is used only for statistical purposes.

Article 5: Application of science and technology to statistical performances

The Government gives priority of investment, application of information communication technology and advanced statistical methodologies to statistical performances.

Article 6: Behaviors prohibited in statistical activities

The following behaviors are prohibited:

1. Not implementing or barring the implementation of statistical surveys and reporting regulations;
2. Giving false information; reporting and publishing false statistical information; forcing other people to give and report false statistical information;
3. Revealing the statistical information listed as state secrets and those associated with a specific name and address of each organization and individual without the agreement of that organization and individual;
4. Deciding on surveying, and issuing statistical reporting regulations contrarily to the law;
5. Other behaviors violating statistics laws.

Chapter II STATISTICAL INFORMATION SYSTEM

Article 7: Statistical information system

The statistical information system includes:

1. the statistical information directly collected and aggregated by the centralized statistics organization system from the statistical information of Ministries, Ministerial-level and Government agencies, the Supreme People's Court and the Supreme People's Procuratorate to meet the State's general management requirements;
2. the statistical information implemented by Ministries, Ministerial bodies, government bodies, the Supreme People's Court and the Supreme People's Procuratorate to meet aggregating requirements of the centralized statistics organization system and their own management and use requirements.

Article 8: Authority to issue the statistical indicator system

1. Based on requirements of socio-economic development, the Prime Minister issues a national statistical indicator system. The national statistical indicator system is the foundation for assignment and coordination in statistical activities and development of a national statistical survey scheme and regulations on aggregated and basic statistical reporting.
2. Based on the national statistical indicator system, Ministers, Heads of Ministerial-level agencies, the Chief Judge of the Supreme People's Court and the Director of the Supreme People's Procuratorate issue additional statistical indicators for management and use requirements in their designated branches and areas.

Article 9: Statistical Classification Tables

1. Statistical classification tables issued by state authorities as standards and for consistent use in statistical activities include the national economic classification, the economic activities classification, the list of administrative units, the list of ethnic groups, the list of economic and administrative units, the list of products and commodities, the list of occupations, the list of education and training and other statistical classification tables.
2. The Government stipulates the authority to issue statistical classification tables except for those noted in Provision 3 of this Article.
3. The Chief Judge of the Supreme People's Court and the Director of the Supreme People's Procuratorate issue statistical classification tables in their designated branches and areas.

Article 10: Statistical information collection methods

Statistical Information is collected through the two major ways, namely statistical surveys and statistical reports.

CHAPTER III STATISTICAL SURVEYS AND STATISTICAL REPORTS

PART 1 STATISTICAL SURVEYS

Article 11: National Statistical Survey Scheme

1. Based on the national statistical indicator system and the State's regulations on aggregated statistical reporting, Ministries, Ministerial-level and Government agencies, the Supreme People's Court and the Supreme People's Procuratorate propose statistical surveys to be conducted; The General Statistics Office aggregates and submits to the Prime Minister for his decision on long-term and annual national statistical survey schemes.

A national statistical survey scheme includes a list of surveys, duration, assignment and conditions for implementation.

2. The Government stipulates the conducting of the surveys outside a national statistical survey scheme.

Article 12: Authority to decide on statistical surveys

1. The Prime Minister decides on statistical censuses;
2. Within their authority, Ministers, Heads of Ministerial-level and Government agencies, the Chief Judge of the Supreme People's Court and the Director of the Supreme People's Procuratorate decide on statistical surveys apart from the censuses stipulated in Provision 1 of this Article.
3. Within their authority, chairs of centrally-led municipal and provincial people's committees decide on statistical surveys for local management requirements apart from the surveys stipulated in Provisions 1 and 2 of this Article.

Article 13: Statistical survey plans

1. Each statistical survey must have a plan.
2. A statistical survey plan includes regulations and guidelines on purposes, requirements, scope, applicability, units, contents, methods, time, duration, executing agency and the forces who will conduct surveys, aggregate, analyze and publish survey results, outlays and other material conditions to ensure the implementation and responsibilities of concerned organizations and individuals.
3. Those who decide on a statistical survey issue the survey plan; Plans for statistical surveys of Ministries, Ministerial-level and Government agencies, the Supreme People's Court, the Supreme People's Procuratorate and centrally-led municipal and provincial people's committees must be professionally appraised by the General Statistics Office before being issued.

Article 14: Finance for statistical surveys

1. Finance for conducting statistical surveys are covered by the State budget according to the size and characteristics of each survey.
2. Costing, granting, managing, using and finally accounting outlays for statistical surveys are implemented under the regulations of the State Budget Law.

Article 15: Rights and obligations of a survey executing agency and statistical survey implementers

1. A statistical survey executing agency has the following rights and obligations:
 - a. Instructing and monitoring the implementation of the statistical survey plan;
 - b. Aggregating, analyzing and publishing survey results.
2. A statistical survey implementer has the following rights and obligations:
 - a. being trained professionally in terms of statistical surveys
 - b. implementing a survey as planned;
3. Offices conducting surveys and survey implementers must be responsible for objectivity and reliability of survey data and keep information confidential according to the regulations of this Law

Article 16: Rights and obligations of surveyed organizations and individuals

The surveyed organizations and individuals have the following rights and obligations:

1. Being informed of a decision on a statistical survey;
2. Providing reliable, complete and timely information at the request of statistical survey implementers;
3. Making complaints and denunciations against illegal behaviors regarding a statistical survey.

PART 2 REGULATIONS ON BASIC STATISTICAL REPORTING

Article 17: Basic statistical report

Basic statistical report includes regulations on implementers, scope, content of report, dead line, duration and report receivers. It is issued by state authority offices to collect data from vouchers and initial records.

Article 18: Authority to issue regulations on basic statistical report

1. The Prime Minister issues regulations on basic statistical report to collect statistical information regarding national statistical indicators that the General Statistics Office is assigned to implement.

Ministers, Heads of Ministerial-level agencies, the Chief Judge of the Supreme People's Court, the Director of the Supreme People's Prosecutorate issue regulations on basic statistical report to collect statistical information regarding national statistical indicators that they are assigned to realized and additional statistical indicators in their designated branches and areas after being professionally appraised by the General Statistics Office.

Article 19: Rights and obligations of organizations subject to regulations on basic statistical report

The organizations subject to regulations on basic statistical report have the following rights and obligations:

1. Recording and aggregating data, producing and submitting report according to regulations on basic statistical report;
2. Producing basic statistical reports in a transparent, complete and reliable manner on a basis of documents and records; calculating and aggregating indicators according to the contents and methods stipulated in regulations on basic statistical report;
3. Making complaints against administrative decisions and administrative behaviors when there is evidence that those decisions and behaviors run counter to the regulations on basic statistical report;

PART 3 REGULATIONS ON AGGREGATED STATISTICAL REPORT

Article 20: Regulations on aggregated statistical report

Regulations on aggregated statistical report includes regulations on implementers, scope, report content, dead line, duration, report receivers issued by the state authority offices to aggregate statistical information from basic statistical report, financial report, results of surveys and other sources.

Article 21: Authority to issue regulations on aggregated statistical report

1. The Prime Minister issues regulations on aggregated statistical report applicable to Ministries, Ministerial-level and Government agencies;
2. Ministers and Heads of Ministerial-level agencies issue regulations on aggregated statistical report, applicable to professional agencies of provincial and district-level people's committees in their designated branches and areas after it is professionally appraised by the General Statistics Office;
3. The Chief Judge of the Supreme People's Court and the Director of the Supreme People's Prosecutorate issue regulations on aggregated statistical report, applicable to the system of courts and prosecutorates after it is professionally appraised by the General Statistics Office;

Article 22: Rights and obligations of agencies subject to regulations on aggregated statistical report

Agencies subject to regulations on aggregated statistical report have the following rights and obligations:

1. Collecting and aggregating data, producing and submitting report as stipulated in regulations on aggregated statistical report;
2. Producing an aggregated statistical report in a complete, accurate and honest manner on a basis of data from surveys, financial reports, basic statistical reports and other sources of information; calculating and aggregating indicators according to the contents and methods stipulated in regulations on aggregated statistical report;
3. Making complaints against administrative decisions and administrative behaviors when there is evidence that those decisions and behaviors run counter to regulations on aggregated statistical report;

Article 23: Rights to exploit and use statistical database

1. The centralized statistics organization has the right to exploit and use initial statistical database of agencies subject to regulations on aggregated statistical report. Agencies subject to regulations on aggregated statistical report are responsible for providing information from initial statistical database that they manage at the request of the centralized statistics organization.
2. Agencies subject to regulations on aggregated statistical report are given aggregated statistical information back from the centralized statistics organization and entitled to exploiting the related aggregated statistical database of the centralized statistics organization.

**CHAPTER IV
PUBLISHING AND USING STATISTICAL INFORMATION**

Article 24: Publishing statistical information

1. Statistical information conducted by state statistics organizations must be made public, on time, except for those statistical information that must be kept confidential as stipulated in Article 27 of this Law.

The Government provides specific regulations on duration, means and scope of publishing statistical information.

2. The statistical information published by authorized people as stipulated in Article 25 of this Law is legitimate.

Article 25: Authority to publish statistical information

The authority to publish statistical information is stipulated as follows:

1. The General Director of the General Statistics Office publishes statistical information of the national statistical indicator system;
2. Ministers, Heads of Ministerial-level and Government agencies, the Chief Judge of the Supreme People's Court and the Director of the Supreme People's Prosecutorate publish

- statistical information of their designated branches and areas apart from indicators of the national statistical indicator system;
3. Chairs of centrally-led municipal and provincial people's committees publish statistical information from survey results as stipulated in Provision 3 of Article 13 of this Law.

Article 26: Using statistical information

Quoting and using statistical information must entail sources of information.

Article 27: Confidentiality of statistical information

The confidential statistical information includes:

1. The statistical information is associated with a specific name and address of each organization and individual unless that organization and individual permit the publication;
2. The statistical information is listed as state secrets.

**CHAPTER V
STATE STATISTICS ORGANISATION SYSTEM**

Article 28: State statistics organization system

The state statistics organization system includes the centralized statistics organization system, statistics organizations of Ministries, Ministerial-level and Government agencies, the Supreme People's Court and the Supreme People's Procuratorate.

Article 29: Centralized Statistics Organization System

1. The centralized statistics organization system is vertical from the central to the district levels.
2. The Government provides specific regulations on functions, responsibilities, power and apparatus organization of the centralized statistics organization system.

Article 30: Statistics organizations of Ministries, Ministerial-level and Government agencies, the Supreme People's Court and the Supreme People's Procuratorate

1. Ministers, Heads of Ministerial-level and Government agencies, the Chief Judge of the Supreme People's Court and the Director of the Supreme People's Procuratorate are responsible for implementation of statistics work according to regulations of this Law.
2. The Government stipulates responsibilities, power and statistics organization of Ministries, Ministerial-level and Government agencies.
3. Within their authority, the Chief Judge of the Supreme People's Court and the Director of the Supreme People's Procuratorate provide specific regulations on responsibilities, power and statistics organization of the system of courts and procuratorates.

Article 31: Statistics in Towns, Communes and Wards

People's committees in towns, communes and wards are responsible for organizing the implementation of statistics work for management requirements of their towns, communes and wards; conducting surveys and the State's regulations on statistical reporting as stipulated.

Article 32. Statistics in enterprises and administrative units

Enterprises and administrative units are responsible for implementing statistical performances to meet the requirements of enterprises and units; providing financial reports to the statistical offices of the centralized statistical system; conducting surveys and implementing report system.

Article 33: State-employed statisticians

1. State-employed statisticians are those working in the state statistical system, statisticians in communes, precincts and wards, statisticians in enterprises, administrative units and enumerators.
2. State-employed statisticians must meet these criteria:
 - a. Having professional virtue, being honest and objective, and having sense of law execution.
 - b. Having statistical knowledge
3. State-employed statisticians must be independent in terms of statistics.
4. State-employed statisticians must follow regulations of the statistics law, implement and bear responsibilities for the assigned work.

**CHAPTER VI
STATE MANAGEMENT IN STATISTICS**

**PART I
CONTENTS OF STATE MANAGEMENT AND
STATE MANAGEMENT AGENCIES IN STATISTICS**

Article 34: Contents of state management in statistics

The contents of state management in statistics include:

1. Issuing and organizing the enforcement of legal documents on statistics;
2. Disseminating and providing education on statistics law;
3. Building and instructing the implementation of strategies, master plans and development plans for statistics work, national statistical indicator systems and national statistical survey schemes;
4. Managing publication of statistical information;
5. Building statistics organization, providing training and further education in terms of statistics profession;
6. Organizing scientific research and application of advanced technologies to statistics work;
7. International cooperation in statistics;
8. Inspecting and examining the observance of statistics law, settling illegal behaviors regarding statistics;
9. Resolving complaints and denunciations relating to statistics work according to the law.

Article 35: State management agencies in statistics

1. The Government unifies state management in statistics;
2. The General Statistics Office assists the Government in implementing responsibilities and power in the contents of state management in statistics according to the Government's regulations.
3. Within their authority, ministries, Ministerial-level agencies are responsible for undertaking state management in statistics.
4. Centrally-led provincial and municipal people's committees undertake state management in statistics within their functions, responsibilities and power.

**PART 2
STATISTICS INSPECTION**

Article 36: Statistics Inspection

1. Statistics inspection is the statistics-related professional inspection, tasked with inspecting the observance of statistics law; detecting, preventing and settling cases within their jurisdiction or asking relevant authorities to settle violations of statistics law; recommending measures to ensure the enforcement of statistics law.
2. The organization and operation of statistics inspectors are stipulated by the Government.

Article 37: Jurisdiction and responsibilities of a statistics inspector

While implementing inspection, an inspection delegation or inspector has the following jurisdiction and responsibilities:

1. Presenting the inspection decision and the Inspector's card;
2. Asking inspected subjects and related parties to provide documents and evidence and respond to issues relating to inspection contents;
3. Producing inspection minutes, recommending measures to settle errors;
4. Enforcing measures to prevent and settle violations according to the law;
5. Strictly following the inspection order and procedures without causing troubles and harassments, hindering production and business activities and ordinary activities of inspected subjects;
6. Reporting to authorities on inspection results and recommending settlements;
7. Observing the law and being responsible before the law for inspection results and settlements that they decide;
8. Keeping inspection documents confidential according to the law.

Article 38: Rights and obligations of inspected subjects regarding statistics

Inspected subjects have the following rights and obligations:

1. Asking inspection delegations and inspectors to present inspection decisions and inspector's cards, and strictly observe inspection law;
2. Facilitating the duty implementation by inspection delegations and inspectors;
3. Providing documents and evidence, and responding to issues relating to inspection contents at the request of inspection delegations and inspectors;
4. Observing settlement decisions made by inspection delegations and inspectors according to the law;
5. Making complaints, denunciations and lawsuits against state authorities regarding inspection decisions and inspectors' behaviors as well as statistics inspectors' conclusions and decisions that the inspected subjects have evidence to find illegal;
6. Asking for damages for illegal settlements made by inspection delegations or inspectors.

CHAPTER VII REWARDS AND VIOLATION SETTLEMENTS

Article 37: Rewards

Organizations and individuals that record outstanding merit in enforcing statistics law or detect and denounce illegal behaviors regarding statistics shall be rewarded according to the law.

Article 38: Violation settlements

1. Organizations and individuals that have violated statistics law shall be, depending on characteristics, degree and subjects of violations, either charged with administrative penalties or prosecuted for criminal responsibility according to the law. In case organizations and individuals cause damages, they have to pay compensation according to the law.

CHAPTER VIII IMPLEMENTATION PROVISIONS

Article 39: Enforcement

1. This Law shall take effect as of January 1, 2004.
2. The statistics-related regulations in the Accounting and Statistics Ordinance, issued on October 1, 1998, shall terminate their effect as of the day this Law takes effect.

Article 40: Implementation guidance

The Government, the Supreme People's Court and Director of the Supreme People's Prosecutorate shall provide detailed regulations and guidance on implementing this Law.

This Law was adopted by the National Assembly of the Socialist Republic of Vietnam, 11th tenure, at its.... meeting on, 2003.

The Chairman of the National Assembly