NATIONAL ASSEMBLY

Law No.: .../20.../QH15

DRAFT 2

SOCIALIST REPUBLIC OF VIETNAM
INDEPENDENCE - FREEDOM - HAPPINESS

LAW
on Electricity (revised)

Pursuant to the Constitution of the Socialist Republic of Vietnam;

The National Assembly enacts the Electricity Law.

CHAPTER I
GENERAL PROVISIONS

Article 1. Scope of regulation

This Law provides for electricity development policies; electricity development planning and investment in construction of electricity projects; development of renewable and new energy power; electricity operation license; electricity market, electricity trading activities; rights and obligations of organizations and individuals engaged in electricity activities and electricity use; operation of electrical systems; protection of electrical works and safety in the electrical sector.

Article 2. Subjects of application

This Law applies to organizations and individuals engaged in electricity activities, electricity use or other activities related to electricity activities in the territory of the Socialist Republic of Vietnam.

Article 3. Application of law

1. In case there are different provisions between the Electricity Law and other laws promulgated before the effective date of the Electricity Law, the provisions of the Electricity Law shall be complied with.

2. Where other laws promulgated after the effective date of the Electricity Law need specific regulations on electricity sectors and domains different from those prescribed by the Electricity Law, the contents of implementation or non-implementation must be specified in accordance with the provisions of the Electricity Law, The contents shall comply with the provisions of such other laws.

3. Where an international treaty to which the Socialist Republic of Vietnam has signed or acceded contains provisions different from those of this Law, the provisions of such international treaty shall apply.

Article 4. Interpretation of words

In this Law, the terms below shall be construed as follows:

1. *Safety of dams and hydropower reservoirs* means the application of measures for design, construction, management and exploitation in order to ensure the safety of dams, hydropower reservoirs, related works and safety for the downstream areas of dams.

2. *Electrical safety* is the system of organizational measures and technical means to prevent harmful and dangerous effects on people and equipment from power sources during the production, transmission, distribution and use of electricity.

3. *Wholesale electricity* is the sale of electricity of one power unit to another power unit for resale to a third party.

4. *Electricity retail* is the activity of selling electricity of an electricity unit to electricity customers.

5. *Electricity tariff* is a list of specific electricity rates and price brackets applicable to electricity buyers and sellers under different conditions.

6. *The voltage class* is one of the values of the nominal voltage used in the power system, which includes:

a) Low voltage means the nominal voltage level up to 01 kV;

b) Medium voltage means a nominal voltage level above 01 kV to 35 kV;

c) High voltage means a nominal voltage level above 35 kV to 220 kV;

d) Super high voltage means a nominal voltage level above 220 kV.

7. *Hydropower dam owner* means an agency, organization or individual investing in the construction of hydropower projects or assigned to own hydropower dams.

8. *Electricity project* means a combination of construction means, machinery, equipment and structures directly serving power generation, power transmission, power distribution, power system dispatch, power trading; electrical works protection system; grid safety corridors; land used for power and other ancillary works.

9. *Ancillary services* are necessary services provided from elements in the power system to maintain a stable and reliable operation of the power transmission system.

10. *Power source expansion investment project* means an expanded investment project in accordance with the Law on Investment.

11. *A power project* is a set of proposals related to the use of capital for new construction, repair, renovation and upgrading of electrical works within a defined time limit and cost.

12. *New energy electricity* is electricity produced from one or a combination of two of the following sources:

a/ Hydrogen and ammonia;

b/ Other new energy sources for electricity production prescribed by the Government but not one of the sources of coal-fired thermal power, gas-fired thermal power, oil thermal power, renewable energy power and nuclear power.

13. *Renewable energy electricity* is electricity produced from one or a combination of two of the following primary energy sources:

a) Solar energy;

b/ Wind energy;

c/ Hydropower;

d) Biomass;

dd) From waste (all waste sources of production, business and daily processes; except waste from factories using fossil input materials);

e) From tides, waves, ocean currents, geothermals and other forms of renewable energy as prescribed by the Government.

14. *Self-consumption electricity* is electricity produced for on-site consumption (self-use electricity) that does not sell electricity to other organizations or individuals and does not sell electricity into the national electricity system.

15. *Self-use electricity* is electricity produced and used at the same installation site by the same legal entity or individual.

16. *Power system dispatch* means the command and control of power generation, power transmission and distribution in the national electricity system according to defined processes, technical regulations and operating methods.

17. *Electricity market transaction* management is the management and coordination of electricity purchase and sale transactions and ancillary services in the electricity market.

18. *Electricity regulation* is the State's impact on electricity activities and the electricity market in order to ensure safe, stable, quality electricity supply, economical and efficient use of electricity and ensure fairness, transparency and compliance with law.

19. *Electricity unit* means an organization or individual that carries out activities of power generation, power transmission, power distribution, power system dispatch, electricity market transaction management, electricity wholesale, electricity retail, electricity specialized consultancy and other related activities.

20. *Power metering data management unit* is the unit managing and operating the system of collecting, processing and storing electricity metering data for the electricity market, including the National Electricity System Dispatch Unit, the Electricity Market Transaction Operator, Power generators, power transmission units, power distribution units according to the scope of management of metering data of the unit.

21. *Wholesale electricity price* is the selling price of electricity of one power unit sold to another power unit for resale.

22. *The retail price of electricity* is the selling price of electricity of the electricity unit sold to electricity customers.

23. *Power grid safety corridor* is a storage space that does not include the width, length and height running along the transmission line or surrounding the power station and is specified according to voltage class, equipment specifications and installation environment.

24. *The national electricity system* is a system of power generation equipment, power grids and auxiliary equipment linked together and uniformly commanded throughout the country.

25. *Electricity activities* mean activities of organizations and individuals in the fields of electricity planning, investment in electricity development, power generation, power transmission, power distribution, power system dispatch, electricity market transaction management, electricity wholesale, electricity retail, electricity specialized consultancy and other related activities.

26. *Electricity users* are organizations or individuals that buy electricity for use and do not resell it to other organizations or individuals.

27. *Large electricity users* are electricity users with large capacity and consumption output according to regulations of the Ministry of Industry and Trade in accordance with each period of development of the power system.

28. *Not linked to the national electricity system* means an electrical connection not specified in Clause 31 of this Article.

29. *The electricity price bracket* is the allowable range of fluctuations of electricity prices between the lowest price (floor price) and the highest price (ceiling price).

30. *Technical safety inspection of electrical equipment and tools* means the inspection, experimentation and evaluation according to the process of safety of electrical equipment and tools before being put into use, during use and operation on the basis of corresponding standards and technical regulations.

31. *Link to the national electricity system* is to connect electricity through physical and technical solutions to connect to the national electricity system behind the electricity meter. In case rooftop solar power is linked to the power grid of the electricity distribution and retail unit and the grid of the electricity distribution and retail unit is connected to the national electricity system, it is in the case of being linked to the national electricity system.

32. *Power supply synchronous grid* means a system of transmission lines (overhead, underground cables), transformers and auxiliary equipment to transmit electricity from a power plant to the connection point to the transmission grid or distribution grid.

33. *Power grid* is a system of transmission lines (overhead, underground cables), transformers and auxiliary equipment for power transmission. Power grids, according to the purpose of use and operational management, are distinguished into transmission and distribution grids.

34. *A distribution grid* is a part of the grid consisting of transmission lines and power stations with voltage levels up to 110 kV.

35. *A transmission grid* is a part of the grid consisting of transmission lines and power stations with voltage levels above 110 kV.

36. *Self-use power source* is a source of electricity produced by organizations or individuals for on-site use for themselves, not trading in selling electricity in any form.

37. *Offshore wind power plant* is a wind power plant with all wind power turbines built outside the sea area of 06 nautical miles and with a large seabed depth (specifically determined according to actual survey data prescribed by the Government).

38. *Offshore wind power plant* is a wind power plant with all wind power turbines built and operated in Vietnamese waters defined according to the law of the sea.

39. *A land-based wind power plant* is a wind power plant where all wind power turbines are built and operated on land defined by land law.

40. *The spot electricity market* is a market for buying and selling electricity during trading cycles carried out by the operator of the electricity market transaction in accordance with regulations at all levels of the competitive electricity market.

41. *Electricity metering device* is a device that measures power, electricity, current, voltage, frequency, power factor, including meters, electricity meters and attached devices and accessories.

42. *Specialized specifications* are the main specifications that show the scale (except for the capacity scale of the power plant), location, and some other relevant equipment specifications of the work items.

43. *Electricity and renewable energy information* means data, data and information on electricity supply, conversion and use; technical characteristics of electricity infrastructure; electricity prices; electricity statistical indicators and other electricity-related information (including: coal, oil and gas, renewable energy, new energy).

44. *Small hydropower plants* are hydroelectric power plant projects with installed capacity less than or equal to 30 MW.

45. *Organizations and individuals exploiting hydropower dams and reservoirs* are organizations and individuals assigned to manage and exploit dams and hydropower reservoirs.

46. *Electricity theft* is the act of illegally obtaining electricity without meters, acting to falsify the metering readings of meters and other electrical equipment related to electricity metering, intentionally or colludingly to misrecord meter readings and other fraudulent acts of obtaining electricity.

Article 5. Electricity development policy

1. To develop electricity sustainably on the basis of optimal exploitation of all resources, meeting electricity demand for people's life and socio-economic development with stable, safe and economic, civilized services, contributing to ensuring national defense, national energy security and security.

2. To build and develop the electricity market on the principles of publicity, equality, fair competition and State regulation in order to raise efficiency in electricity activities; ensure the legitimate rights and interests of electricity units and electricity users; attract all economic sectors to participate in power generation activities, invest in the construction of power sources and transmission grids on the basis of ensuring national defense and security and according to the electricity development planning, power distribution, electricity wholesale, electricity retail and electricity specialized consultancy. Non-state economic sectors may operate the transmission grid they invest in building.

3. The State has a monopoly in the following activities:

a/ Dispatch of the national electricity system;

b/ Building and operating large power plants of special socio-economic, defense and security importance.

The Government shall detail Point b of this Clause. The Prime Minister shall prescribe a list of large power plants of special socio-economic, defense and security importance.

c/ To operate power transmission grids, except for transmission grids invested by non-state economic sectors.

4. To apply scientific and technological advances in electricity activities and electricity use in order to save and raise the efficiency of use of energy sources and protect the environment; encourage research, development, production and use of modern equipment to serve electricity development requirements.

5. Policies on rural, mountainous, border and island power development:

Prioritize the development of electricity to serve rural, mountainous, border, island and areas meeting with extremely difficult socio-economic conditions, specifically:

a/ To attract all resources for investment in the construction of electricity infrastructure, accelerate the process of electrification of rural, mountainous, border and island areas;

b/ To create favorable conditions for people in deep-lying, remote areas, ethnic minority areas and areas meeting with extremely difficult socio-economic conditions to use electricity for production and daily life;

c) Organizations and individuals of all economic sectors engaged in power generation, distribution and electricity trading activities in rural, mountainous, border and island areas meeting with difficult and extremely difficult socio-economic conditions are entitled to investment, financial and other incentives in accordance with the law on investment encouragement;

d/ To encourage organizations and individuals to invest in the construction of power grids or power stations using local, new and renewable energy to supply electricity to rural, mountainous, border and island areas;

dd) Prioritize adequate and timely power supply to hydro-agricultural pumping stations serving irrigation, waterlogging and drought resistance.

Article 6. International cooperation in electricity activities

1. To expand international cooperation and international economic integration in electricity activities on the basis of respect for national independence and sovereignty and mutual benefits. The State encourages and creates favorable conditions for foreign organizations and individuals to participate in electricity activities in Vietnam; domestic organizations and individuals cooperating with foreign and international organizations and individuals in electricity activities.

2. International cooperation and technology transfer on renewable and new energy:

a) Promote international cooperation in technology transfer and research and development of new and clean energy;

b/ To invest resources in propaganda and dissemination of policies and laws on renewable energy and new energy;

c) Training to improve managerial human resources in the field of renewable energy and new energy;

d/ The State shall allocate funds and prioritize the attraction of all lawful resources for research and technology transfer, piloting in the field of new energy and a number of renewable energy domains according to the Government's regulations.

Article 7. Propagate, disseminate and educate the law on electricity

1. Ministries, ministerial-level agencies, Government-attached agencies, People's Committees at all levels and electricity units shall, within the ambit of their responsibilities, coordinate with mass media agencies and schools in disseminating, educating and guiding people in safe use of electricity, economical, efficient and strictly comply with the provisions of the law on electricity.

2. The Vietnam Fatherland Front, its member organizations and other social organizations shall, within the ambit of their responsibilities, coordinate with state management agencies in charge of electricity activities and electricity use in propagating and mobilizing the people to use electricity safely, economical, efficient and strictly comply with the provisions of the law on electricity.

3. The Ministry of Education and Training shall assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade and concerned ministries, ministerial-level agencies, Government-attached agencies and People's Committees at all levels in, elaborating educational contents on measures to prevent accidents or incidents caused by electricity, first aid skills for people suffering from electric shock to add to the age-appropriate education program.

Article 8. Prohibited acts in electricity activities and electricity use

1. Electricity activities without licenses in accordance with this Law.

2. Destroying electrical equipment, electricity metering equipment and electrical works.

3. Closing or cutting off electricity contrary to the provisions of law.

4. Violating regulations on safety in power generation, power transmission, power distribution and electricity use.

5. Obstructing the inspection of electricity operation and electricity use.

6. Electricity theft.

7. Using electricity to trap or capture animals or as a means of direct protection, except for the case specified in Article 88 of this Law.

8. Violating regulations on protection of power grid safety corridors and safe distances of power lines and stations.

9. Theft or removal of towing wires, earthing wires and equipment of power grids; Climb on utility poles, power stations or electrical works safety protection areas when not on duty.

10. Using high-voltage power grids for other purposes without agreement with high-voltage power grid project management units.

11. Flying kites and flying objects near high-voltage power grids that are likely to cause power grid failures.

12. Planting trees or letting them violate safe distances for overhead high-voltage power lines and power stations.

13. Shooting birds perched on wires or power stations or throwing or throwing anything on power lines or power stations.

14. Excavation causes subsidence of high-voltage power grids and power stations.

15. Using electric poles or power stations to build houses, tents, bars, tie cattle or use for other purposes.

16. Blasting and opening mines; stacking, containing flammable and explosive substances, chemical substances that cause corrosion or damage to parts of the grid.

17. Burning and slashing, using means of construction to damage or malfunction power grids, power stations and power plants.

18. To operate aircraft whose distance to the nearest part of the high-voltage power grid is less than 100m, except for cases where aircraft perform the task of managing, maintaining and repairing power lines permitted under regulations.

19. Let trees fall on power lines when trimming trees or take advantage of the protection and repair of high-voltage power grids to cut trees.

20. Violating regulations on safety of dams and hydropower reservoirs.

21. Providing untruthful information that harms the legitimate rights and interests of organizations and individuals engaged in electricity activities and electricity use.

22. Abusing their positions and powers to cause harassment, trouble or illicit profits in electricity activities and electricity use.

23. Other acts of violating the provisions of the law on electricity.

CHAPTER II

ELECTRICITY DEVELOPMENT PLANNING AND CONSTRUCTION INVESTMENT POWER PROJECTS

Section 1

ELECTRICITY DEVELOPMENT PLANNING

Article 9. Electricity development planning

1. Electricity development plannings include national electricity development plans and plans for development of power supply networks in provincial plannings as a basis for investment in construction of electricity projects.

2. The formulation of electricity development plannings must comply with the law on planning and the following principles:

a/ Based on the national energy development strategy;

b/ Conformity with orientations for development of primary energy sources for power generation, including new and renewable energy sources.

3. The period of electricity development planning and vision of electricity development planning shall comply with the law on planning.

Article 10. Formulation, approval, announcement and adjustment of electricity development plannings

1. The Ministry of Industry and Trade shall organize the formulation of national electricity development plannings and submit them to the Prime Minister for approval in accordance with the law on planning.

2. Provincial-level People's Committees shall organize the formulation of contents of plans for development of power supply networks in provincial plannings.

3. The formulation, appraisal, approval, announcement, organization of implementation and adjustment of electricity development plannings in accordance with the law on planning.

Article 11. Plan for implementation of electricity development plannings

1. The Ministry of Industry and Trade shall formulate and submit to competent authorities for approval plans for implementation of national electricity development plannings; Provincial-level People's Committees shall formulate and submit to competent authorities for approval plans for implementation of power supply network development plans in provincial plannings. The plan for implementation of the national electricity development plan and the plan for implementation of the plan for development of the power supply network in the provincial planning must satisfy the contents of Article 45 of the Law on Planning and some of the following principal contents:

a) Detailed forecast of electricity load demand results;

b/ Plans on investment in power sources and power grids;

c/ Implementation solutions and resources.

2. Plans for implementation of national electricity development plans and plans for implementation of power supply network development plans in provincial plannings shall be adjusted in contents to suit socio-economic development and practical implementation of electricity projects, fluctuations of electricity load demand.

3. The Government shall detail this Article.

Article 12. Funding for planning work

Expenses for formulation, appraisal, approval, announcement, adjustment and evaluation of the implementation of electricity development plannings in accordance with the law on planning.

Section 2

INVESTMENT IN CONSTRUCTION OF ELECTRICITY PROJECTS

Article 13. Investment in construction of electricity projects

1. Investment in the construction of electricity projects must conform to electricity development plannings or electricity development planning implementation plans, decisions on adjustment of electricity development plannings (if any). Contents of assessment of conformity with electricity development plannings and plans for implementation of electricity development plannings are as follows:

a/ Conformity with viewpoints and objectives of development of national electricity development plannings, national electricity development plans (including power sources and power grids) in electricity development plannings and plans for development of power supply networks in provincial plannings.

b/ Being on the list of important projects and investment priorities of the electricity sector in electricity development plannings and plans for implementation of electricity development plannings.

2. Electricity construction investment projects not included in electricity development plannings or plans for implementation of electricity development plannings shall be subject to adjustments and supplements to electricity development plannings according to the Law on Planning or plans for implementation of electricity development plannings as prescribed in Article 11 of this Law, Except for cases where power generation projects use residual heat sources from product production lines, renewable energy sources to produce electricity for on-site consumption purposes without selling electricity and not connected to the national electricity system, low-voltage power grid projects.

3. Investors of electricity construction investment projects shall comply with the provisions of law on investment, construction, environmental protection and other relevant regulations.

4. Investors of projects on construction of power source works, power generation, transmission and distribution units shall invest in the construction of power stations, meters and power lines to connection points according to the connection agreement.

5. Organizations and individuals that build new or renovate or expand electricity projects must comply with national technical regulations and encourage the use of modern international standards in cases where Vietnam does not yet have regulations or standards.

6. During the implementation of electricity construction investment projects, if the need arises to adjust specialized technical parameters, based on the proposal of the People's Committee of the province, the Ministry of Industry and Trade shall appraise and consider for decision. The above-mentioned adjustment must ensure that it does not change the objectives and plans for power source and grid development of the approved national electricity development plan.

7. State management of investment in power projects according to electricity development plannings and power supply network development plans in provincial plannings:

a) The People's Committees of provinces and cities shall annually review and report to the Ministry of Industry and Trade on the implementation of power projects in their localities, propose handling of delayed projects in accordance with the law on investment and land, and propose a list of projects to replace projects that are behind schedule. Based on the proposal of the People's Committees of provinces and cities, the Ministry of Industry and Trade shall summarize and report to the Prime Minister to consider adjusting the progress of the project, withdrawing the project in accordance with the provisions of current law and not contrary to the law on investment;

b) The Ministry of Industry and Trade shall annually review and submit to the Prime Minister for approval the supplementation of the list of projects to replace projects that are behind schedule and adjust the progress and scale of electricity construction investment projects in the implementation plan of the national electricity development planning.

Article 14. Investment in the construction of emergency power projects

1. Emergency power projects mean projects that meet the following criteria:

a) Investment projects on the construction of power source works need to be built and put into operation urgently to compensate for the shortfall in power source capacity compared to the planning implementation plan due to delays in the progress of other power source construction projects;

b) Power grid projects play an important role in transmitting power capacity between regions, need to be put into operation urgently to prevent grid overload or projects requiring urgent investment to ensure synchronization with power source projects.

2. Cases not considered as emergency power projects: power projects that fail to comply with the schedule according to the electricity development plan or the plan for implementation of the electricity development plan due to subjective reasons of the investor regarding the implementation capacity, the possibility of unsecured capital arrangements and other subjective causes.

3. The Prime Minister shall decide on the list of emergency power projects, approve investors and specific mechanisms for the implementation of emergency power projects, including: survey and construction design; forms of selection of contractors and other specific mechanisms according to their competence to accelerate the implementation of construction investment. Persons assigned to manage and carry out the construction of works shall organize the implementation of specific mechanisms under the decision of the Prime Minister and perform other works related to the construction investment process in accordance with relevant laws.

The Government shall detail the contents of Clause 3 of this Article.

Article 15. Investment in power development in rural, mountainous, border and island areas

1. The State shall use public investment capital from state budget sources for investment in electricity and activities without economic efficiency.

2. The State shall adopt policies to support investment in power lines from behind meters to places of electricity use for households subject to social policies in extremely difficult circumstances as certified by local People's Committees.

3. The State shall adopt policies to support the development of renewable energy sources for electricity supply, including:

a) Support for investment capital;

b) Support on investment loan interest rates;

c/ Tax incentives.

The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade in, guiding the implementation of support policies.

4. People's Committees at all levels shall create conditions for organizations and individuals to invest, renovate and upgrade power grids in rural, mountainous, border and island areas.

Section 3

SELECTION OF INVESTORS IN POWER SOURCE AND GRID PROJECTS

Article 16. Selection of investors in power source and grid projects synchronously connected to power sources, power grid projects

1. To select investors of power source and grid projects synchronously connected to power sources, investment grid projects in the mode of public-private partnership and public investment in accordance with the provisions of the Law on Investment in the mode of public-private partnership.

2. Selection of investors for power source and grid projects synchronously connected to power sources, power grid projects not invested in the mode of public-private partnership or public investment shall be conducted through one of the following forms:

a) Bidding for investor selection in accordance with the Law on Bidding;

b) Select investors without bidding for projects specified in Clause 3 of this Article.

3. Power source and grid projects synchronously connected to power sources, power grid projects, investor selection without bidding must fall into one of the following cases:

a) The project must meet requirements on national defense and security and protection of state secrets;

b) Power sources and power grids synchronously connected to power sources and emergency power grids;

c) Power source and grid projects that are subject to investment policy decision by competent agencies and at the same time approve investors in accordance with the law on investment;

d) Investment projects on expansion of power sources and synchronous power grids, power grid projects, projects on self-use power sources;

dd) The project on the list of emergency power sources requires immediate selection of alternative investors as prescribed in Article 22 of this Law to ensure continuity during the project implementation.

e) Power source and grid projects approved by competent agencies for development investment plans and 05-year production and business plans of enterprises shall be established by the Prime Minister.

4. The Prime Minister shall approve investors of synchronous power source and grid projects and power grid projects in the cases specified at Points a, b and dd, Clause 3 of this Article.

5. The Ministry of Planning and Investment shall assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade, the Ministry of National Defense, the Ministry of Public Security and relevant ministries and sectors in, appraising dossiers of approval of investment policies and approving investors of projects specified at Point a, Points b and dd, Clause 3 of this Article for submission to the Prime Minister for approval.

6. The projects specified at Points c and d, Clause 3 of this Article shall submit to competent agencies for decision on investment policies and at the same time approve investors according to the law on investment.

Article 17. Bidding for investor selection of power source and grid projects synchronously connected

1. Power source and grid projects synchronously connected shall bid for investor selection after being approved by competent authorities for investment policies.

2. Competence to organize bidding for investor selection is as follows:

a) The Ministry of Industry and Trade shall organize bidding for selection of investors for synchronous power source and grid projects under the competence to approve investment policies of the National Assembly and the Prime Minister;

b) Provincial-level People's Committees of localities where projects are located shall organize the selection of investors for synchronous power source and grid projects for which they approve investment policies.

3. The order and procedures for bidding for selection of investors of synchronous power sources and power grids shall comply with the provisions of the Law on Bidding.

Article 18. Dossiers submitted to the Prime Minister for approval of investors for projects specified at Points a, b and dd, Clause 3, Article 16

1. Investor approval submission.

2. Dossier of proposal for investor approval.

3. Draft decision approving the investor.

Section 4

HANDLING POWER PROJECTS THAT ARE BEHIND SCHEDULE

Article 19. Power project progress

1. The progress of putting into operation a power source project in an investment policy decision or investment certificate must conform to the plan on implementation of the electricity development planning, unless the power source project is allowed to adjust the schedule in accordance with the law on investment.

2. The progress commitment of the investor of the power source project must be stated in the business investment project contract signed between a competent state agency and the investor selected for the project implementation. In case the selected investors do not go through bidding, the investor's progress commitment shall be shown in the investor's proposal dossier.

3. Progress commitments of investors of power source projects include at least the following progress milestones:

a) Time of approval of investment projects;

b) The time of signing the power purchase contract and completing financial arrangements;

c) Time of commencement of the power source project;

d) The time of putting the project into use shall comply with the provisions of the law on construction.

Article 20. Adjust project milestones

1. A project may only adjust its progress in the following cases:

a) Being delayed due to the occurrence of force majeure events specified in the business investment project contract;

b) The project fails to achieve the committed progress milestone due to acts of the competent state management agency for the work item at that progress milestone;

c) Delayed progress due to a third party directly related to the work items at the project development progress milestone;

d) By a competent state agency to withdraw the project, revoke investment policies or investment certificates to select new investors.

2. In case the adjustment of project development progress milestones leads to a change in the schedule of putting the project into operation compared to the implementation plan of the electricity development planning, Point a, Clause 7, Article 13 of this Law shall be complied with.

Article 21. Monitor and evaluate the progress of power source projects

1. Provincial-level People's Committees of localities where power source projects are located shall monitor and evaluate power source projects that are behind schedule or at risk of being behind schedule according to the implementation plan of the national electricity development planning.

2. Every 06 months or irregularly, provincial-level People's Committees of localities where power source projects are located shall send notices to investors of the results of assessment of the progress of power source projects.

3. For each delay exceeding 60 working days compared to each progress milestone committed in the business investment project contract, the People's Committee of the province where the project is located shall request the project investor to urgently complete the delayed work item and ensure that it does not affect the next progress milestone. After 30 working days from the date of the first written request, in case the project investor has not completed the previous delayed progress milestone, the People's Committee of the province where the project is located shall issue a second written notification. The total number of notifications for each progress milestone must not exceed 02 times.

4. Within 01 year from the date on which the People's Committee of the province where the project is located gives the first written notice of the delay in the progress milestone, in case the investor fails to complete the progress milestone and the overall progress of the project is accumulated up to 12 months compared to the progress committed in the first project contract For private business, the People's Committee of the province where the project is located shall issue a written notice of intent to terminate the project operation for consideration of assigning another investor to implement.

Article 22. Mechanism for handling power projects behind schedule

1. Provincial-level People's Committees of localities where projects are located shall handle or report to competent authorities to handle delayed power projects in accordance with the Law on Investment, the Law on Land and other relevant regulations on termination of operation of investment projects.

2. After investors are handled in accordance with the Law on Investment, the Law on Land and other relevant regulations, the Ministry of Industry and Trade shall report to the Prime Minister the plan to select investors to replace or replace the project in the electricity development planning.

CHAPTER III

DEVELOPMENT OF RENEWABLE AND NEW ENERGY POWER

Article 23. Policies for the development of renewable energy and new energy

1. To promote the exploitation and use of new and renewable energy sources for power generation; adopt preferential policies for investment projects on development of power generation plants using new and renewable energy sources:

a) Renewable energy power projects (except hydropower projects with a capacity of 30 MW or more), new energy power are entitled to incentives according to the law on investment, land, sea, taxes, fees and investment credits;

b) In addition to the provisions at Point a of this Clause, renewable energy power projects and new energy power projects are entitled to preferential policies according to Clause 3 of this Article.

2. To prioritize the development of renewable energy according to load demand and on the basis of exploitation and utilization of natural conditions in each region, region, on land, sea and islands in order to exploit resources sustainably and rationally. Rationally arrange power sources in localities in the region to efficiently exploit power sources, ensure reliable on-site power supply, reduce technical losses, reduce power transmission far away.

3. On the basis of renewable energy development objectives from time to time in the electricity development planning, the Government shall decide in detail policies on incentives and encouragement for the development of renewable energy and new energy power.

4. Management policies, potential statistics and pilot investment:

a) The State shall allocate investment funds for overall research and assessment of the current status and potentials of solar power, wind power, geothermal power, waves, tides and ocean currents;

b) Survey the potentials and map of Vietnam's onshore wind power and offshore wind power, serving the formulation of development planning and orientations to bring into play the advantages of each region and locality;

c/ The Prime Minister shall decide on models, projects on application and trial exploitation of electricity production from geothermal, waves, tides, ocean currents, hydrogen and ammonia to serve the formulation of the market price mechanism for this type.

Article 24. Renewable energy power development

Renewable energy power projects include power generation plants, substations and connecting lines.

1. To encourage investment in renewable energy power sources combined with electricity storage. Renewable energy projects with new investment, expansion and renovation are allowed to combine renewable energy sources to increase power generation output, but the power generation capacity into the national electricity system does not exceed the approved capacity during the planning period.

2. To prioritize the development of renewable energy projects in arid lands or difficult to develop agriculture according to the assessment of provincial-level People's Committees. The land use coefficient of solar power plants must not exceed 0.7 ha/01 MW by 2030, 0.5 ha/01 MW after 2030. The land use coefficient of onshore wind power plants does not exceed 0.35 ha/01 MW.

3. Renewable energy power projects, after being put into operation and use, may replace equipment with parameters different from operating specifications, but must ensure that the power generation capacity into the national electricity system does not exceed the capacity stated in the electricity operation license or power purchase contract.

Article 25. Self-use renewable energy electricity, self-consumption

1. Self-sufficient renewable energy power projects linked to the national electricity system and the total development scale must conform to the national electricity development planning.

2. Self-generating renewable energy projects with capacities under the national electricity development plan or the plan for implementation of the national electricity development plan are determined to comply with Clause 1, Article 13 of this Law.

3. Construction works installed and supplemented with self-producing renewable energy electricity are not required to adjust and supplement land, energy and functions in accordance with law.

4. Self-consumption renewable energy projects affiliated with the national electricity system are entitled to generate or not generate excess electricity output (if any) into the national electricity system. In case organizations and individuals choose to generate excess electricity output into the national electricity system, the State shall record such electricity output at a non-uniform price.

5. Organizations and individuals are encouraged to combine self-consumption renewable energy electricity with investment, installation and operation of electricity storage systems in order to take the initiative in production and business activities and ensure stability of the power system.

6. Red River Delta and Southeast regions are permitted to develop self-sufficient renewable energy power.

7. The Government shall detail the order of procedures for development and accounting of surplus electricity output of self-sufficient renewable energy power projects.

Article 26. Offshore wind power development

1. Offshore wind power projects include the following main works:

a/ Power plant works.

b) Power grid works.

2. The competence to approve investment policies for offshore wind power projects shall comply with the law on investment and Clause 2, Article 92 of this Law.

3. Organizations and individuals assigned as investors may not transfer more than 49% of the total investment amount of the project or contributed capital. Granting approval for investment policies on external wind power projects has the authority to decide on the transfer of contributed capital.

Article 27. Management and operation of renewable energy and new energy power

In addition to complying with regulations on electricity system operation in Chapter VI of this Law, units generating electricity from renewable energy sources and new energy shall:

1. Invest in a system for monitoring parameters of primary energy sources of the project (solar radiation, wind speed, temperature, rainfall, flow and other relevant environmental parameters) and annual statistics of power output of the plant.

2. Annually, provide the data specified in Clause 1 of this Article to the Ministry of Industry and Trade for management and monitoring.

CHAPTER IV

ELECTRICITY OPERATION LICENSE

Article 28. Subjects to be granted licenses for electricity activities and scope of licenses

1. The fields of electricity activities that must be licensed include: power generation, power transmission, power distribution, electricity wholesale, electricity retail, electricity project design consultancy, electricity construction supervision consultancy.

2. Organizations and individuals shall be granted licenses to carry out one or more domains of electricity activities.

3. Scope of use of electricity operation licenses:

a) Electricity operation licenses in the field of design consultancy for electricity works, consultancy on construction supervision of electricity works are valid for use nationwide;

b) Licenses for electricity activities in the field of power generation shall be granted to power generators whose power generation projects or part of power generation projects (which can operate independently, separated into investment phases) that have completed the investment, build;

c) Licenses for electricity activities in the field of electricity transmission shall be granted to power transmission units with specific scope of management and operation of power transmission grids;

d) Licenses for electricity activities in the field of electricity distribution shall be granted to power units engaged in electricity distribution activities with a specific geographical scope of the power grid;

dd) Licenses for electricity activities in the field of electricity wholesale and retail shall be granted to each electricity wholesaler or electricity retailer according to specific geographical scopes.

Article 29. Conditions for granting, modifying, supplementing, re-granting and extending electricity licenses

1. General conditions for organizations and individuals granted licenses for electricity activities:

a) Being organizations and individuals established and operating in accordance with the provisions of law, including:

- Enterprises of all economic sectors are established and operate in accordance with the provisions of law;

- Cooperatives established and operating under the Cooperatives Law;

- Business households and individuals with business registration in accordance with law;

- Other organizations established in accordance with law.

b) The issuance of licenses for electricity activities on power generation, transmission and distribution must conform to approved electricity development plans;

c) Having projects or plans on electricity activities for power generation, power transmission, power distribution, electricity wholesale and electricity retail;

d) Having a valid dossier of application for grant, amendment, supplementation, re-grant or extension of electricity operation licenses;

dd) Organizations and individuals engaged in power generation, power transmission and distribution must comply with the provisions of law on fire prevention and fighting and environmental protection.

2. Electricity operation licenses shall be amended or supplemented in the following cases:

a) At the request of organizations or individuals shall be granted licenses when there is a change in one of the contents specified in the electricity operation license;

b) Where it is necessary to protect socio-economic interests and public interests, licensing agencies may amend and supplement licenses for electricity activities on power transmission and distribution. Such modification or supplement shall be consistent with the capabilities of the licensee;

c) In case of errors in the contents stated in the granted license, the licensing authority shall amend the granted license.

3. Electricity operation licenses shall be re-granted or renewed in the following cases:

a/ The lost or damaged valid electricity operation license shall be re-issued at the request of the licensed organization or individual;

b/ With regard to licenses for electricity generation, transmission and distribution activities with a validity of less than 06 months, organizations and individuals granted such licenses shall be re-granted or renewed licenses in case the contents of licenses have not changed compared to the old licenses and satisfy all prescribed conditions.

4. Licensing for electricity consultancy activities:

a) Conditions for specialized electricity consultancy activities only apply to work items directly related to electricity works (power plants, transmission lines and substations) and other construction work items applicable according to the law on construction;

b) Classification of scale of electrical works applied in electricity consultancy activities:

	Hydropower, renewable energy	Non-renewable thermal power and new energy	Lines and substations
1st place	Unlimited capacity scale	Unlimited capacity scale	Unlimited voltage level scale
2nd place	Up to 300 MW	Up to 300 MW	To 220 kV
3rd place	Up to 100 MW		To 110 kV
4th place	Up to 30 MW		To 35 kV

5. Organizations and individuals applying for grant, amended, supplemented, re-granted or extended electricity licenses shall pay fees in accordance with the law on fees;

6. The Government shall specify conditions and dossiers of application for electricity operation licenses for each field of electricity activity; stipulate the order and procedures for granting, amending, supplementing, re-granting and extending electricity licenses.

Article 30. Exemption from electricity operation license

1. The following cases are exempt from electricity operation licenses:

a) Organizations and individuals that invest in building power generation establishments for self-use, do not sell electricity to other organizations or individuals and have installed capacity below the capacity level prescribed by the Government;

b) Organizations and individuals engaged in power generation activities with installed capacity below the capacity prescribed by the Government;

c) Organizations and individuals trading electricity in rural, mountainous, border or island areas purchase electricity with a capacity less than the Government's prescribed level from the distribution grid to sell electricity directly to electricity users in rural, mountainous or island areas;

d) Organizations and individuals engaged in generating electricity to the national grid shall be exempt from electricity wholesale licenses;

dd) The national electricity system dispatch unit and the electricity market transaction operator;

e) Design consultancy, construction supervision consultancy for power grid projects with the highest voltage below 1kV.

2. Organizations and individuals exempted from electricity operation licenses as prescribed in Clause 1 of this Article must comply with procedures and technical regulations on operation management, regulations on electricity prices, technical and safety conditions of this Law.

3. Provincial-level People's Committees shall manage and inspect organizations and individuals engaged in electricity activities specified at Points a, b and c, Clause 1 of this Article.

4. The Government shall specify the capacity level exempted from electricity operation licenses at Points a, b and c, Clause 1 of this Article.

Article 31. Contents of the electricity operation license

1. Name and address of the head office of organizations or individuals granted electricity licenses.

2. Fields of electricity activities.

3. Rights and obligations of organizations and individuals granted licenses for electricity activities.

4. Scope of electricity operation.

5. Techniques and technologies used in electricity activities (for types of power generation, power transmission and distribution).

6. Duration of electricity operation license.

Article 32. Duration of electricity operation license

1. The maximum duration of an electricity operation license granted to an electricity user is stipulated as follows:

TT	Field of electrical activity	Duration of the license
1	**Electricity consultancy**	05 years
2	**Power generation**	
a)	Large power plants of special socio-economic, defense and security significance according to the list approved by the Prime Minister	20 years
b)	Power plants not on the list of large power plants with special socio-economic, defense and security significance approved by the Prime Minister	10 years
3	**Power transmission**	20 years
4	**Power distribution**	10 years
5	**Wholesale electricity, electricity retail**	10 years

2. The term of an electricity operation license shall be granted according to the term of the old license in case of issuance of an amendment or supplement to a license due to a change in one of the contents stated on the license, including: name and head office address of the organization or individual to which the license is granted.

3. The extension term of a field of operation must not exceed half of its operation term in the granted electricity operation license.

4. Organizations and individuals that apply for electricity operation licenses shorter than those specified in Clause 1 of this Article shall grant them according to the requested duration, except for the case specified in Clause 5 of this Article.

5. Based on actual conditions on electrical works items, agencies granting electricity licenses shall grant electricity operation licenses for a shorter term than those specified in Clause 1 of this Article.

Article 33. Revocation of electricity operation license

1. Organizations and individuals shall have their electricity licenses revoked in the following cases:

a) Organizations and individuals wishing to stop electricity activities or transfer licensed electricity activities to other organizations or individuals;

b/ Failing to satisfy one of the conditions for licensed electricity operation prescribed by the Government;

c/ Failing to comply with one of the following contents stated in the electricity operation license: type of electricity activity, scope of electricity operation;

d/ Leasing, lending or arbitrarily repairing electricity operation licenses;

dd) Forging papers in the dossier of application for an electricity operation license;

e/ Failing to implement decisions on sanctioning administrative violations of competent state agencies and take corrective measures as required within the prescribed time limit;

2. The Government shall detail the contents specified at Points b and e, Clause 1 of this Article.

Article 34. Competence to grant, re-grant, amend, supplement, extend and revoke electricity licenses

1. The Electricity Regulatory Authority (Ministry of Industry and Trade) shall grant electricity operation licenses to power generation, power transmission and distribution units, electricity wholesalers, electricity retailers, electricity specialized consultants.

2. Provincial-level People's Committees or specialized agencies affiliated to provincial-level People's Committees assigned to perform the state management of electricity activities shall grant electricity operation licenses to organizations and individuals engaged in small-scale electricity generation, distribution and retail activities within their localities, electrical consulting activities according to the Government's regulations.

3. Agencies granting electricity licenses have the right to amend, supplement, re-grant, extend and revoke electricity operation licenses. The amendment, supplementation, re-grant and renewal of electricity operation licenses must be consistent with the performance capabilities of licensed organizations and individuals.

4. The Government shall detail the competence to grant, amend, supplement, re-grant, extend and revoke electricity operation licenses.

Article 35. Rights and obligations of licensed power units

1. Rights of organizations and individuals granted licenses for electricity activities:

a/ To operate electricity according to the contents specified in the license;

b) Request for re-issuance, extension, modification or supplementation of electricity activities when meeting all conditions as prescribed;

c/ To be provided with necessary information in accordance with the provisions of law in the domain to which the license is granted.

2. Obligations of organizations and individuals granted electricity licenses:

a/ To operate electricity in accordance with the contents specified in the license;

b/ To ensure the conditions for electricity operation granted in the permit during the operation period;

c/ To pay all fees related to electricity operation licenses in accordance with law;

d/ To report to the licensing agency, at least 60 days before stopping electricity operation;

dd) Not to repair contents, transfer, lease or let other organizations or individuals use licenses;

f/ To be subject to inspection, inspection and observance of handling decisions of competent state agencies on the use of registered electricity licenses and conditions;

g) Request to amend and supplement the electricity operation license when changing the name and business registration address of the applicant granted the electricity operation license;

h) Report to the licensing agency on the situation of production and business activities in the licensed domain, before December 15 of each year;

i) Send a copy of the electricity operation license granted to the buyer (for the power generation license) to serve as a basis for the buyer to perform the long-term power purchase contract;

k) Electricity units licensed to operate: power transmission, distribution and retail electricity must continue to maintain electricity transmission, distribution and retail activities in case their licenses expire or are revoked during the time when there is no replacement unit.

CHAPTER V

POWER PURCHASE ACTIVITIES

Section 1

COMPETITIVE ELECTRICITY MARKET

Article 36. Principle of operation

1. To ensure publicity, transparency, equality, healthy competition and non-discrimination among participants in the competitive electricity market.

2. To respect the right of electricity buyers and sellers to choose their own partners and transaction forms in the competitive electricity market in accordance with the development level of the competitive electricity market.

3. The State shall regulate the operation of the competitive electricity market in order to ensure the development of a sustainable power system that meets the requirements of safe, stable and efficient electricity supply.

Article 37. Competitive electricity market development level

1. The competitive electricity market shall develop at the following levels:

a/ Competitive power generation market;

b/ Competitive wholesale electricity market;

c/ Competitive electricity retail market.

2. Before starting the operation of competitive electricity market levels, the system of legal documents, the structure of the electricity sector, the infrastructure of the electricity system and the electricity market, the reform of the electricity price mechanism and the elimination of cross-compensation between customer groups and between regions must be completed to conform to the operational requirements of the levels competitive electricity market.

3. The Prime Minister shall prescribe conditions and structure of the electricity sector for the formation and development of competitive electricity market levels; stipulate operation principles and roadmaps for the development of competitive electricity markets, review and adjust roadmaps suitable to socio-economic situations in each period.

Article 38. Participants in the competitive electricity market according to levels

1. Participants in the competitive electricity market include:

a) Power generator;

b) Power transmission unit;

c) Power distribution unit;

d) Wholesale Electricity Unit;

dd) Electricity retailers;

e) National Electricity System Dispatch Unit;

g) Operator of electricity market transactions;

h) Power metering data management unit;

i) Customers use electricity.

2. The Ministry of Industry and Trade shall stipulate conditions for participation of the beneficiaries specified in Clause 1 of this Article in accordance with each level of development of the competitive electricity market.

Article 39. Power trading in the electricity market is competitive according to levels

1. Subjects of electricity purchase and sale in the competitive electricity market include:

a/ Power generators;

b/ Electricity wholesalers;

c) Electricity retailers;

d/ Electricity users.

2. The purchase and sale of electricity in the competitive electricity market shall be carried out in the following forms:

a) Purchase and sale through a fixed-term contract between the seller and the buyer;

b) Spot purchase and sale between the seller and the buyer through the operator of electricity market transactions;

c) Purchase and sale through forward contracts between electricity sellers and buyers.

3. The spot electricity purchase price shall be formed according to each transaction cycle of the electricity market and announced by the electricity market transaction operator.

Article 40. Operate and operate transactions in the competitive electricity market according to levels

1. Activities and transaction administration in the competitive electricity market include:

a/ To formulate plans for operation of the electricity market;

b/ Spot purchase and sale of electricity on the electricity market;

c/ To offer prices and determine market prices;

d/ Provision of ancillary services and prices for ancillary services;

dd) Make invoices and payments between electricity buyers and sellers specified in Clause 1, Article 39 of this Law and auxiliary service providers;

e) Provide and disclose information related to the operation and operation of transactions in the electricity market to related parties;

g) Provide transaction and billing services for electricity and capacity purchased and sold in the form of spot and ancillary services;

h) Receive and handle proposals related to power purchase and sale transactions in the electricity market to ensure stability, efficiency and prevent acts of unfair competition;

i) Supervise the operation of the electricity market;

k) Report on electricity purchase and sale transactions in the electricity market to electricity regulatory agencies.

2. The Ministry of Industry and Trade shall stipulate the contents in Clause 1 of this Article in accordance with each level of development of the electricity market.

Article 41. Rights and obligations of participants in the competitive electricity market

1. Rights of participants in the competitive electricity market:

a/ A power generator shall have the following rights:

- Compete to sell electricity to buyers under fixed-term contracts, forward contracts and spot electricity prices in the electricity market;

- To be provided with necessary information related to power generation activities in the electricity market;

- Other rights under regulations on the operation of competitive electricity markets at all levels.

b/ Electricity wholesalers shall have the following rights:

- Competition to buy and sell electricity in the electricity market under fixed-term contracts and forward contracts;

- Wholesale pricing of electricity in the approved wholesale electricity price bracket to compete in electricity purchase and sale in the electricity market;

- To be provided with necessary information related to wholesale electricity activities in the electricity market;

- Other rights under regulations on the operation of competitive electricity markets at all levels.

c/ An electricity retailer shall have the following rights:

- Competition in buying and selling electricity in the electricity market under fixed-term and forward contracts;

- Valuation of selling prices in the competitive electricity retail market as prescribed in Clause 1, Article 58 of this Law;

- To be provided with necessary information related to electricity retail activities in the electricity market;

- Other rights under regulations on the operation of competitive electricity markets at all levels.

d/ Electricity users shall have the following rights:

- To be provided with necessary information related to the operation of electricity retailers in the competitive electricity retail market;

- To select electricity sellers in the competitive electricity retail market;

- Large electricity users have the right to buy electricity directly from generators through fixed-term contracts, forward contracts and spot electricity purchases on the electricity market;

- Other rights under regulations on the operation of competitive electricity markets at all levels.

dd) Electricity transmission and distribution units shall have the following rights:

- Access to information and regulations on electricity market operation at all levels;

- Sign contracts for provision of electricity transmission and distribution services with entities participating in competitive electricity purchase and sale in the electricity market according to levels;

- Other rights under regulations on the operation of competitive electricity markets at all levels.

2. Obligations of participants in the competitive electricity market

a/ A power generator shall have the following obligations:

- Comply with regulations in the electricity market and other relevant laws;

- Other obligations under regulations on the operation of competitive electricity markets at all levels.

b/ Electricity wholesalers and retailers shall have the following obligations:

- Comply with regulations in the electricity market and other relevant laws;

- Provide necessary information related to the electricity market at the request of the national electricity system dispatcher, electricity market transaction operator or competent state agency;

- Other obligations under regulations on the operation of competitive electricity markets at all levels.

c/ Electricity users shall have the following obligations:

- Comply with regulations in the electricity market and other relevant laws;

- Large electricity users are obliged to confirm information related to the operation of the spot electricity market on output and payment statements;

- Other obligations under regulations on the operation of competitive electricity markets at all levels.

d/ Electricity transmission and distribution units shall have the following obligations:

- Comply with regulations in the electricity market and other relevant laws;

- Non-discrimination between participants competing in the electricity market using power transmission services;

- Other obligations under regulations on the operation of competitive electricity markets at all levels.

Article 42. Rights and obligations of operators of electricity market transactions

1. Operators of electricity market transactions shall have the following rights:

a) Operate the spot electricity market;

b) Request relevant electricity units to provide data in service of transaction management in the electricity market in accordance with law;

c) Invest, install, manage and operate the metering data collection system and the metering data management system within the scope of management at each level of the electricity market;

d) Invest in and develop electricity market information technology infrastructure systems under their management to serve electricity market operations according to electricity market levels;

dd) Formulate and approve electricity market transaction operating prices;

e/ Other rights as prescribed by law.

2. Operators of electricity market transactions shall have the following obligations:

a/ To comply with regulations in the electricity market and other relevant laws;

b) Reconcile and coordinate transactions in electricity purchase and sale and ancillary services in the electricity market;

c) Announce information on electricity market operation plans next year, next month and next week, schedule next day and next cycle;

d) Announcement of spot electricity prices and ancillary service prices;

dd) Provide transaction and billing services for electricity and capacity traded on the spot electricity market and ancillary services;

e) Manage, operate, maintain and maintain the electricity market management information system and specialized telecommunications - information technology systems in service of electricity system dispatch and electricity market transaction administration;

g) Receive, appraise, evaluate and certify registration dossiers for participation in the electricity market of units wishing to participate in the electricity market;

h) Supervise members' participation in the electricity market;

i/ Other obligations as prescribed by law.

Section 2

POWER PURCHASE AND SALE AND POWER SUPPLY SERVICES

Article 43. A fixed-term power purchase agreement between the generator and the buyer

1. The Ministry of Industry and Trade shall examine the contract price under a fixed-term power purchase contract of a power generator participating in the competitive electricity market at the model of a single buyer at the request of the seller and the buyer, in accordance with the method of determining the price of the power purchase contract guided by the Ministry of Industry and Trade.

2. The Ministry of Industry and Trade shall guide the main contents of a fixed-term power purchase contract applicable to the electricity market.

Article 44. Power purchase and sale between electricity units and electricity users

1. Power purchase contract for non-domestic purposes: The contents of the contract shall be agreed upon by the parties. The buyer shall take measures to ensure the performance of the contract before the power purchase contract takes effect in accordance with the Government's regulations.

2. A power purchase contract for daily life purposes must contain the following basic contents:

a) Information of the parties to the contract includes: name, address, phone number, other contact method (if any);

b/ Standards, service quality and addresses for electricity use;;

c) Electricity price, payment method and term;

d) Rights and obligations of the parties;

dd) Responsibility to protect information of electricity buyers;

e) In case of termination of contract performance and responsibilities arising from termination of contract performance;

g) In case of force majeure in accordance with civil law;

h/ Methods of dispute settlement;

i) Time of entering into the contract, duration of the contract;

k) Agreement on penalties for violations;

l) Other contents agreed upon by the two parties;

3. The Government shall detail conditions for signing electricity purchase contracts for domestic purposes and dossiers of application for registration of electricity purchase for domestic purposes of electricity buyers.

4. The Ministry of Industry and Trade shall provide guidance on power purchase contracts for domestic purposes.

Article 45. Forward Contracts

1. A forward contract signed between an electricity buyer and a seller includes the following principal principles:

a) The output of the forward contract shall be agreed upon and agreed upon by the electricity buyer and seller;

b) The price of the forward contract shall be agreed upon and agreed upon by the electricity buyer and seller and must not exceed the electricity generation price bracket promulgated by a competent agency;

c) The reference price of a forward contract is the spot electricity market price calculated and announced by the unit dispatching the electricity system and managing the electricity market transaction;

d) The electricity buyer and seller shall pay each other the difference between the agreed forward contract price and the reference price for the agreed and agreed contract output.

2. The Ministry of Industry and Trade shall promulgate model forward contracts applicable to electricity commodity products;

3. The Ministry of Finance shall provide guidance on the value-added tax mechanism for forward contract transactions in the electricity market.

Article 46. Electricity trading with foreign countries

1. The purchase and sale of electricity with foreign countries shall not harm the interests of electricity users, the interests of the State and national energy security and must be permitted by competent state agencies.

2. The Government shall detail the competence, order and procedures for approving policies on electricity purchase and sale with foreign countries.

Article 47. Direct power purchase between large electricity users and power generators

1. Cases of direct power purchase between large electricity users and power generators include:

a/ Power purchase and sale through private wires;

b/ Power purchase and sale through the national grid.

2. The direct power purchase between large electricity users and power generators must ensure the following principles:

a/ To comply with relevant provisions of law on planning and licensing of electricity activities, electricity purchase and sale activities and other related activities;

b/ Conformity with development levels of the electricity market.

3. The Government shall detail this Article.

Article 48. Payment of electricity bills in power purchase contracts for electricity customers

1. For customers using electricity other than for domestic purposes, the contents of electricity bill payment shall be agreed upon in the contract by the seller and the buyer.

2. For customers using electricity for domestic purposes:

a) The buyer must pay in full and on time the electricity amount stated in the invoice to the seller according to the electricity tariff approved by a competent state agency. Electricity bills shall be paid in the form of payment agreed upon by the two parties in the power purchase contract (payment at the head office, residence of the buyer or at a convenient location agreed upon by the two parties or online payment via banks and e-wallets or other forms);

b) The buyer who is late in paying the electricity bill must also pay interest on the late payment to the seller;

c) The seller of excess electricity must refund to the buyer, including interest on the excess proceeds;

d) The interest rate of the late payment or excess collection amount agreed upon by the parties in the contract but not exceeding the highest lending interest rate of the bank in which the electricity seller has an account stated in the contract at the time of payment;

dd) The electricity buyer has the right to request the seller to reconsider the amount of electricity payable. Upon receiving the request of the buyer, the seller is responsible for settling within 15 days. In case of disagreement with the solution of the electricity seller, the buyer may request a competent agency or organization to organize the conciliation. In case of failure to request conciliation or unsuccessful conciliation, the electricity buyer has the right to initiate a lawsuit at the Court in accordance with the law on civil procedure. Pending the settlement, the buyer must still pay the electricity bill and the seller must not stop supplying electricity;

e) Meter reading: the electricity seller shall record the electricity meter readings once a month on the fixed date, allowing to shift the meter readings before or after one day, except in case of force majeure, or according to the contents agreed upon in the power purchase contract.

3. To stop reducing electricity supply in case of non-payment of electricity bills as prescribed:

In case the buyer fails to pay the electricity bill and has been notified twice by the seller, after 15 days from the date of the first notification, the seller has the right to stop supplying electricity. The seller must notify the time of stopping power supply to the buyer 24 hours in advance and is not responsible for damage caused by the shutdown. After the electricity buyer pays the electricity bill and fully complies with the procedures for requesting power supply back in accordance with the law on electricity (including the cost of restoring electricity), the seller must restore power supply in accordance with the law on electricity.

4. Payment of agro-hydroelectric bills:

a/ The payment time limit for electricity used by enterprises operating irrigation works for irrigation and pepper for rice, vegetables, colors and industrial crops intercropped in rice, vegetable and color areas shall be agreed upon by the two parties buying and selling electricity, but not exceeding one hundred and twenty days, from the date of receipt of the notice of payment of electricity bills.

b/ The State shall allocate funds for payment of electricity bills for water pumps against waterlogging and drought resistance exceeding the norms prescribed by law on exploitation and protection of irrigation projects.

The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Agriculture and Rural Development in, guiding the implementation of the provisions of this Clause.

5. Electricity bills shall be made according to the cycle of recording electricity meter readings. The form of notice of payment of electricity bills shall be agreed upon by the two parties in the power purchase contract. The Government shall detail the determination of electricity bills to be paid in cases where electricity metering equipment is inaccurate compared to prescribed standards, electricity buyers use electricity during the time the electricity metering equipment system is damaged, causing the electricity meter to stop working and the electricity buyer uses electricity during the time the electricity meter is lost.

6. The agency or organization competent to organize the conciliation of disputes over electricity bill payment as prescribed is the Department of Industry and Trade or other agencies or organizations agreed upon by the two parties.

Article 49. Stop and reduce the power supply level for electricity customers

1. The suspension or reduction of electricity supply to electricity users must comply with the provisions of law and signed power purchase contracts. The buyer and seller of electricity must agree on specific cases of non-emergency interruption or reduction of electricity supply and the form of notice of cessation of reduction of electricity supply in the power purchase contract.

2. Cases of stopping or reducing power supply:

a) Non-emergency cessation or reduction of electricity supply: the seller of electricity must notify the buyer at least 05 days before the time of stopping or reducing the electricity supply level in the form of notice agreed in the power purchase contract, the cessation of reduction of electricity supply must comply with the plan or advance notice of the seller;

b) Emergency power supply level suspension or reduction: the seller of electricity is allowed to stop or reduce the emergency power supply due to incidents or force majeure events that the seller cannot control, which threatens to seriously cause safety to people and equipment or due to lack of power sources threatening the safety of the electricity system. The seller must notify the earliest but not later than 24 hours from the date of stopping or reducing the emergency power supply to the buyer of the power supply status and the expected time of power restoration.

c/ At the request of competent state agencies in case organizations or individuals violate the provisions of the Law on Electricity, the Law on Construction, the law on environmental protection, the Law on Fire Prevention and Fighting and the Law on Land.

3. The Ministry of Industry and Trade shall detail the cessation and reduction of electricity supply for electricity users, methods of determination and cost of stopping and restoring electricity.

Article 50. Rights and obligations of generators

1. Stipulating the rights of power generators:

a) Sell electricity to the buyer under a fixed-term contract;

b/ To be provided with necessary information related to power generation activities;

c/ Other rights as prescribed by law.

2. Stipulating obligations of power generators:

a/ In case there is a threat to human life and safety of equipment, power generation must be stopped or reduced if no other solutions are available;

b) Immediately notify the national electricity system dispatch unit and relevant organizations and individuals when there is a power generation incident;

c) Invest in power stations, meters and power lines to meters for the buyer, unless otherwise agreed with the electricity transmission unit, electricity distribution unit or electricity buyer to ensure the interests between the parties but not contrary to the provisions of law;

d/ Other obligations as prescribed by law.

Article 51. Rights and obligations of power transmission units

1. Stipulating the rights of power transmission units:

a/ Elaborating and approving electricity transmission prices;

b/ To be provided with necessary information related to electricity transmission activities;

c/ Connecting to power transmission grids invested by economic sectors when satisfying technical conditions and standards;

d/ Other rights as prescribed by law.

2. Stipulating obligations of power transmission units:

a) Ensure the provision of transmission services and ancillary services to relevant parties;

b/ In case there is a threat to human life and safety of equipment, it must stop or request the national electricity system dispatcher to reduce the power transmission level if no other solutions are available;

c) Formulate plans on investment in development of power transmission grids and make investment in development of transmission power grids to meet electricity transmission demands according to national electricity development plans; invest in electricity metering equipment and auxiliary equipment, unless otherwise agreed with power generators, electricity distributors or electricity users to ensure the interests between the parties but not contrary to the provisions of law;

d) Immediately notify the national electricity system dispatch unit and relevant organizations and individuals when there is a problem with the transmission grid;

dd) Ensure the right of organizations and individuals engaged in electricity activities to the transmission grid assigned to manage and operate and built by them; in case of refusal to connect, it shall comply with regulations of the Ministry of Industry and Trade;

e/ Other obligations as prescribed by law.

Article 52. Rights and obligations of electricity distribution units

1. Regulations on rights of electricity distribution units:

a/ Elaborating and approving electricity distribution prices;

b) To enter the buyer's management area to operate, maintain, repair and replace new electrical equipment of the electricity distribution unit;

c/ To be provided with necessary information related to electricity distribution activities;

d/ Other rights as prescribed by law.

2. Stipulating obligations of electricity distribution units:

a) Ensure the provision of electricity distribution services to electricity users, electricity retailers and electricity wholesalers meeting standards on technical, service quality and safety under the contract, unless the distribution grid is overloaded as certified by the electricity regulatory agency;

b) Formulate plans on investment in development of distribution grids and make investments in development of distribution grids to meet electricity demand according to electricity development plannings; invest in meters and power lines to meters for electricity buyers, unless otherwise agreed with the buyer on the basis of ensuring the interests between the parties but not contrary to the provisions of law;

c/ In case there is a threat to human life and safety of equipment, the power distribution level must be stopped or reduced if no other solutions are available;

d/ Other obligations as prescribed by law.

Article 53. Rights and obligations of electricity wholesalers

1. Stipulating the rights of electricity wholesalers:

a/ To purchase electricity directly from the seller under a fixed-term contract;

b) Use electricity transmission and distribution services, electricity system dispatch services and conduct electricity market transactions in accordance with each level of the electricity market;

c/ To be provided with necessary information related to electricity wholesale activities;

d/ Other rights as prescribed by law.

2. Stipulating obligations of electricity wholesalers:

a) Sell electricity in accordance with the quantity, quality and price agreed upon in the contract;

b) Compensation when causing damage to the buyer or seller of electricity in accordance with law;

c/ Other obligations as prescribed by law.

Article 54. Rights and obligations of electricity retailers

1. Regulations on rights of electricity retailers:

a/ To purchase electricity directly from the seller under a fixed-term contract;

b) Use electricity transmission and distribution services, electricity system dispatch services and administer electricity market transactions suitable to each level of the electricity market;

c) To enter the electricity buyer's management area to check and record meter readings and contact customers;

d/ To be provided with necessary information related to electricity retail activities;

dd) Other rights as prescribed by law.

2. Stipulating obligations of electricity retailers:

a) Sell electricity in accordance with the quantity, quality and price agreed upon in the contract;

b) Compensation when causing damage to the buyer or seller of electricity in accordance with law;

c/ To provide necessary information related to retail electricity quantities at the request of competent state agencies;

d/ Other obligations as prescribed by law.

Article 55. Rights and obligations of electricity customers

1. Stipulating rights of electricity users:

a/ To be supplied with a sufficient quantity of capacity, electricity, and ensure the quality of electricity agreed upon in the contract;

b) Request the seller of electricity to promptly restore the power supply after a power failure;

c/ To be compensated for damage caused by the seller of electricity in accordance with law;

d) Request the electricity seller to check the quality of electricity services, the accuracy of electricity metering equipment and the amount of electricity to be paid;

dd) To be provided with necessary information related to electricity services and retailers;

e/ Other rights as prescribed by law.

2. Stipulating obligations of electricity users:

a/ To pay all amounts arising from the power purchase contract;

b/ Safe, economical and efficient use of electricity; implement regulations on electricity demand management;

c) Use electricity transmission and distribution services, dispatch the electricity system, and operate electricity market transactions in accordance with each level of the electricity market;

d) Customers are responsible for using electricity for the right objects and purposes according to regulations on the implementation of electricity selling prices;

dd) Promptly notify electricity sellers when detecting abnormal phenomena that may cause power outages or unsafety to persons and property;

e) Create conditions for electricity sellers to inspect, repair and record meter readings and contact customers;

g/ To ensure that electricity-using equipment meets technical standards and requirements on electrical safety;

h) Compensation when causing damage to electricity sellers in accordance with law;

i) Protection of electricity meters under their management as agreed upon in the power purchase contract; Do not arbitrarily disassemble or move the electricity meter. When there is a need to move the electricity meter to another location, the consent of the electricity seller must be obtained and the cost of moving must be beared.

k/ Other obligations as prescribed by law.

Article 56. Rights and obligations of large electricity users

1. Large electricity users shall have the rights specified in Clause 1, Article 55 of this Law and may use electricity transmission services as prescribed in the contract signed with the power transmission unit.

2. Obligations of large electricity users:

a/ Having the obligations specified in Clause 2, Article 55 of this Law;

b/ To implement the electricity use regime at the request of the national electricity system dispatch unit, measures to ensure voltage and electrical safety standards and other contents agreed upon in the power purchase and sale and transmission contract.

Section 3

ELECTRICITY PRICE

Article 57. Electricity tariff policy

1. To ensure that electricity production and trading expenses of electricity units are reflected; create conditions for economic sectors to invest in electricity development with reasonable profits, save energy resources, use new forms of energy and renewable energy that do not pollute the environment in electricity activities, contributing to promoting socio-economic development, especially in rural, mountainous, border, island areas.

2. Electricity selling prices shall comply with the State-regulated market mechanism in accordance with the development level of the electricity market and the country's socio-economic development conditions in each period.

3. Encourage economical and efficient use of electricity.

4. To implement a reasonable retail electricity tariff structure for groups of customers who are not yet eligible to participate in electricity purchase and sale in the electricity market and gradually reduce towards eliminating cross-compensation between customer groups, between regions and regions in accordance with the development level of the electricity market; The State shall support retail electricity prices for domestic purposes for poor households and households with social policies according to criteria and mechanisms prescribed by the Prime Minister in accordance with the socio-economic situation in each period.

5. To ensure the right to self-decide electricity purchase prices and electricity selling prices within the price brackets and structure of electricity retail tariff stipulated by the State.

6. Having an appropriate electricity tariff mechanism in importing electricity with foreign countries.

7. To ensure the lawful rights and interests of electricity units and electricity users. Electricity prices ensure openness, transparency, equality and non-discrimination between electricity units.

Article 58. Electricity price

1. Regulations on retail electricity prices:

a) The retail price of electricity shall be formulated by the electricity retailer based on the price bracket of the average retail electricity price, the price adjustment mechanism and the structure of the retail electricity tariff;

b) The Government shall prescribe the price adjustment mechanism, the Prime Minister shall prescribe the price bracket of the average retail electricity price and the structure of the retail electricity tariff suitable to the development level of the electricity market;

c) The Government shall direct the study and formulation of plans to support electricity price reduction and electricity bill reduction in case it is necessary to stabilize socio-economic development;

d) The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with the Ministry of Finance in, formulating the price frame of the average retail electricity price and the structure of the retail electricity tariff and submitting it to the Prime Minister for decision.

2. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with the Ministry of Finance in, guiding methods of framing average electricity generation prices, average wholesale electricity price brackets, electricity transmission prices, electricity distribution prices, electricity system auxiliary service prices, electricity system operation dispatch prices and electricity market transaction operating prices suitable to the development level of the electricity market force.

Average electricity generation price bracket (except for power plants invested under the Law on Investment in the mode of public-private partnership, power plants built and operated by the state monopoly under Article 5 of this Law and small hydropower plants), average wholesale electricity price brackets, electricity transmission prices, etc electricity distribution prices, electricity system auxiliary service prices, electricity system operation dispatch prices and electricity market transaction operating prices developed by relevant electricity units; electricity regulatory agencies shall appraise and submit them to the Minister of Industry and Trade and the Minister of Finance for approval according to the Government's assignment.

3. Prices of power purchase contracts under fixed-term power purchase contracts of power plants (except power plants invested under the Law on Investment in the form of public-private partnerships, power plants built and operated by the state monopoly under Article 5 of this Law and small hydropower plants), wholesale electricity prices shall be agreed upon by electricity units according to the method guided by the Ministry of Industry and Trade but must not exceed the approved average electricity generation price bracket and average wholesale electricity price bracket.

4. In case the electricity generation price or wholesale electricity price cannot be agreed upon to sign a definite power purchase contract, the seller and the buyer may agree on a temporary price to apply until the official price is agreed.

5. The Ministry of Industry and Trade shall study and formulate and submit to the Prime Minister for consideration and approval a roadmap to improve the structure of electricity retail tariff, in which electricity selling prices have many components, including fixed and variable prices for customer groups when technical conditions allow and the incentive electricity price mechanism for pilot application for participating customers Electricity Demand Management Program.

6. The Ministry of Industry and Trade shall prescribe methods for determining electricity costs and prices of state-monopolized power plants built and operated by the State as prescribed in Article 5 of this Law and small hydropower plants.

Article 59. Bases for establishment and adjustment of electricity prices

1. Electricity tariff policy.

2. Socio-economic development conditions of the country and people's incomes in each period.

3. Supply and demand relations for electricity.

4. The costs of electricity production and trading and reasonable profits of the electricity unit.

5. Development level of the electricity market.

6. Financial statements and data on electricity production and trading expenses have been audited annually by the electricity unit.

Article 60. Electricity selling prices in rural, mountainous, border and island areas

1. Electricity selling prices in rural, mountainous, border and island areas connected to the national grid shall comply with the provisions of Article 58 of this Law.

2. The Prime Minister shall stipulate electricity selling prices in rural, mountainous, border and island areas not yet connected to the national grid, in conformity with the development level of the electricity market.

CHAPTER VI

OPERATION AND DISPATCH OF THE NATIONAL ELECTRICITY SYSTEM

Article 61. Principles of operation and dispatch of the national electricity system

1. The national electricity system must ensure the principles of safe, stable, quality and economic-technical optimization of the power system.

2. Principles of scheduling the mobilization and operation of power supplies:

a) Ensuring safety and balancing electricity supply and demand;

b) Ensuring the technical constraints of the power system;

c) Ensure requirements on flood protection, irrigation and maintenance of ecological flows according to regulations;

d) Ensure the implementation of agreements on power output and capacity in power purchase contracts, electricity import and export; primary fuel consumption constraints for power generation approved by competent state agencies;

e) Ensure the principle of optimal economics - engineering of the power system.

3. The national electricity system dispatch is uniformly commanded by the National Electricity System Dispatch Unit.

4. Operation management units are responsible for developing plans for maintenance and repair of equipment within their management to ensure safe operation and minimize the possibility of incidents.

5. The Ministry of Industry and Trade shall stipulate the principles of operation, dispatch, operation, troubleshooting, black start and restoration of the national electricity system.

Article 62. Regulation of power transmission systems

1. Electrical equipment and power grids connected to the transmission grid must meet technical requirements for operation of power transmission systems and connection to transmission grids.

2. The Ministry of Industry and Trade shall detail technical requirements, connection and operation of power transmission grids.

Article 63. Regulation of power distribution systems

1. Electrical equipment and power grids connected to the distribution grid must meet technical requirements for operation of the distribution power system and connection to the distribution grid.

2. The Ministry of Industry and Trade shall detail technical requirements, connection and operation of the distribution grid.

Article 64. Regulations on management of electricity demand and electricity saving

1. Electricity users are responsible for implementing the electricity demand management program to optimize the operation of the power system, reduce the capacity difference between peak and off-peak hours of the power system load chart.

2. Electricity units are responsible for researching electricity loads and implementing electricity demand management programs to optimize the operation of the power system.

3. The government provides detailed guidance on electricity demand management.

4. The Ministry of Industry and Trade guides the order of implementation of the electricity demand management program.

Article 65. Power grid links with foreign countries

Linking power grids with foreign countries through the national electricity system must ensure the following principles:

1. Not affecting the safety, reliability and stability of the national electricity system.

2. To meet economic-technical standards, processes and technical regulations on management and operation of the national electricity system.

Article 66. Savings in power generation

1. Power generators shall select advanced, environmentally friendly and high-efficiency power generation technologies, manage and implement optimal operation methods of power generation equipment to save fuel and energy sources used for power generation, contributing to ensuring national energy security and environmental protection.

2. The Ministry of Industry and Trade shall prescribe self-use electricity consumption for power plants.

Article 67. Savings in power transmission and distribution

Power transmission lines, power distribution lines and power stations must meet advanced economic and technical parameters and standards, be operated in an optimal manner to meet the requirements of stable, safe and continuous power supply and minimize power losses.

Article 68. Regulations on electricity metering

1. Electricity sellers and units of electricity generation, transmission and distribution shall invest in and install all electricity metering equipment and auxiliary equipment for electricity metering, unless otherwise agreed upon by the parties to ensure the interests between the parties but not contrary to the provisions of law.

2. Electrical measuring equipment must meet measurement technical requirements and be inspected, calibrated and tested in accordance with the law on metrology.

3. The installation location of electricity metering meters must ensure safety, aesthetics and convenience for electricity buyers to check meter readings and electricity sellers to record meter readings.

4. The seller of electricity shall organize the inspection, calibration and testing of electricity metering equipment in accordance with the requirements and time limit prescribed by the law on measurement.

5. When there is a suspicion that the electricity metering device is incorrect, the electricity buyer has the right to request the seller to inspect it; Within three days from the date of receipt of the buyer's request, the seller shall inspect, repair or replace it. In case of disagreement with the results of inspection, repair or replacement of the electricity seller, the electricity buyer has the right to request the local state management agency in charge of electricity activities and electricity use to organize an independent inspection. Within 15 days after receiving the request of the buyer, the local state management agency in charge of electricity activities and electricity use shall organize the inspection. In case an independent inspection organization determines that the electricity metering equipment operates in accordance with Vietnamese Standards, the electricity buyer must pay the inspection fee. In case an independent inspection organization determines that the electricity metering equipment is operating in contravention of Vietnamese Standards, the electricity seller must pay an inspection fee.

Article 69. Power Quality Assurance

1. Power generation, transmission and distribution units must ensure voltage and frequency of current in conformity with Vietnamese standards, capacity, electricity and duration of electricity supply under the contract. In case of failure to ensure standards of voltage, current frequency, capacity, electricity and power supply time under the signed contract, causing damage to the buyer, the seller must compensate the buyer in accordance with law.

2. Electricity buyers shall ensure that their electricity-using equipment operates safely so as not to cause problems to the power system or affect the voltage quality of the power grid.

Article 70. Rights and obligations of national electricity system dispatchers

1. A national electricity system dispatch unit shall have the following rights:

a/ Commanding and controlling power generation, transmission and distribution units to implement the mode of operation of the national electricity system;

b/ Commanding the handling of emergency or abnormal situations in the national electricity system; mobilizing capacity and electricity of power plants in the national electricity system; command the manipulation of transmission and distribution grids; stop or reduce the level of electricity supply in case there is a threat to the safe and reliable operation of the national electricity system;

c/ Elaborating and approving dispatch prices for operation of the electricity system;

d/ To request relevant electricity units to provide information on technical characteristics, readiness to participate in operation and load carrying of power generation, transmission and distribution equipment; electricity demand of customers to determine the mode of operation of the national electricity system;

dd) Assess the balance of supply and demand of the medium-term power system.

2. A national electricity system dispatch unit shall have the following obligations:

a/ To ensure safe, stable and economical operation of the national electricity system;

b/ To comply with regulations on dispatch of the national electricity system in the electricity market and transmission grid and instructions of electricity regulatory agencies and operators of electricity market transactions; non-discrimination in mobilizing capacity and electricity of power generators in the national electricity system;

c/ To formulate and implement the mode of operation of the national electricity system on the basis of plans and methods of capacity mobilization of power plants and ancillary services announced by the operator of electricity market transactions;

d) Notify the quantity of capacity, electricity and ancillary services that have been mobilized for payment by the operator of electricity market transactions;

dd) Promptly report to the electricity regulatory agency and notify the operator of electricity market transactions of emergency or abnormal situations seriously threatening the safe and reliable operation of the national electricity system.

Article 71. Rights and obligations of power units in operation

1. Electricity units shall have the following rights:

a/ To connect to the national electricity system when satisfying technical conditions and standards;

b/ To request competent state agencies to amend and supplement relevant economic-technical standards, regulations and norms.

2. Electricity units shall have the following obligations:

a/ To ensure that power grids and equipment under management operate safely, stably and reliably;

b/ To comply with regulations on operation of the electricity system;

c/ To comply with operation methods, command and control orders of the national electricity system dispatch unit;

d) Report on information related to the availability and redundancy of equipment and related information at the request of the national electricity system dispatch unit, electricity market transaction operator, electricity regulatory agency or competent state agency.

Article 72. Rights and obligations of customers when connecting to the grid

1. Electricity users shall have the following rights:

a/ Being directly connected to the national electricity system;

b/ To be supplied with a sufficient quantity of capacity, electricity, and ensure the quality of electricity agreed upon in the contract;

c/ To be provided with or introduced information related to electricity purchase and sale and instructions on electrical safety;

d) Request the electricity seller to check the quality of electricity services and the accuracy of electricity metering equipment;

2. Electricity users shall have the following obligations:

a/ To ensure that electricity-using equipment and connection equipment meet technical standards and requirements on electrical safety;

b/ To carry out operation orders of the national electricity system dispatch unit;

c/ To use electricity safely, economically and efficiently; implement regulations on electricity demand management;

d/ To promptly notify electricity sellers when detecting abnormal phenomena that may cause power outages or safety to persons and property.

CHAPTER VII

PROTECTION OF POWER WORKS AND SAFETY IN THE ELECTRICAL SECTOR

Section 1

PROTECTION OF POWER WORKS

Article 73. Responsibility for protection of power projects

1. Organizations and individuals shall comply with the provisions of law on protection of electricity projects.

2. Organizations and individuals shall promptly notify electricity units or competent state agencies when detecting electrical safety risks and phenomena, acts of violating regulations on protection of electrical equipment, electrical works and electrical safety.

3. Ministries, ministerial-level agencies, Government-attached agencies and People's Committees at all levels shall organize and direct the implementation of the provisions of law on protection of electricity projects.

Article 74. Responsibility for coordination in the construction, renovation and termination of use of electricity and other works

1. When constructing, renovating or expanding other works that are likely to affect the safety of electrical equipment, electricity works and electrical safety, investors must reach an agreement agreeing on the implementation plan with the electricity unit.

2. When repairing, renovating, constructing and installing electrical equipment and electrical works that are likely to affect other works, the electricity unit must coordinate with relevant organizations and individuals to settle them.

3. In case the parties concerned cannot reach an agreement, they shall request the competent state agency in the locality to settle and implement according to the decision of the competent state agency.

4. When no longer exploited or used, electricity projects must be handled and managed to ensure safety according to the Government's regulations.

Article 75. High-voltage grid safety corridor

1. High-voltage power grid safety protection corridor means a limited space along a transmission line or surrounding a power station and is specified according to each voltage level.

2. The corridor for safety protection of high-voltage power grids includes:

a/ Corridors to protect the safety of overhead power lines;

b/ Corridors to protect the safety of underground power cables;

c/ Corridors to protect power station safety.

3. The Government shall specify corridors for safety protection of high-voltage power grids.

Article 76. Safety protection of overhead power lines

1. Owners or users of houses or works that have been permitted to exist in the corridor to protect the safety of overhead power lines shall not use the roof or any part of the dwelling or structure for purposes that may violate the safe distance of discharge according to voltage class and must comply with regulations on safety protection all overhead power lines when repairing and renovating houses and works.

2. Before granting permits to organizations or individuals to build new houses or renovate houses or works in corridors to protect the safety of overhead power lines, licensing agencies shall request investors building houses or works to reach written agreements with high-voltage power grid management units on measures to ensure road safety overhead electrical conductors and safety during the construction, construction, renovation and use of houses and structures.

3. Houses and works with people regularly living and working in corridors to protect the safety of overhead power lines with voltages of 500 kV or higher are not allowed, except for specialized works serving the operation of such power grids. In case a specific project in the overhead wire safety protection corridor with a voltage of 500kV or higher satisfies the conditions on electrical safety, it is allowed to exist according to the Government's regulations.

4. Plants planted inside and outside the corridor to protect the safety of overhead high-voltage power lines must ensure a safe distance of discharge according to voltage class. In case the crop grows in violation of the discharge safety distance, the owner of the land or crop must be responsible for cutting and pruning the offending crop.

5. It is forbidden to carry out all work in the overhead power line protection corridor if equipment, tools and means capable of violating the safe distance of discharge according to voltage class, except for work serving the operation and repair of power grids. In special cases, organizations and individuals that apply appropriate technologies or due to urgent requirements of defense and security work must reach an agreement with the power grid project management unit on necessary safety measures.

6. At crossings between overhead power lines and roads and railways, the minimum height of the electrical conductor at the lowest point when the conductor is in the maximum sagging state is equal to 4.5 meters plus the safe distance of discharge according to the voltage class.

In case the highest point on the vehicle participating in traffic has a height greater than 4.5 meters, the vehicle owner must contact the high-voltage grid management unit to take necessary safety measures.

7. At crossings between overhead power lines and railways for electric trains, the minimum height of the electrical conductor at the lowest point when the conductor is in the maximum sagging state is equal to 7.5 meters plus the safe distance of discharge according to the voltage class.

8. At crossroads between overhead power lines and inland waterway traffic, the minimum height of the electrical conductor at its lowest point when the conductor is in the maximum sagging state is equal to the non-technical static height of the inland waterway plus the safe discharge distance according to the voltage class. Water transport vehicles, when passing through the crossing point between overhead power lines and inland waterways, must ensure that the height does not exceed the non-technical static height of such inland waterway.

The discharge safety distance of overhead power lines crossing with sea traffic routes is prescribed for each specific case.

9. When carrying out works on ground, underground, on water, under water near or in the corridor to protect overhead power lines that are likely to affect the normal operation of the lines or risk causing electrical incidents or accidents, the institutional unit carrying out such works must have an agreement with the institutional unit manage power grid works on necessary safety measures.

10. The Ministry of Industry and Trade shall stipulate the safety distance of electrical rooms according to voltage level.

Article 77. Safety protection of underground power cables

1. It is forbidden to dig holes, load goods, pile, plant trees, exploit minerals, build houses and other structures, and anchor ships in the corridors protecting underground power cables.

2. It is forbidden to discharge water and corrosive substances of cables and equipment into the corridor to protect underground power cables.

3. In case of discharge of water and other substances outside the corridor protecting underground power cables that are likely to penetrate, corrode or damage cables, owners or managers and users of houses or works with water or waste shall have to treat them so as not to affect cables.

4. When constructing works in the soil or dredging riverbeds, lakes and waters within the protection corridors of underground power cables, the constructor must notify at least 10 days in advance to the power grid management unit and take measures to ensure the safety of underground power cables.

Article 78. Power station safety protection

1. It is forbidden to build houses, works and plant trees higher than 02 meters in the corridor to protect power station safety; Do not encroach on the entrance and exit of the station.

2. Houses and constructions near the protection corridors of power stations must ensure that they do not damage any part of the station.

Article 79. Technical safety inspection of electrical equipment and tools

1. Organizations and individuals using electrical equipment and tools on the list of electrical equipment and tools subject to technical safety inspection shall inspect electrical equipment and tools before putting them into use, during use and operation on the basis of standards, corresponding technical regulations.

2. The technical safety inspection of electrical equipment and tools must be carried out by an inspection organization that satisfies the legal provisions on conformity assessment organization and is certified by the Ministry of Industry and Trade for registration of technical safety inspection of electrical equipment and tools.

3. The order and procedures for issuance, issuance, amendment, supplementation, re-issuance and revocation of certificates of registration of technical safety inspection of electrical equipment and tools shall comply with regulations on registration of conformity assessment activities according to the law on product quality management, merchandise.

4. The Ministry of Industry and Trade shall detail the list of electrical equipment and tools subject to inspection; inspection contents; inspection form and cycle; technical safety inspection process of electrical equipment and tools; training, examination and issuance of inspector cards.

5. The Government shall detail conditions of establishments, material and technical materials and machinery and equipment for inspection; standards of inspectors meeting inspection requirements; responsibilities of organizations and individuals involved in technical safety inspection of electrical equipment and tools.

Section 2

ELECTRICAL SAFETY AND SAFETY OF DAMS AND HYDROELECTRIC RESERVOIRS

Article 80. General requirements for electrical safety

1. When carrying out the construction, operation, experiment, inspection and repair of power lines, electrical equipment and electrical works, safety measures must be taken according to standards and technical regulations on electrical safety.

2. For power plants, power stations and power lines preparing to be put into operation and use, investors must fully hand over design, construction, completion and other technical documents as prescribed by the law on construction to the operation management units.

3. At manned electrical works operation positions, there must be a full range of procedures: Equipment operation, electrical troubleshooting; Power grid diagrams, fire prevention and fighting rules, operation logbooks, tools, equipment of personal protective equipment, prohibition signs, electrical safety signs and other vehicle tools as prescribed.

4. Organizations and individuals involved in the management, operation, inspection, construction, installation and repair of power lines, electrical equipment and electrical works must comply with regulations on reporting electrical accidents, violations of high-voltage power grid safety protection corridors, training and examination for issuance of electrical safety cards and other regulations on electrical safety. The employer shall arrange persons with sufficient experience and appropriate professional capacity to train, test and issue electrical safety cards to employees participating in this Article.

5. The Ministry of Industry and Trade shall detail training and examination for issuance of electrical safety cards; statistics and reports of electrical accidents and violations of high-voltage grid safety protection corridors; electrical safety signs and national technical regulations on electrical safety.

Article 81. Safety in power generation

1. Power plants and power generating stations must be built, managed and operated in conformity with regulations on safe distances for residential areas and road traffic routes; be strictly protected, surrounded by protective walls, electrical safety signs, fire prevention and fighting measures to prevent unauthorized persons from entering power plants and power stations.

2. Dams, hydropower reservoirs and auxiliary works serving hydropower plants must be built, managed and operated in conformity with regulations on safety of dams and hydropower reservoirs specified in Article 82 of this Law.

3. Rooms where electrical equipment is located must be safe for fire prevention and fighting; There are electrical safety signs, emergency escape routes, adequate lighting systems, ventilation systems to cool equipment, ventilation doors must have nets to protect against the penetration of animals, minimizing the adverse effects of the environment.

4. Depending on the technical characteristics and protection requirements of each type of electrical equipment, protective nets, partitions and electrical safety signboards must be placed; The safe distance from the protective grid or partition to the electrically charged part of the equipment must not be less than the prescribed distance and measures must be taken to minimize adverse environmental impacts on the operation of electrical equipment.

5. In areas where flammable or explosive substances are present, electrical systems must be designed and installed according to regulations on fire prevention and fighting safety; Only specialized fire and explosion prevention equipment and tools may be used.

6. Power cable systems in power plants and power stations must meet the following safety regulations:

a) Electrical cables must be arranged in order according to type, technical features, voltage class and placed on supports or in cable ditches. Measures must be taken to prevent deterioration of cable insulation in adverse environments. The electrical cable passing through the area under the influence of high temperatures must be insulated and pass in the protective tube;

b) Cable tunnels and cable ditches must have tight-fitting lids, drain water well, and store them clean and dry. Do not allow water, oil, chemicals, impurities to accumulate in cable tunnels and cable ditches. The cable tunnel must have a partition wall to prevent the fire from spreading; have automatic fire alarm and fire fighting systems, lighting systems using safety voltages in accordance with technical regulations and electrical safety technical standards.

7. Lightning protection and grounding equipment and systems in power plants, power generating stations and power distribution stations must be installed in accordance with designs approved by competent authorities and periodically accepted and inspected in accordance with standards and technical regulations on electrical safety.

8. Using electrical equipment and tools with quality certificates or quality registration labels in conformity with standards, technical regulations and other relevant laws. Power equipment and tools must be inspected for technical safety in accordance with regulations.

9. In case of an electrical incident or accident, the investor or operation management unit shall promptly apply necessary measures to provide first aid to the victim and mitigate damage to persons and property; must organize an investigation to identify and analyze the causes; review and determine responsibility.

Article 82. Safety of dams, hydroelectric reservoirs

1. Investment in construction, operation, exploitation and safe management of dams and reservoirs must comply with regulations on safety management of dams and reservoirs and protection of water source corridors according to the law on irrigation construction, water resources, natural disaster prevention and control and the provisions of this Article.

2. Hydropower reservoir water storage:

a/ Before putting a hydropower project into use, a plan on storing hydropower reservoir water must be approved in writing by a competent state agency for the trial operation of the project and the period before the project is officially put into operation;

b/ Provincial-level People's Committees of localities where hydropower plants are located shall be competent agencies approving plans on water storage of hydropower reservoirs. In case a hydropower project is located in two or more provinces, the People's Committee of the province where the hydropower plant is located shall consult relevant provinces before approving the plan on water storage of hydropower reservoirs.

3. Inspection and safety assessment of dams and hydropower reservoirs:

a/ Before the annual typhoon season, dam owners shall inspect and assess the safety of dams and hydropower reservoirs and report on the current safety status of dams and hydropower reservoirs to the Ministry of Industry and Trade and provincial-level Industry and Trade Departments concerned;

b) The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with concerned provincial-level Industry and Trade Departments in, inspecting the safety assessment of dams and hydropower reservoirs of dam owners on the list of special important hydropower reservoirs and reservoirs located in 02 or more provinces;

c/ Provincial-level People's Committees shall inspect the safety assessment of dams and hydropower reservoirs by dam owners under their management, except those specified at Point b, Clause 2 of this Article.

d) The Ministry of Industry and Trade shall promulgate a list of hydropower reservoirs in 02 provinces or more and submit to the Prime Minister for promulgation a list of hydropower reservoirs of special importance.

4. Information systems and databases on hydropower dams and reservoirs:

a) Hydropower dam owners shall install and operate surveillance camera systems serving the operation, natural disaster prevention and search and rescue, warning systems for power generation and flood discharge operations and regularly update operational information and data into dam databases, national hydroelectric reservoirs;

b) The Ministry of Industry and Trade shall establish a database on national hydropower dams and reservoirs; stipulating the management, use and updating of databases on dams and hydropower reservoirs; coordinate with the Ministry of Agriculture and Rural Development and the Ministry of Natural Resources and Environment in agreeing to share information with databases on dams, irrigation reservoirs and databases on water resources in order to improve the efficiency of water reservoir management and operation.

5. The Government shall detail this Article.

Article 83. Safety in power transmission and distribution

1. Investors of power grid projects shall be responsible for:

a/ To place electrical safety warning signs and devices at power stations and poles;

b) Paint colors and place signal lights on top of poles at poles with special heights and positions to protect the safety of high-voltage power grids.

2. At crossing locations between overhead high-voltage power lines, underground power cables and railways, roads, inland waterways and navigational channels, the placement and management of signs and prohibition signs for means of transport shall comply with regulations of the Ministry of Transport. Investors of the following construction works must bear the costs for placing signs and prohibition signs.

3. When handing over a power grid project, the project investor must hand over to the grid operation management unit all technical documents, minutes of acceptance and acceptance, decisions on land allocation, land lease and documents related to compensation and site clearance in accordance with law.

4. Power grid management units shall periodically inspect, maintain and ensure the safe operation of the system according to regulations; regularly inspect, detect and prevent violations of regulations on electrical safety and safety protection of high-voltage power grids.

5. When repairing and maintaining power grid works, power grid management units and units performing repair and maintenance shall be responsible for fully and correctly implementing safety measures in accordance with national technical regulations on electrical safety.

6. The section of high-voltage transmission line passing houses or works where people regularly live and work must use wire support poles which are steel poles or reinforced concrete columns, electrical wires are not allowed to have connections in the column space, except for wires with a cross section of 240 square millimeters or more, no more than one connection per phase must be allowed and must be secured other standards of legislation on the safety protection of high-voltage power grids. The grid operation management unit must not overload this section of the line.

7. Power cables that go underground in the ground, are located in other construction structures or are shared with information lines, must ensure a safe distance as prescribed in standards and technical regulations on electrical safety and other relevant laws.

8. Lightning protection and grounding equipment and systems of power transmission and distribution grids must be installed in accordance with design and periodically accepted and inspected in accordance with standards and technical regulations on electrical safety.

Article 84. Safety in connection to the national electricity system

1. Power generation, transmission and distribution units and electricity users meeting technical conditions and standards and carrying out procedures on connection as prescribed by the Ministry of Industry and Trade may connect their electricity systems to the national electricity system.

2. An independent power grid must meet technical conditions and standards prescribed by the Ministry of Industry and Trade to be connected to the national electricity system.

Article 85. Safety in electricity use for production

1. Organizations and individuals using electricity for production must comply with regulations on electrical safety, corresponding technical regulations and electrical safety technical standards.

2. Electricity-using equipment and systems, lightning protection and grounding systems must be accepted, periodically inspected, inspected for abnormalities and repaired and maintained according to standards and technical regulations on electrical safety. The diagrams of these systems must be realistic and must be kept along with repair and maintenance records and inspection records throughout operation.

3. Power stations, high-voltage electrical equipment and internal high-voltage lines must be installed and managed for operation according to standards and technical regulations on electrical safety.

4. Electrical equipment must conform to standards and technical regulations on low-voltage electrical equipment, protection against electric shock, grounding and non-connection of electrical equipment to prevent electric shock accidents.

5. Electrical paths and wires must be designed and installed to ensure that the production premises are well ventilated, avoiding mechanical and chemical impacts that may cause damage. Do not use metal structures of factories, machinery or metal pipelines to make "neutral" wires, except in special cases where they must have their own designs approved by competent state agencies.

6. Electrical systems in areas with flammable or explosive substances must be designed, installed and used according to the provisions of Clause 3, Article 81 of this Law.

7. Electrical equipment used in mineral exploitation, power tools, mobile electrical equipment, welding, electrolysis and electroplating machines must conform to corresponding standards and technical regulations.

8. The Government shall detail this Article.

Article 86. Safety in electricity use for daily life and services

1. Before being supplied with electricity, the project must fully comply with regulations on fire safety and corresponding construction standards and regulations according to the law on fire prevention and fighting and construction.

2. The total usable capacity of electrical equipment used in offices, daily life and services must conform to the designed capacity; Electrical conductors must have an insulating cross section and strength in accordance with technical standards.

3. Electrical equipment must be inspected and maintained according to regulations, ensuring standards and technical regulations on electrical safety and not causing danger to users.

4. A low-voltage power grid may only be built and installed after the design has been approved.

5. Power lines, electrical equipment and switchgear and protection installed outdoors and indoors in service of daily life and services must ensure product quality according to corresponding standards and technical regulations.

6. The installation, repair and maintenance of electrical systems must comply with regulations on electrical safety and not obstruct the operation of means of transport, ambulance and fire fighting.

7. Electricity users shall fully comply with regulations on electrical safety, conduct safety inspection of their electrical systems, promptly detect and prevent risks of electrical incidents and accidents; Do not arbitrarily increase the capacity used compared to the signed power purchase contract without the approval of the operation management unit or the seller.

8. Electricity suppliers and sellers shall inspect customers' electricity systems and conditions on safety of electricity connection and use before supplying electricity to electricity users. In the process of power supply, regularly inspect, supervise and detect safety risks to take measures to prevent or stop power supply.

9. Local state management agencies in charge of electricity shall periodically inspect or irregularly inspect the observance of regulations on electrical safety in daily life and services.

10. The Government shall detail this Article.

Article 87. Electrical safety in rural, mountainous, border, island areas

1. Organizations and individuals engaged in electricity activities and electricity use in rural, mountainous, border and island areas must strictly comply with standards and technical regulations on electrical safety.

2. Operators and repairers of electricity in rural, mountainous, border or island areas must be trained, tested and issued electrical safety cards. Employers are responsible for training, examining and issuing electrical safety cards to employees.

3. Only electricity units operating power grids may repair and install electrical equipment and electrical networks under their management.

Article 88. Use electricity as a means of direct protection

1. Using electricity as a means of direct protection means using a power source with an appropriate voltage level directly connected to fences, obstructions and shielding objects of protected areas (hereinafter collectively referred to as electric fences) to prevent trespassing on protected areas and to issue alarm signals to defenders of such areas.

2. Using electricity as a means of direct protection may only be applied when other protective measures are ineffective and must be permitted by competent state agencies.

3. Electric fences must be designed and installed to avoid all accidental contact with people and livestock, have danger signs, not affect the operation of electrical systems, and not endanger neighboring areas and living environments. Managers and users of electric fences must be trained in electrical skills and training.

4. The Ministry of Public Security and the Ministry of National Defense shall, within the ambit of their tasks and powers, stipulate areas where electric fences are permitted to be used.

5. The Ministry of Industry and Trade shall prescribe standards and conditions for using electricity as a means of direct protection.

Article 89. Troubleshooting electrical problems

1. In case of an electrical incident, the electricity unit shall, within the ambit of its tasks and powers, handle it in accordance with law.

2. Where an electrical incident is so serious as a major disaster, the declaration of a state of emergency and the application of response measures must comply with the provisions of law on state of emergency.

CHAPTER VIII

RESPONSIBILITIES FOR STATE MANAGEMENT OF ELECTRICITY

Article 90. Responsibilities for state management of electricity

1. The Government shall perform the unified state management of electricity activities and electricity use nationwide.

2. The Ministry of Industry and Trade shall take responsibility before the Government for performing the state management of electricity activities and electricity use, including:

a) Review and submit to the Prime Minister for approval the adjustment of the progress and scale of electricity investment projects in the implementation plan of the national electricity development planning;

b/ To perform the state management of regulation of electricity activities;

c/ To perform the state management of electricity saving, electricity safety, dam and hydropower reservoir safety.

3. Ministries and ministerial-level agencies shall, within the ambit of their tasks and powers, coordinate with the Ministry of Industry and Trade in performing the state management of electricity activities and electricity use as prescribed in this Law and assigned by the Government.

4. Provincial-level People's Committees shall have specialized agencies as focal points to assist People's Committees in managing electricity activities in their localities according to the Government's regulations.

5. People's Committees at all levels shall, within the ambit of their tasks and powers, perform the state management of:

a) Investment in the construction of power projects and works according to decentralization;

b/ Power saving, electricity safety, safety of dams and hydropower reservoirs under their management;

c/ To grant licenses for electricity activities according to decentralization; operation of electricity systems, electricity prices and electricity purchase and sale under their management;

d) Coordinate with and support other ministries and ministerial-level agencies in organizing the implementation, monitoring, inspection and supervision of investment projects on construction of power projects and works in the areas under their management. Be responsible for the quality management of construction works within the scope of assigned management;

dd) Annually review and report to the Ministry of Industry and Trade on the implementation of power projects in the area, propose to handle projects delayed in implementation in accordance with the law on investment and land.

Article 91. Contents of state management of electricity

1. Contents of electricity development planning:

a/ Elaborating, appraising, approving and announcing electricity development plannings;

b/ To formulate and approve plans for implementation of electricity development plannings;

c) Organize the implementation, evaluation, review and adjustment of electricity development plannings;

d) The Ministry of Industry and Trade shall guide and organize the annual statistics and update the national database on electricity and renewable energy information. The State shall allocate a budget for the implementation of this task;

dd) Inspect, examine, settle complaints and denunciations and handle violations of the planning law.

2. Contents of investment in electricity development:

a) Appraise and approve investment policies, adjust investment policies in accordance with the law on investment, public investment and investment in the mode of public-private partnership;

b) Organize bidding for investment selection in accordance with the law on investment, bidding and investment in the form of public-private partnership;

c) Manage specialized construction works for electrical projects and works in accordance with the law on construction.

3. Contents of regulation of electricity activities:

a/ To formulate regulations on the operation of the electricity system and competitive electricity market;

b/ To grant, amend, supplement, re-grant, extend and revoke electricity licenses;

c/ Elaborating and organizing the implementation of mechanisms and policies on electricity prices; inspect and supervise the adjustment and implementation of electricity prices; inspect the price of a power purchase contract in a fixed-term power purchase contract between a power generator and a power purchaser for units complying with Article 43 of this Law;

d/ To inspect, examine, settle complaints and denunciations and handle violations of the law on regulation of electricity activities.

4. Contents of electricity safety, dam and reservoir safety.

a/ Elaborating and organizing the implementation of legal documents and technical regulations on electricity safety, dam and reservoir safety;

b/ Propagate, disseminate and guide the enforcement of laws on electricity safety, dam and reservoir safety.

c) Manage technical safety inspection of electrical equipment and tools; training and examination activities for issuance of inspector cards, electrical safety cards.

d) Appraise and approve according to the competence of the operation process; plans for protection of dams and hydroelectric reservoirs; plans to respond to emergency situations during the construction and operation of hydropower projects;

dd) Inspect, examine, settle complaints and denunciations and handle violations in the field of electricity safety, dam and hydropower reservoir safety in accordance with law.

CHAPTER IX

ENFORCEMENT TERMS

Article 92. To amend, supplement, replace or abolish a number of clauses, articles and annexes of relevant laws

1. To amend in Appendix 1 of the Law on Planning No. 21/2017/QH14 as follows: replace the phrase "Electricity development planning" with "National electricity development planning".

2. To supplement a number of articles of the Investment Law No. 61/2020/QH14 as follows:

a/ To supplement Clause 2, Article 29 as follows:

"2. The selection of investors to execute investment projects as prescribed at Points a and b, Clause 1 of this Article shall be made after approving investment policies, except for cases where investment projects are not subject to approval of investment policies as prescribed in Article 77 and investment projects approved by the Prime Minister in the Investment Plan development investment and 05-year production and business plans of enterprises decided by the Prime Minister to establish, except for projects under the competence to decide investment policies of the National Assembly.";

b/ To supplement Clauses 5 and 6 of Article 31 as follows:

"5. An offshore wind power project belongs to a marine area in the following cases: undefined territory within the administrative boundaries of a specific province; under the competence of the Prime Minister to assign marine areas; under the administrative boundaries of 02 provinces or more;

6. Submarine power cable projects at sea, except for investment projects falling under Clause 1, Article 56 of this Law.";

c/ To supplement Point dd, Clause 1, Article 32 as follows:

"dd) Offshore wind power projects that request the State to assign or lease marine areas outside the subjects specified in Clause 5, Article 31 of this Law.".

3. Amending and supplementing a number of articles of the Law on Irrigation No. 08/2017/QH14 as follows:

a/ To replace the phrase "irrigation works" in Articles 41 and 44 with "irrigation and hydropower works";

b/ To amend Clause 3 of Article 41 as follows:

"3. The competence to approve plans for protection of irrigation and hydropower projects is provided as follows:

a/ The Minister of Agriculture and Rural Development shall approve plans for protection of irrigation works managed by the Ministry;

b) The Minister of Industry and Trade shall approve plans to protect hydropower projects in 02 provinces or more and hydropower projects of special importance;

c) Provincial-level People's Committees shall approve or assign district-level People's Committees to approve plans for protection of irrigation and hydropower projects in their localities, except for irrigation works specified at Points a and b of this Clause.";

c/ To amend and supplement Clause 2 of Article 44 as follows:

"2. Competence to grant licenses to operate within the scope of protection of irrigation and hydropower projects:

a/ The Ministry of Agriculture and Rural Development and provincial-level People's Committees shall grant licenses for activities within the scope of protection of irrigation works;

b/ Provincial-level People's Committees shall grant licenses for activities within the scope of protection of hydropower projects in the areas under their management.".

Article 93. Enforceability

1. This Law takes effect from the date ... month... year 20.....

2. The Law on Electricity No. 28/2004/QH11 dated December 03, 2004 has been amended and supplemented with a number of articles under Law No. 24/2012/QH13, Law No. 28/2018/QH14, Law No. 03/2022/QH15 and Law No. 16/2023/QH15 (hereinafter collectively referred to as the Law on Electricity No. 28/2004/QH11) expires from the effective date of this Law *except for specific provisions in Article ... (Transitional Provisions) This law.*

Article 94. Transitional provisions

An institutional unit granted an electricity operation license under the provisions of the Electricity Law No. 28/2004/QH11 and the amended and supplemented Laws shall continue to do so until the expiry of the term stated in such electricity operation license.

This Law is passed by the National Assembly of the Socialist Republic of Vietnam in the ... session ... meeting on [date]

CHAIRPERSON OF THE NATIONAL ASSEMBLY

[name]