

THE STATE PRESIDENT

Order No. 13/2009/L-CTN of June 29, 2009, on the promulgation of law

THE PRESIDENT OF THE SOCIALIST REPUBLIC OF VIETNAM

Pursuant to Articles 103 and 106 of the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under Resolution No. 51/2001/QH10 of December 25, 2001, of the Xth National Assembly, the 10th session;

Pursuant to Article 91 of the Law on Organization of the National Assembly;

Pursuant to Article 57 of the Law on Promulgation of Legal Documents,

PROMULGATES:

the Law Amending and Supplementing a Number of Articles of the Penal Code,

which was passed on June 19, 2009, by the XIIth National Assembly of the Socialist Republic of Vietnam at its 5th session.

President of the Socialist Republic of Vietnam
NGUYEN MINH TRIET

Law Amending and Supplementing a Number of Articles of the Penal Code

(No. 37/2009/QH12)

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under Resolution No. 51/2001/QH10;

The National Assembly promulgates the Law Amending and Supplementing a Number of Articles of Penal Code No. 15/1999/QH10.

Article 1. To amend, supplement and annul a number of articles of the Penal Code

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11. To add the following Article 170a:

“**Article 170a.** Infringing upon copyright and related rights

1. Those who, without permission of holders of copyright or related rights, commit either of the following acts of infringing upon copyright or related

rights currently protected in Vietnam on a commercial scale, shall be imposed a fine of between fifty million and five hundred million dong or subject to non-custodial reform for up to two years:

a/ Reproducing works, phonograms or video recordings;

b/ Distributing to the public copies of works, phonograms or video recordings.

2. Committing the crime in either of the following circumstances, offenders shall be imposed a fine of between four hundred million and one billion dong or sentenced to between six months and three years of imprisonment:

a/ In an organized manner;

b/ Committing the crime more than once.

3. Offenders may also be imposed a fine of between twenty million and two hundred million dong, banned from holding certain posts or practicing certain professions or performing certain jobs for between one and five years.”

12. To amend and supplement Article 171 as follows:

“**Article 171.** Infringing upon industrial property rights

1. Those who intentionally infringe upon industrial property rights to marks or geographical indications currently under protection in Vietnam on a commercial scale, shall be imposed a fine of between fifty million and five hundred million dong or subject to non-custodial reform for up to two years.

2. Committing the crime in either of the following circumstances, offenders shall be imposed a fine of between four hundred million and one billion dong or sentenced to between six months and three years of imprisonment:

a/ In an organized manner;

b/ Committing the crime more than once.

3. Offenders may also be imposed a fine of between twenty million and two hundred million dong, banned from holding certain posts or practicing certain professions or performing certain jobs for between one and five years.”

...

Article 3.

1. This Law takes effect on January 1, 2010.

2. The Government, the Supreme People’s Court and the Supreme People’s Procuracy shall, within the ambit of their respective tasks and powers, guide the implementation of this Law.

This Law was passed on June 19, 2009, by the XIIth National Assembly of the Socialist Republic of Vietnam at its 5th session.

Chairman of the National Assembly
NGUYEN PHU TRONG