

THE GOVERNMENT

Decree No. 78/2009/ND-CP of September 22, 2009, detailing and guiding a number of articles of the Law on Vietnamese Nationality

THE GOVERNMENT

*Pursuant to the December 25, 2001 Law on Organization of the
Government;*

Pursuant to the November 13, 2008 Law on Vietnamese Nationality;

At the proposal of the Minister of Justice,

DECREES:

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Decree details Articles 13, 19, 20, 22, 23, 24, 27, 28, 32 and 34 and guides some other articles of the Law on Vietnamese Nationality.

Article 2. Consular legalization, certification and translation of papers in nationality dossiers into Vietnamese

1. Papers in dossiers of application for naturalization in Vietnam or restoration or renunciation of Vietnamese nationality and those required for the settlement of other nationality-related matters which are issued by competent foreign agencies must be consularly legalized, unless otherwise provided by treaties to which the Socialist Republic of Vietnam is a contracting party.

2. Foreign-language papers in dossiers specified in Clause 1 of this Article must be translated into Vietnamese and certified according to Vietnam's law.

Article 3. Notification of results of settlement of nationality-related matters

The Ministry of Justice shall make notification to applicants for naturalization in Vietnam or restoration or renunciation of Vietnamese nationality under Article 41 of the Law on Vietnamese Nationality and concurrently to People's Committees of provinces or centrally run cities (below referred to as provincial-level People's Committees), if the applicants submit dossiers in the country.

Applicants for restoration or renunciation of Vietnamese nationality who submit dossiers at overseas Vietnamese representative missions will be notified of settlement results via the Ministry of Foreign Affairs.

Article 4. Fees for settlement of nationality-related matters

1. Applicants for naturalization in Vietnam, restoration or renunciation of Vietnamese nationality and registrants for retention of Vietnamese nationality shall pay fees, except for cases specified in Clause 2 of this Article.

The rates and the collection, payment, management and use of fees shall be prescribed by the Minister of Finance.

2. The following persons are exempted from fees for naturalization in Vietnam or restoration of Vietnamese nationality:

a/ Those who have made special meritorious contributions to Vietnam's national construction and defense and now apply for naturalization in Vietnam or restoration of Vietnamese nationality;

b/ Those who are categorized as poor under law;

c/ Stateless persons who apply for naturalization in Vietnam under Article 22 of the Law on Vietnamese Nationality.

3. Agencies receiving dossiers of application for naturalization in Vietnam or restoration of Vietnamese nationality shall base themselves on the Finance Ministry's regulations to decide on fee exemption on a case-by-case basis.

Chapter II

DETAILED PROVISIONS AND GUIDANCE ON A NUMBER OF ARTICLES ON NATURALIZATION IN VIETNAM, RESTORATION AND RENUNCIATION OF VIETNAMESE NATIONALITY AND REGISTRATION FOR RETENTION OF VIETNAMESE NATIONALITY

Section 1. NATURALIZATION IN VIETNAM

Article 5. Some conditions on naturalization in Vietnam

Points c, d and e, Clause 1, Article 19 of the Law on Vietnamese Nationality are specified as follows:

1. The applicant's ability to know Vietnamese sufficiently to integrate into the Vietnamese community will be evaluated based on his/her skills of communication in Vietnamese with Vietnamese citizens, taking account of their living and working environment.

2. Applicants for naturalization in Vietnam under Clauses 1 and 2, Article 19 of the Law on Vietnamese Nationality must be those who permanently reside in Vietnam and possess permanent residence cards granted by competent Vietnamese agencies.

An applicant's period of temporary residence in Vietnam will be counted from the day he/she is granted a permanent residence card.

3. The applicant's ability to make a living in Vietnam must be proved by his/her assets and lawful income sources or guaranteed by an organization or individual in Vietnam.

Article 6. Cases eligible for exemption from some conditions on naturalization in Vietnam

Points b and c, Clause 2, Article 19 of the Law on Vietnamese Nationality are specified as follows:

1. Persons having made special meritorious contributions to Vietnam's national construction and defense are those who have been awarded orders, medals or other honorable titles by the State of Democratic Republic of Vietnam, the Provisional Revolutionary Government of the Republic of South Vietnam or the State of the Socialist Republic of Vietnam or have their special meritorious contribution certified by competent Vietnamese agencies.

2. Persons whose naturalization in Vietnam is helpful to the State of the Socialist Republic of Vietnam must be those who have talents in scientific, technological, cultural, social, art and sport domains and are certified by their employing agencies or organizations and ministerial-level state management agencies or provincial-level People's Committees that their naturalization in Vietnam will contribute to the development of these domains.

Article 7. Some papers in dossiers of application for naturalization in Vietnam

1. Papers defined at Points b, e, f and g, Clause 1, Article 20 of the Law on Vietnamese Nationality are specified as follows:

a/ Other papers which may substitute for the applicants' birth certificates or passports are papers valid for evidencing their foreign nationality;

b/ Paper evidencing the applicants' Vietnamese language skills is either of the following papers: copy of a Vietnamese postgraduate, university, college, professional secondary, upper secondary or lower secondary diplomas; copy of a diploma or certificate of Vietnamese language skills granted by a Vietnamese language training establishment.

In case the applicants declare that they know Vietnamese sufficiently to integrate into the Vietnamese community according to Clause 1, Article 5 of this Decree but have none of the above-said papers, provincial-level Justice Departments shall directly interview them to test their Vietnamese language skills under the guidance of the Ministry of Justice. Interview results must be recorded in writing. Interviewers shall base themselves on criteria specified in Clause 1, Article 5 of this Decree to make proposals and take responsibility for their proposals;

c/ Copies of birth certificates of minor children who are naturalized in Vietnam together with their parents or other papers proving their father/mother-child relations. If only one parent is naturalized in Vietnam and the minor child who is living with that parent is also naturalized in Vietnam, written consent of both parents on the naturalization in Vietnam of their child is also required;

d/ A copy of the permanent residence card;

e/ Paper proving the applicants' ability to make a living in Vietnam is any of the following papers: paper evidencing property ownership rights; written certification of the wage or income level, issued by the employing agency or organization of the applicant; written certification of taxable incomes, issued by a tax office; paper evidencing the guarantee by an organization or individual in Vietnam; or written certification of the applicant's ability to make his/her living in Vietnam, made by the People's Committee of the commune, ward or township (below referred to as commune-level People's Committee) where the applicant resides.

2. Persons exempted from some conditions on naturalization in Vietnam prescribed in Clause 2, Article 19 of the Law on Vietnamese Nationality shall submit papers proving their eligibility for exemption, specifically:

a/ Persons whose spouses are Vietnamese citizens shall submit copies of marriage certificates to evidence their marriage relations;

b/ Persons who are natural parents or natural offsprings of Vietnamese citizens shall submit copies of birth certificates or other valid papers to evidence their father/mother-child relations;

c/ Persons who have made special meritorious contributions to Vietnam's national construction and defense shall submit copies of their orders, medals, certificates of other honorable titles or written certification issued by competent Vietnamese agencies or organizations;

d/ Persons whose naturalization in Vietnam is helpful to the State of the Socialist Republic of Vietnam shall submit written certifications made by their employing agencies or organizations and written certification of their contribution to the development of any of the domains mentioned in Clause

2, Article 6 of this Decree, made by a ministerial-level state management agency or a provincial-level People's Committee.

3. A dossier of application for naturalization in Vietnam shall be made in three sets to be kept at the Office of the President, the Ministry of Justice and the dossier-receiving agency.

Article 8. Naturalization in Vietnam under Article 22 of the Law on Vietnamese Nationality

1. Stateless persons who do not have adequate personal identification papers but have been stably residing in the Vietnamese territory since July 1, 1989, or before (below referred to as stateless persons) and wish to be naturalized in Vietnam shall compile dossiers of application for naturalization in Vietnam. Such a dossier comprises an application for naturalization in Vietnam and a curriculum vitae made according to a form prescribed by the Ministry of Justice.

2. The order of and procedures for processing dossiers of application for naturalization in Vietnam of stateless persons specified in Clause 1 of this Article are as follows:

a/ The provincial-level People's Committee shall direct the provincial-level Justice Department to coordinate with the provincial-level Police Department, the Foreign Affairs Department and People's Committees of districts, towns or provincial-level cities (below referred to as district-level People's Committees) in guiding commune-level People's Committees in reviewing and making lists of applicants for naturalization in Vietnam, assisting them in compiling application dossiers and verifying their personal identity.

District-level People's Committees shall examine the lists of applicants for naturalization in Vietnam and their application dossiers and propose the provincial-level Justice Service to settle matters of naturalization in Vietnam.

The provincial-level Justice Service shall coordinate with the provincial-level Police Department and Foreign Affairs Department in appraising and reporting cases of application to the provincial-level People's Committee chairman.

b/ The provincial-level People's Committee chairman shall consider and draw conclusions and make proposals on the naturalization in Vietnam of listed persons and send their proposals to the Ministry of Justice;

c/ Based on the list of accepted applicants and their dossiers sent by the provincial-level People Committee, the Minister of Justice shall, under the authorization of the Prime Minister, sign and submit a report, enclosed with the list of accepted applicants and their dossiers, to the President for

consideration and decision. In case of necessity, the Ministry of Justice may consult the Ministry of Public Security and the Ministry of Foreign Affairs before submitting the cases to the President.

3. The deadline for submission of dossiers of application for naturalization in Vietnam under this Article is December 31, 2012. Past this deadline, if persons defined in Clause 1 of this Article who have not yet submitted dossiers wish to be naturalized in Vietnam, their cases shall be settled under Articles 19, 20 and 21 of the Law on Vietnamese Nationality.

4. The Ministry of Justice shall coordinate with the Ministry of Public Security and the Ministry of Foreign Affairs in guiding provincial-level People's Committees in working out plans on reviewing and making lists of applicants for naturalization in Vietnam and supporting the processing of dossiers of application for naturalization in Vietnam for persons defined in Clause 1 of this Article.

Section 2. RESTORATION OF VIETNAMESE NATIONALITY

Article 9. Some conditions on restoration of Vietnamese nationality

The conditions prescribed at Points c, d and e, Clause 1, Article 23 of the Law on Vietnamese Nationality are specified as follows:

1. Persons who have made special meritorious contributions to Vietnam's national construction and defense and persons whose restoration of Vietnamese nationality is helpful to the State of the Socialist Republic of Vietnam are as defined in Clauses 1 and 2, Article 6 of this Decree.

2. Persons who make investment in Vietnam must have investment projects with investment certificates granted by competent Vietnamese agencies.

Article 10. Some papers in dossiers of application for restoration of Vietnamese nationality

1. Papers specified at Points e and f, Clause 1, Article 24 of the Law on Vietnamese Nationality include:

a/ Paper evidencing that the applicant is a former Vietnamese national is either of the following papers: copy of the birth certificate; copy of the decision permitting renunciation of Vietnamese nationality or the certificate of loss of Vietnamese nationality; or another paper stating his/her previous Vietnamese nationality or valid for evidencing his/her previous Vietnamese nationality;

b/ Paper evidencing the eligibility for restoration of Vietnamese nationality is any of papers prescribed at Points a, b, c and d, Clause 2, Article 7 of this Decree or paper evidencing that the applicant is carrying out procedures for repatriation or a copy of the certificate of investment in Vietnam.

2. For minor children who restore their Vietnamese nationality together with their parents, copies of their birth certificates or other papers evidencing their father/mother-child relations are required. If only one parent restores Vietnamese nationality and the minor child who is living with that parent also restores Vietnamese nationality, written consent of both parents on their child's restoration of Vietnamese nationality is required.

3. A dossier of application for restoration of Vietnamese nationality shall be made in three sets to be kept at the Office of the President, the Ministry of Justice and the dossier-receiving agency.

Article 11. Verification of dossiers of application for restoration of Vietnamese nationality

1. When it is necessary to further verify the personal identity of applicants for restoration of Vietnamese nationality as prescribed in Clause 3, Article 25 of the Law on Vietnamese Nationality, the Ministry of Justice shall send to the Ministry of Public Security a written request clearly stating to-be-verified contents.

2. Within 30 days after the receipt of the written request from the Ministry of Justice, the Ministry of Public Security shall conduct verification and issue a written reply to the Ministry of Justice.

Section 3. RENUNCIATION OF VIETNAMESE NATIONALITY

Article 12. Cases not yet permitted for renunciation of Vietnamese nationality

For those who owe tax to the State or have a property obligation toward an agency, organization or individual in Vietnam as prescribed at Point a, Clause 2, Article 27 of the Law on Vietnamese Nationality, if the creditor makes a written request for suspension of the renunciation of Vietnamese nationality, the dossier-receiving agency shall not settle the renunciation of Vietnamese nationality.

Article 13. Some papers in dossiers of application for renunciation of Vietnamese nationality

Papers prescribed at Points e and g, Clause 1, Article 28 of the Law on Vietnamese Nationality are specified as follows:

1. Paper evidencing that the applicant is carrying out procedures for acquisition of foreign nationality is the paper granted by a competent foreign agency to certify or guarantee that this person is permitted for naturalization in a foreign country, unless the law of that country does not provide for the issuance of these papers. In case the applicant for renunciation of Vietnamese nationality has already acquired foreign

nationality, he/she shall submit a copy of his/her passport or other personal identification papers granted by a competent foreign agency to evidence that he/she has foreign nationality.

2. The written certification prescribed at Point g, Clause 1, Article 28 of the Law on Vietnamese Nationality shall be made by the head of the agency, organization or unit which has issued the decision on the applicant's retirement, dismissal, removal from office or relief from post or demobilization under regulations of the sector to certify that the applicant's renunciation of Vietnamese nationality does not affect the protection of national secrets or is not contrary to these regulations.

3. A dossier of application for renunciation of Vietnamese nationality shall be made in three sets to be kept at the Office of the President, the Ministry of Justice and the dossier-receiving agency.

Article 14. Responsibilities of agencies, organizations and individuals for notification of cases not yet permitted or ineligible for renunciation of Vietnamese nationality

Within 60 days after the date the provincial-level Justice Department publishes information on applicants for renunciation of Vietnamese nationality under Clause 2, Article 29 of the Law on Vietnamese Nationality, if police offices, civil judgment enforcement agencies and other agencies, organizations or individuals detect that applicants for renunciation of Vietnamese nationality fall into cases not yet permitted or ineligible for renunciation of Vietnamese nationality prescribed in Clauses 2, 3 and 4, Article 27 of the Law on Vietnamese Nationality, they shall immediately notify such to the provincial-level Justice Department which has published information on these applicants.

Article 15. Verification of personal identity of applicants for renunciation of Vietnamese nationality

1. In case the applicants for renunciation of Vietnamese nationality are not eligible for exemption from verification of personal identity under Article 30 of the Law on Vietnamese Nationality, the Ministry of Justice shall make and send a written request to the Ministry of Public Security for personal identity verification.

2. Within 30 days after the receipt of the Justice Ministry's request, the Ministry of Public Security shall conduct verification and issue a written reply to the Ministry of Justice.

Section 4. DEPRIVATION OF VIETNAMESE NATIONALITY, ANNULMENT OF DECISIONS ON THE GRANT OF VIETNAMESE NATIONALITY

Article 16. Dossiers of proposal for deprivation of Vietnamese nationality

1. In case a provincial-level People's Committee or an overseas Vietnamese representative mission proposes the deprivation of Vietnamese nationality of persons who commit acts defined in Clause 1, Article 31 of the Law on Vietnamese Nationality, a dossier comprises:

- a/ The written proposal for deprivation of Vietnamese nationality, made by the provincial-level People's Committee or overseas Vietnamese representative mission;
- b/ Verification documents and conclusions of competent agencies about the act committed by the person proposed for deprivation of Vietnamese nationality;
- c/ Written denunciation against the person proposed for deprivation of Vietnamese nationality (if any).

2. In case courts which have adjudicated persons for acts defined in Clause 1, Article 31 of the Law on Vietnamese Nationality propose the deprivation of Vietnamese nationality of these persons, a dossier comprises:

- a/ The court's written proposal for deprivation of Vietnamese nationality;
- b/ The legally effective judgment and relevant documents.

Article 17. Dossiers of proposal for annulment of decisions on the grant of Vietnamese nationality

1. In case a provincial-level People's Committee proposes the annulment of a decision of the grant of Vietnamese nationality to persons who commits acts defined in Clause 1, Article 33 of the Law on Vietnamese Nationality, a dossier comprises:

- a/ The written proposal for annulment of the decision on the grant of Vietnamese nationality, made by the provincial-level People's Committee;
- b/ Verification documents and conclusion of competent agencies about the act committed by the person proposed for annulment of the decision on the grant of Vietnamese nationality;
- c/ Written denunciation against the person proposed for annulment for the decision on the grant of Vietnamese nationality (if any).

2. In case courts which have adjudicated accused persons for acts defined in Clause 1, Article 33 of the Law on Vietnamese Nationality propose the annulment of the decision on the grant of Vietnamese nationality, a dossier comprises:

- a/ The written proposal of the court for the deprivation of Vietnamese nationality;
- b/ The legally effective judgment and relevant documents.

Section 5. REGISTRATION FOR RETENTION OF VIETNAMESE NATIONALITY, NOTIFICATION OF HOLDING OF FOREIGN NATIONALITY

Article 18. Retention of Vietnamese nationality

1. If overseas Vietnamese who have not yet lost Vietnamese nationality under Vietnam's law prior to July 1, 2009, but do not have valid Vietnamese passports wish to retain Vietnamese nationality, they shall register for retention of Vietnamese nationality.

2. The registration for retention of Vietnamese nationality may be carried out through July 1, 2014. Past this deadline, if persons defined in Clause 1 of this Article still fail to register for retention of Vietnamese nationality, they shall lose Vietnamese nationality; if they wish to acquire Vietnamese nationality, they shall carry out procedures for restoration of Vietnamese nationality according to law.

Article 19. Agencies carrying out the registration for retention of Vietnamese nationality

1. Overseas Vietnamese representative missions competent to carry out the registration for retention of Vietnamese nationality are those based in or in charge of the countries of which the registrants for retention of Vietnamese nationality are citizens or where the registrants for retention for Vietnamese nationality reside.

2. In case Vietnam has not yet established diplomatic relations with, opened representative missions in or assigned representative missions to take charge of countries where the registrants for retention of Vietnamese nationality reside, the registration for retention of nationality shall be carried out at the overseas Vietnamese representative mission in a third country under the authorization of the Ministry of Foreign Affairs.

Article 20. Order of and procedures for registration for retention of Vietnamese nationality

1. The registrant for retention of Vietnamese nationality shall submit a declaration, made according to a set form, and a copy of the paper evidencing his/her Vietnamese nationality to an agency competent to carry out registration for retention for Vietnamese nationality specified in Article 19 of this Decree (below referred to as the registering agency).

2. When receiving the declaration of registration for retention of Vietnamese nationality, the registering agency shall record the registration in the Vietnamese nationality retention register and grant a certificate of registration for retention of Vietnamese nationality to the applicant.

3. In case the registrant for retention of Vietnamese nationality possesses papers to evidence that he/she has Vietnamese nationality, the registering agency shall write in the nationality retention register that the applicant holds Vietnamese nationality.

In case the registrant for retention of Vietnamese nationality does not possess adequate papers to prove his/her Vietnamese nationality or possesses unclear papers, the registering agency shall coordinate with concerned agencies and organizations in conducting verification under the guidance of the Ministry of Justice, the Ministry of Foreign Affairs and the Ministry of Public Security to determine whether the applicant holds Vietnamese nationality. Verification results must also be recorded in the nationality retention register.

Article 21. Notification of acquisition of foreign nationality

1. From July 1, 2009, Vietnamese citizens who, for any reasons, acquire foreign nationality but do not lose Vietnamese nationality will still have Vietnamese nationality.

2. Within 2 years after the date of acquiring foreign nationality, persons defined in Clause 1 of this Article or their parents or guardians shall send a written notification of their acquisition of foreign nationality, enclosed with copies of papers evidencing foreign nationality to competent overseas Vietnamese representative missions defined in Article 19 of this Decree, if they reside abroad, or to provincial-level Justice Departments of localities where they reside.

3. Upon receiving written notifications of acquisition of foreign nationality from Vietnamese citizens, overseas Vietnamese representative missions and provincial-level Justice Departments shall record them in the nationality register.

Chapter III

RECORDING OF NATIONALITY-RELATED MATTERS IN CIVIL STATUS REGISTERS

Article 22. Recording of Vietnamese nationality of children whose parents are stateless persons

The recording of Vietnamese nationality of children upon their birth under Article 17 of the Law on Vietnamese Nationality will be carried out through birth registration. When making birth registration, civil status-registering agencies shall write Vietnam nationality of these children in birth registers and birth certificates.

Article 23. Recording of nationality-related matters of persons permitted for naturalization in Vietnam or restoration of Vietnamese nationality in civil status registers

If persons permitted for naturalization in Vietnam or restoration of Vietnamese nationality who return to live in the country have civil status papers issued by competent foreign agencies, they shall carry out procedures for recording in civil status registers at provincial-level Justice Departments of localities where they reside according to the civil status law. If they apply for the issuance of relevant civil status papers, provincial-level Justice Department shall write their Vietnamese nationality in to-be issued papers.

Article 24. Recording of nationality in civil status papers for Vietnamese citizens who concurrently hold foreign nationality

When Vietnamese citizens who concurrently hold foreign nationality make civil status registration with competent Vietnamese agencies, their Vietnamese and foreign nationalities will be written in civil status papers.

Article 25. Taking notes of the renunciation of Vietnamese nationality in civil status registers

1. Provincial-level Justice Departments shall notify civil status management agencies which archive birth registers containing the names of persons who have renounced their Vietnamese nationality for taking notes of the change of their nationality in the birth registers.

2. In case persons who are permitted for renunciation of Vietnamese nationality have made birth registration at overseas Vietnamese representative missions, these missions shall take notes of the change of their nationality in the birth registers.

Chapter IV

RESPONSIBILITIES OF AGENCIES FOR STATE MANAGEMENT OF NATIONALITY

Article 26. Responsibilities of the Ministry of Justice

The Ministry of Justice shall assist the Government in performing the uniform state management of nationality nationwide and have the following responsibilities:

1. To elaborate and submit to competent state agencies for promulgation or promulgate according to its competence legal documents on nationality;
2. To guide and direct provincial-level People's Committees in organizing the implementation of legal documents on nationality;

3. To coordinate with the Ministry of Foreign Affairs in guiding and directing overseas Vietnamese representative missions to implement legal documents on nationality;
4. To review the situation and make statistics of nationality-related matters already settled for annual reporting to the Prime Minister;
5. To propagate and disseminate the nationality law;
6. To promulgate and manage forms of papers and books on Vietnamese nationality;
7. To inspect, examine and settle according to its competence complaints and denunciations about the settlement of matters related to Vietnamese nationality;
8. To examine dossiers and coordinate with the Ministry of Public Security in verifying dossiers of nationality-related matters according to law;
9. The Minister of Justice shall, under the authorization of the Prime Minister, sign and submit reports on the grant, restoration or renunciation of Vietnamese nationality to the President;
10. To assume the prime responsibility for, and coordinate with the Ministry of Foreign Affairs and the Ministry of Public Security in, negotiating and concluding treaties on nationality.
11. To build and direct the building of a national Vietnamese nationality database;
12. Upon the expiration of the time limits prescribed in Articles 8 and 18 of this Decree, to direct provincial-level People's Committees reviewing the naturalization in Vietnam by stateless persons; and coordinate with Ministry of Foreign Affairs to direct overseas Vietnamese representative missions in reviewing the registration of retention of Vietnamese nationality for reporting to the Government.

Article 27. Responsibilities of the Ministry of Foreign Affairs

The Ministry of Foreign Affairs shall coordinate with the Ministry of Justice in performing the state management of nationality matters for Vietnamese citizens in foreign countries and have the following responsibilities:

1. To assume the prime responsibility for, and coordinate with the Ministry of Justice in, guiding and directing overseas Vietnamese representative missions to implement legal documents on nationality.
2. To coordinate with the Ministry of Justice in examining and inspecting nationality-related matters handled by overseas Vietnamese representative missions.

3. To propagate and disseminate the nationality law among Vietnamese citizens abroad.
4. To review the situation and make statistics of nationality-related matters already annually settled by overseas Vietnamese representative missions for reporting to the Ministry of Justice.
5. To coordinate with the Ministry of Justice in negotiating and concluding treaties on nationality.
6. To publish on its website information on entities subject to, the time limit, competent agencies and order and procedures for settlement of registration for retention of Vietnamese nationality by the end of July 1, 2014; to assume the prime responsibility for, and coordinate with the Ministry of Justice and the Ministry of Public Security in, providing specific guidance on settling problems arising in the registration for retention of Vietnamese nationality.
7. Upon the expiration of the time limit prescribed in Article 18 of Decree, to direct overseas Vietnamese representative missions to make final review of the registration for retention of Vietnamese nationality for notification to the Ministry of Justice.

Article 28. Responsibilities of the Ministry of Public Security

1. The Ministry of Public Security shall coordinate with the Ministry of Justice in the process of settling nationality-related matters, examine, verify or guide and direct local police offices in verifying the personal identity of applicants for naturalization in Vietnam, restoration or renunciation of Vietnamese nationality or persons proposed for deprivation of Vietnamese nationality or annulment of decisions on the grant of Vietnamese nationality.
2. To coordinate with the Ministry of Justice in negotiating and concluding treaties on nationality.

Article 29. Responsibilities of provincial-level People's Committees

Provincial-level People's Committees shall perform the state management of nationality in their localities and have the following responsibilities:

1. To consider and give their opinions on cases of application for naturalization in Vietnam, restoration or renunciation of Vietnamese nationality, deprivation of Vietnamese nationality or annulment of decisions on the grant of Vietnamese nationality.
2. To propagate and disseminate the law on nationality.
3. To assess the situation and make statistics of nationality-related matters already settled for annual reporting to the Ministry of Justice.

4. To settle complaints and denunciations according to their competence.
5. Upon the expiration of the time limit prescribed in Article 8 of this Decree, to review the settlement of the naturalization in Vietnam for stateless persons for reporting to the Ministry of Justice.

Article 30. Responsibilities of overseas Vietnamese representative missions

Overseas Vietnamese representative missions shall perform the state management of Vietnamese nationality in areas under their management and have the following responsibilities:

1. To consider and give their opinions on cases of application for renunciation or restoration of Vietnamese nationality or deprivation of Vietnamese nationality.
2. To make registration for retention of Vietnamese nationality for overseas Vietnamese and notify the results to the registrants.
3. To propagate and disseminate the law on nationality among overseas Vietnamese citizens.
4. To assess the situation and make statistics of nationality-related matters already settled by overseas Vietnamese representative missions for annual reporting to the Ministry of Foreign Affairs.
5. To settle complaints and denunciations about nationality-related matters according to their competence.
6. To publish on their websites information on the order, procedures and time limit for registration of retention of Vietnamese nationality up to July 1, 2014.
7. Upon the expiration of the time limit prescribed in Article 18 of this Decree, to review the registration for retention of Vietnamese nationality for reporting to the Ministry of Foreign Affairs and the Ministry of Justice.

Chapter V

IMPLEMENTATION PROVISIONS

Article 31. Effect

This Decree takes effect on November 10, 2009, and replaces the Government's Decree No. 104/1998/ND-CP of December 31, 1998, detailing and guiding the Law on Vietnamese Nationality, and Decree No. 55/2000/ND-CP of October 11, 2000, amending a number of articles of Decree No. 104/1998/ND-CP of December 31, 1998, detailing and guiding the Law on Vietnamese Nationality.

Article 32. Implementation responsibilities

The Ministry of Justice, the Ministry of Foreign Affairs and the Ministry of Public Security shall, within the ambit of their functions and tasks, detail a number of articles of this Decree and guide some others so as to meet the requirements of state management of nationality-related matters.

Ministers, heads of ministerial-level agencies, heads of government-attached agencies and chairpersons of provincial-level People's Committees shall implement this Decree.-

On behalf of the Government

Prime Minister

NGUYEN TAN DUNG