

THE NATIONAL ASSEMBLY

No: 02/2007/QH12

SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom - Happiness

Ha Noi, day 21 month 11 year 2007

**Law on domestic violence prevention and control**

(No. 02/2007/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 on Domestic Violence Prevention and Control.

**Chapter I****GENERAL PROVISIONS****Article 1. Governing scope**

1. This Law provides for domestic violence prevention, protection of and support for domestic violence victims; responsibilities of individuals, families, agencies and organizations in domestic violence prevention and control; and handling of violations concerning domestic violence prevention and control.

2. Domestic violence means an intentional act by a family member which causes or potentially causes physical, spiritual and financial damage to other members of a family.

**Article 2. Acts of domestic violence**

1. Acts of domestic violence include:

a/ Persecuting, maltreating, beating or other intentional acts that harm another family member's health or life;

b/ Reviling or other intentional acts that offend another family member's honor or dignity;

c/ Isolating, driving away or frequently imposing psychological pressures that cause serious consequences;

d/ Obstructing the exercise of rights and fulfillment of responsibilities concerning family relationships between grandparents and grandchildren; parents and children; wives and husbands; and among siblings;

e/ Forcing sex;

f/ Forcing early marriage; forcing marriage or divorce, or obstructing voluntary and progressive marriage;

g/ Appropriating, destroying, breaking or other intentional acts that damage private property of other family members or common property of family members;

h/ Forcing family members to overwork or make financial contributions beyond their capacity; controlling family members' incomes in order to create financial dependence;

i/ Committing illegal acts to force family members to leave their abode.

2. Acts of domestic violence specified in Clause 1 of this Article also apply to family members of divorced or cohabiting couples.

**Article 3. Domestic violence prevention and control principles**

1. To combine and implement comprehensive measures for domestic violence prevention and control, considering prevention essential, and attaching importance to family communication and education, counseling and conciliation in conformity with Vietnamese cultural traditions and fine customs and habits.

2. Acts of domestic violence must be promptly detected, stopped and handled in accordance with law.

3. Domestic violence victims must be promptly protected and assisted in a manner suitable to their conditions and the country's socio-economic conditions; to prioritize protection of lawful rights and interests of children, the aged people with disabilities, and women.

4. To bring into play the role and responsibilities of individuals, families, communities, agencies and organizations in domestic violence prevention and control.

**Article 4. Obligations of people committing acts of domestic violence**

1. To respect the lawful interference of the community; to immediately stop acts of domestic violence.

2. To observe decisions of competent agencies and organizations.

3. To promptly take their victims to hospital for first aid and medical treatment; to take care of domestic violence victims, unless refused by victims.

4. To pay compensation to domestic violence victims at request and according to law.

**Article 5. Rights and responsibilities of domestic violence victims**

1. Domestic violence victims have the following rights:

- a/ To request competent agencies, organizations or individuals to protect their health, life, dignity and other lawful rights and interests;
- b/ To request competent agencies or individuals to apply measures on stoppage, protection and ban from contact under this Law;
- c/ To receive healthcare, and psychological and legal counseling services;
- d/ To be given temporary shelter, to have their temporary shelter and other information kept secret according to this Law;
- e/ Other rights according to law.

2. Domestic violence victims are obliged to supply information on domestic violence to competent agencies, organizations and individuals at their request.

#### **Article 6. State policies on domestic violence prevention and control**

1. The State annually allocates funds for domestic violence prevention and control.
2. To encourage agencies, organizations and individuals to participate in and finance domestic violence prevention and control activities; to develop models of domestic violence prevention and support domestic violence victims.
3. To encourage research into and literature and art creation about domestic violence prevention and control;
4. To organize and support training of domestic violence prevention and control workers.
5. People who directly engage in domestic violence prevention and control and gain achievements are entitled to commendation. If suffering health damage, life or property loss, they are entitled to prescribed policies.

#### **Article 7. International cooperation in domestic violence prevention and control**

1. The State encourages international cooperation in domestic violence prevention and control on the principles of equality, respect for sovereignty and compliance with Vietnamese and international laws.
2. International cooperation contents include:
  - a/ Formulating and implementing domestic violence prevention and control programs, projects and activities.
  - b/ Joining international organizations; concluding, acceding to and implementing treaties and agreements on domestic violence prevention and control;
  - c/ Exchanging domestic violence prevention and control information and experience.

#### **Article 8. Prohibited acts**

1. Acts of domestic violence specified in Article 2 of this Law.
2. Forcing, inciting, instigating and assisting other people to commit acts of domestic violence.
3. Using and disseminating information, images and sound in order to incite domestic violence.
4. Revenging or threatening to revenge people assisting domestic violence victims or people detecting, reporting and stopping acts of domestic violence.
5. Hindering the detection, reporting and handling of acts of domestic violence.
6. Taking advantage of domestic violence prevention and control activities for self-seeking purposes or commitment of illegal acts.
7. Tolerating, covering up, failing to handle acts of domestic violence or handling them in contravention with law.

### **Chapter II**

#### **DOMESTIC VIOLENCE PREVENTION**

##### **Section 1. INFORMATION AND COMMUNICATION ON DOMESTIC VIOLENCE PREVENTION AND CONTROL**

#### **Article 9. Purposes and requirements for information and communication on domestic violence prevention and control**

1. Information and communication on domestic violence prevention and control aim to change awareness about, and acts of, domestic violence, contributing to gradually eliminating domestic violence and raising awareness about fine traditions of Vietnamese people and families.
2. Information and communication on domestic violence prevention and control must satisfy the following requirements:
  - a/ Being accurate, clear, simple and practical;
  - b/ Being suitable to each group of people, education level, age, gender, traditions, culture, national identity and religion;
  - c/ Not affecting gender equity, honor, dignity and prestige of domestic violence victims and other family members.

#### **Article 10. Contents of information and communication on domestic violence prevention and control**

1. Laws and policies on domestic violence prevention and control, gender equity, rights and obligations of family members.
2. Fine traditions of Vietnamese people and families.

3. Harmful effects of domestic violence.
4. Measures on, models of, and experience in, domestic violence prevention and control.
5. Knowledge on marriage and family; code of conduct in and build cultured families.
6. Other contents concerning domestic violence prevention and control.

**Article 11. Forms of information and communication on domestic violence prevention and control**

1. Face-to-face.
2. Through the mass media.
3. Integrating into training and learning programs of training institutions within the national education system.
4. Through literature and art activities, community activities and other forms of mass cultural activities.

**Section 2. CONCILIATION OF CONFLICTS AND DISPUTES BETWEEN FAMILY MEMBERS**

**Article 12. Principles on conciliation of conflicts and disputes between family members**

1. Being prompt, proactive and patient.
2. Conforming with the Party's guidelines and policies and the State's laws and policies, social ethics and Vietnamese fine customs and habits.
3. Respecting involved parties' voluntary conciliation.
4. Being objective, just, rational and reasonable.
5. Keeping involved parties' private information secret.
6. Respecting lawful rights and interests of others; not harming the State's interests and public interests.
7. Not conciliating conflicts and disputes between family members specified in Articles 14 and 15 of this Law in the following cases:
  - a/ They are involved in criminal cases, unless victims request not to handle under the Penal Code;
  - b/ They are involved in illegal acts subject to administrative sanction.

**Article 13. Conflict and dispute conciliation by families or family lines**

A family shall promptly detect and conciliate conflicts and disputes between its members.

When a family fails to conciliate or at request of family members, the head or a prestigious person of the family line may conduct conciliation or invite a prestigious person in the community to conduct conciliation.

**Article 14. Conflict and dispute conciliation by agencies and organizations**

Agencies or organizations may conciliate conflicts and disputes between their employees and family members of these employees at the request of their family members; when necessary, they may coordinate with local agencies or organizations in conducting conciliation.

**Article 15. Conflict and dispute conciliation by grassroots conciliation organizations**

1. Grassroots conciliation organizations may conciliate conflicts and disputes between family members according to the law on grassroots conciliation.
2. People's Committees of communes, wards or townships (below referred to as commune-level People's Committees) may coordinate with Vietnam Fatherland Front Committees of the same level and their member organizations in guiding, assisting, and facilitating grassroots organizations to conciliate conflicts and disputes between family members.

**Section 3. COUNSELING, COMMENT AND CRITICISM CONCERNING DOMESTIC VIOLENCE PREVENTION BY COMMUNITIES**

**Article 16. Family counseling at grassroots level**

1. The State facilitates and encourages organizations and individuals to provide family counseling at grassroots level to community members for domestic violence prevention.
2. Grassroots-level family counseling covers the following activities:
  - a/ Providing information, knowledge and laws on marriage, family and domestic violence prevention and control;
  - b/ Guiding the code of conduct in families; skills of handling conflicts or disputes between family members.
3. The following target groups shall be provided with grassroots-level family counseling:
  - a/ Persons committing acts of domestic violence;
  - b/ Domestic violence victims;
  - c/ Alcohol and drug addicts, and gamblers;

d/ To-be-married persons.

4. Commune-level People's Committees shall take the prime responsibility for, and coordinate with Vietnam Fatherland Front Committees of the same level in, guiding and facilitating activities of grassroots-level family counseling.

**Article 17. Comment and criticism by communities**

1. Communities shall comment on and criticize acts of domestic violence-committing people aged full 16 or older who have been conciliated by a grassroots conciliation group but continue committing acts of domestic violence.

2. Heads of hamlets or villages, heads of street population groups or heads of equivalent units (below collectively referred to as community heads) shall decide and organize comment and criticism by communities. People giving comment and criticism include representatives of families, neighboring families and other persons invited by community heads.

3. Commune-level People's Committees shall assist and facilitate community heads in commenting on and criticizing persons committing acts of domestic violence.

**Chapter III**

**PROTECTION OF AND SUPPORT FOR DOMESTIC VIOLENCE VICTIMS**

**Section 1. MEASURES TO PROTECT AND SUPPORT DOMESTIC VIOLENCE VICTIMS**

**Article 18. Detecting and reporting domestic violence**

1. Persons who detect domestic violence shall promptly report it to the nearest police office or the commune-level Another family member's Committee or community head of the locality when it occurs, except for the cases prescribed in Clause 3, Article 23 and Clause 4, Article 29 of this Law.

2. Police offices, commune-level People's Committees or community heads who detect or are reported on domestic violence shall promptly deal with it or propose to and request competent agencies or persons to deal with it; keep secret the identity of persons detecting and/or reporting domestic violence and, when necessary, apply measures to protect these persons.

**Article 19. Stoppage and protection measures**

1. Stoppage and protection measures to be promptly taken to protect domestic violence victims, stop acts of domestic violence and reduce their consequences include:

a/ To force prompt termination of acts of domestic violence;

b/ To give first aid to domestic violence victims;

c/ Stoppage measures under the laws on handling of administrative violations or criminal procedures applied to those committing acts of domestic violence;

d/ To ban persons committing acts of domestic violence from approaching their victims and using telephones or other communication devices to commit acts of domestic violence to their victims (below referred to as ban-from-contact measure).

2. Persons present at the place where domestic violence occurs shall, depending on the nature and severity of acts of domestic violence and their capacity, take measures specified at Points a and b, Clause 1 of this Article.

3. The competence of and conditions for applying, changing and canceling measures specified at Point c, Clause 1 of this Article comply with the law on handling of administrative violations or criminal procedures.

4. Measures specified at Point d, Clause 1 of this Article shall be applied in accordance with Articles 20 and 21 of this Law.

**Article 20. Ban from contact under decisions of presidents of commune-level People's Committees**

1. The president of the commune-level Another family member's Committee of the locality where domestic violence occurs shall decide to apply the measure to ban from contact for not more than three days when all the following conditions are met:

a/ To receive a written request from domestic violence victims, their guardians or representatives-at-law or competent agencies or organizations; when a competent agency or organization makes such request, it must obtain the consent of domestic violence victims.

b/ Acts of domestic violence cause damage or threaten to cause damage to the health or threaten the life of domestic violence victims;

c/ Persons committing acts of domestic violence and domestic violence victims have different places of residence at the time of banning from contact.

2. Presidents of commune-level People's Committees shall consider and decide to apply the ban-from-contact measure within 12 hours from the time of receiving a written request; when they do not issue such decision, they shall send a notice to request makers, clearly stating the reason.

A ban-from-contact decision takes effect after its signing and shall be sent to persons committing acts of domestic violence, domestic violence victims, and heads of the communities where domestic violence victims reside.

3. Presidents of commune-level People's Committees who have issued a ban-from-contact decision may cancel this decision when domestic violence victims make a written request or when this measure is considered no longer necessary.

4. When a family has a funeral- or marriage-related affair, or in other special cases in which the person committing acts of domestic violence and the victim have to contact each other, the person committing acts of domestic violence shall report it to the head of the community where the domestic violence victim resides.

5. Persons committing acts of domestic violence who violate the ban-from-contact decision may be taken into administrative custody or be administratively sanctioned.

6. The Government shall specify the application and termination of the ban-from-contact measure and handling of acts of domestic violence-committing persons who violate ban-from-contact decisions prescribed in this Article.

#### **Article 21. Ban from contact under courts' decisions**

1. The court which handles or settles a civil case between a domestic violence victim and the person committing acts of domestic violence may decide to apply the ban-from-contact measure for not more than four months when all the following conditions are met:

a/ The domestic violence victim, his/her guardian or representative-at-law or a competent agency or organization makes a written request; when this request is made by a competent agency or organization, this agency or organization must obtain the consent of the domestic violence victim.

b/ Acts of domestic violence cause damage or threaten to cause damage to the health or threaten the life of the domestic violence victim;

c/ The person committing acts of domestic violence and the victim have different places of residence during the time of banning from contact.

2. A ban-from-contact decision takes effect after its signing and shall be sent to the person committing acts of domestic violence, domestic violence victim, the president of the commune-level Another family member's Committee, the head of the community where the domestic violence victim resides and the People's Procurácy of the same level.

3. The People's Court which has issued a ban-from-contact decision may annul that decision when the domestic violence victim makes a written request or when finding this measure no longer necessary.

4. When the family has a funeral- or marriage-related affair, or in other special cases in which the person committing acts of domestic violence and the victim have to contact each other, the person committing acts of domestic violence shall report it to the head of the community where domestic violence victim resides.

5. The competence and order of, and procedures for applying, changing or canceling the ban-from-contact measure prescribed in this Article comply with the civil procedure law concerning temporary urgent measures.

#### **Article 22. Supervising implementation of ban-from-contact decisions**

1. When receiving a ban-from-contact decision of presidents of commune-level People's Committees or competent courts, community heads shall coordinate with concerned grassroots organizations in designating a person to supervise the implementation of this decision.

2. The person designated to the supervision has the following tasks:

a/ To supervise the compliance of the decision to ban from contact between the person committing acts of domestic violence and the victim; when detecting that the person committing acts of domestic violence contacts the victim, to request this person to strictly comply with the ban-from-contact decision;

b/ When the person committing acts of domestic violence intentionally attempts to contact the victim, to report it to the community head for taking measures to force that person to terminate his/her act.

3. In case the person committing acts of domestic violence is allowed to contact the victim under Clause 4, Article 20 and Clause 4, Article 21 of this Law, other family members shall supervise to ensure that domestic violence does not occur.

#### **Article 23. Taking care of domestic violence victims in healthcare establishments**

1. When receiving medical examination and treatment at healthcare establishments, domestic violence victims may be certified for their medical examination and treatment at request.

2. Expenses for medical examination and treatment of domestic violence victims shall be paid by the health insurance fund for persons covered by health insurance.

3. When performing their tasks, health workers shall keep secret information on domestic violence victims; when detecting that acts of domestic violence show signs of crime, they shall promptly report them to heads of healthcare establishments for report to the nearest police office.

#### **Article 24. Counseling for domestic violence victims**

1. A domestic violence victim may receive healthcare, domestic code of conduct, legal and psychological counseling to deal with domestic violence.

2. Healthcare establishments, social security establishment, domestic violence victim support establishments, domestic violence prevention and control counseling establishments, individuals and organizations specified in Articles 27, 28, 29 and 30 of this Law shall, within the scope of their functions and tasks, provide appropriate counseling for domestic violence victims.

#### **Article 25. Urgent support for essential needs**

Commune-level People's Committees shall take the prime responsibility for, and coordinate with Vietnam Fatherland Front Committees of the same level and their member organizations and other local social organizations and domestic violence victim support establishments in, providing urgent support for essential needs of domestic violence victims when necessary.

## **Section 2. DOMESTIC VIOLENCE VICTIM ASSISTANCE ESTABLISHMENTS**

### **Article 26. Domestic violence victim assistance establishments**

1. A domestic violence victim assistance establishment is a place to provide care, counseling, temporary shelter and other necessary support for domestic violence victims.
2. Domestic violence victim assistance establishments include:
  - a/ Healthcare establishments;
  - b/ Social security establishments;
  - c/ Domestic violence victim support establishments;
  - d/ Domestic violence prevention and control counseling establishments;
  - e/ Reliable community addresses.
3. The Government shall detail and guide activities of domestic violence victim assistance establishments.

### **Article 27. Healthcare establishments**

1. Healthcare establishments shall provide healthcare services under Article 23 of this Law and healthcare counseling services.
2. Apart from complying with Clause 1 of this Article, state healthcare establishments shall, depending on their capacity and realities, arrange temporary shelter for domestic violence victims for not more than one day at the victims' request.

### **Article 28. Social security establishments**

Social security establishments shall provide care, psychological counseling, temporary shelter and other necessary supports for domestic violence victims.

### **Article 29. Domestic violence victim support establishments and domestic violence prevention and control counseling establishments**

1. The State encourages and creates conditions for organizations and individuals to set up domestic violence victim support establishments and domestic violence prevention and control counseling establishments; finances a number of these establishments under programs and plans on domestic violence prevention and control; the Government shall prescribe support funds and beneficiaries.
2. According to their operation regulations or functions and tasks, domestic violence victim support establishments and domestic violence prevention and control counseling establishments may provide counseling services on law, psychology, healthcare, temporary shelters and other necessary conditions for domestic violence victims.
3. Domestic violence victim support establishments and domestic violence prevention and control counseling establishments must meet the following conditions:
  - a/ Having facilities and professional staff suitable to domestic violence victim assistance activities;
  - b/ Having financial sources to cover expenses for domestic violence victim assistance activities.
4. Counselors must possess moral qualities and professional qualifications as prescribed by law. In the course of providing counseling for domestic violence victims, counselors shall keep secret information on domestic violence victims; when detecting that acts of domestic violence show signs of crime, they shall report them to heads of their establishments for report to the nearest police office.

### **Article 30. Reliable community addresses**

1. Reliable community addresses are individuals and organizations that have prestige and conditions and voluntarily assist domestic violence victims in communities.
2. Individuals and organizations shall notify commune-level People's Committees of localities where they register to be reliable addresses and the location of the reliable addresses.
3. Depending on their actual conditions and abilities, reliable community addresses may receive domestic violence victims, provide support, counseling and temporary shelter for victims and notify competent agencies thereof.
4. Commune-level People's Committees shall make and announce a list of reliable community addresses; guide and train in domestic violence prevention and control and protection of reliable community addresses when necessary.
5. Vietnam Fatherland Front Committees of communes, wards and townships and their member organizations shall coordinate with People's Committees of the same level in propagating information on, mobilizing and setting up reliable community addresses.

## **Chapter IV**

### **RESPONSIBILITIES OF INDIVIDUALS, FAMILIES, AGENCIES AND ORGANIZATIONS IN DOMESTIC VIOLENCE PREVENTION AND CONTROL**

#### **Article 31. Responsibilities of individuals**

1. To comply with the laws on domestic violence prevention and control, marriage and family, gender equity, prevention and control of drugs, prostitution and other social evils.
2. To promptly stop acts of domestic violence and notify competent agencies, organizations or individuals thereof.

**Article 32. Responsibilities of families**

1. To educate and remind family members to comply with the laws on domestic violence prevention and control, marriage and family, gender equity, prevention and control of drugs, prostitution and other social evils.
2. To conciliate conflicts and disputes between family members; to advise persons committing acts of domestic violence to stop their acts; to take care of domestic violence victims.
3. To coordinate with agencies, organizations and communities in preventing and controlling domestic violence.
4. To take other domestic violence prevention and control measures according to this Law.

**Article 33. Responsibilities of the Vietnam Fatherland Front and member organizations**

1. To disseminate, educate, encourage members and people to comply with, the laws on domestic violence prevention and control, marriage and family, gender equity, prevention and control of drugs, prostitution and other social evils.
2. To propose to concerned state agencies necessary measures to enforce the laws on domestic violence prevention and control, marriage and family, gender equity, prevention and control of drugs, prostitution and other social evils; to participate in domestic violence prevention and control, care for, support and protection of domestic violence victims.
3. To participate in supervising the implementation of the law on domestic violence prevention and control.

**Article 34. Responsibilities of the Vietnam Women's Union**

1. To perform responsibilities prescribed in Article 33 of this Law.
2. To organize domestic violence prevention and control counseling establishments and domestic violence victim assistance establishments.
3. To organize vocational training, credit and savings activities to support domestic violence victims.
4. To coordinate with concerned agencies and organizations in protecting and assisting domestic violence victims.

**Article 35. Domestic violence prevention and control state management agencies**

1. The Government shall perform the unified state management of domestic violence prevention and control.
2. The Ministry of Culture, Sports and Tourism shall take responsibility before the Government for performing the state management of domestic violence prevention and control.
3. Ministries, ministerial-level agencies shall, within the scope of their tasks and powers, coordinate with the Ministry of Culture, Sports and Tourism in performing the state management of domestic violence prevention and control.
4. People's Committees of all levels shall, within the scope of their tasks and powers, perform the state management of domestic violence prevention and control in localities;
5. Annual socio-economic reports of commune-level People's Committees to Another family member's Councils of the same level must include the situation and results of domestic violence prevention and control in localities.

**Article 36. Responsibilities of the Ministry of Culture, Sports and Tourism**

1. To elaborate and submit to competent agencies for promulgation or promulgate according to competence, legal documents, programs and plans on domestic violence prevention and control.
2. To take the prime responsibility for, and coordinate with ministries, ministerial-level agencies, government-attached agencies and provincial/municipal People's Committees in, implementing legal documents, programs and plans on domestic violence prevention and control.
3. To guide family counseling activities at grassroots level, formation and closure of domestic violence prevention and control counseling establishments, domestic violence victim assistance establishments.
4. To assume the prime responsibility for, and coordinate with concerned agencies and organizations in, promulgating and implementing regulations on training of domestic violence prevention and control workers.
5. To inspect and examine the implementation of the law on domestic violence prevention and control.
6. To carry out international cooperation in domestic violence prevention and control.
7. To assume the prime responsibility for, and guide the review and analysis of the situation of domestic violence prevention and control; to direct the reporting of and statistical work on domestic violence prevention and control; to sum up experience in and expand models of domestic violence prevention and control.
8. To assume the prime responsibility for, and coordinate with concerned agencies in, editing and supplying information on domestic violence prevention and control.

**Article 37. Responsibilities of the Ministry of Health**

1. To promulgate and implement a regulation on receipt of and healthcare for patients who are domestic violence victims in healthcare establishments.
2. To guide healthcare establishments in making statistics and reports on patients who are domestic violence victims.
3. To promulgate guidelines for detoxification of alcohol addicts.

**Article 38. Responsibilities of the Ministry of Labor, War Invalids and Social Affairs**

1. To direct the integration of domestic violence prevention and control contents into programs on hunger eradication and poverty reduction, vocational training and employment.
2. To guide the assistance of domestic violence victims in social security establishments.

**Article 39. Responsibilities of the Ministry of Education and Training, schools and other educational institutions within the national education system**

1. The Ministry of Education and Training shall direct the integration of domestic violence prevention and control knowledge into education and training programs in response to the requirements of each discipline and educational level.
2. Schools and other educational institutions within the national education system shall carry out education programs that integrate domestic violence prevention and control knowledge.

**Article 40. Responsibilities of the Ministry of Information and Communication and mass media agencies**

1. The Ministry of Information and Communication shall direct mass media agencies in reporting on and disseminating the law and policies on domestic violence prevention and control.
2. Mass media agencies shall provide prompt and accurate information on the law and policies on domestic violence prevention and control.

**Article 41. Responsibilities of police offices, courts and procuracies**

Police offices, courts and procuracies shall, within the scope of their tasks and powers, take the prime responsibility for, and coordinate with concerned agencies and organizations in, protecting the lawful rights and interests of domestic violence victims; proactively prevent and promptly detect, stop and handle violations of the law on domestic violence prevention and control; coordinate with and create conditions for domestic violence prevention and control state management agencies in making statistics on domestic violence prevention and control.

## Chapter V

### HANDLING VIOLATIONS CONCERNING DOMESTIC VIOLENCE PREVENTION AND CONTROL AND COMPLAINTS AND DENUNCIATIONS

**Article 42. Handling violators of domestic violence prevention and control**

1. Those who commit acts of violation of the law on domestic violence prevention and control shall, depending on the nature and severity of their violations, be administratively sanctioned, disciplined or examined for penal liability; if causing damage, they shall pay compensation according to law.
2. Cadres, public employees and servants and persons of another family member's armed forces who commit acts of domestic violence and are administratively sanctioned under Clause 1 of this Article shall have their acts notified to heads of their agencies, organizations or units.
3. The Government shall specify administrative violations in domestic violence prevention and control, sanctioning forms and remedy measures applicable to violators of the law on domestic violence prevention and control.

**Article 43. Application of educational measures in communes, wards and townships and confinement to educational establishments and reform schools**

1. People who still commit acts of domestic violence within six months from the date of receiving comment and criticism by their communities which are not serious enough to be examined for penal liability are subject to educational measures at communes, wards or townships.
2. People committing acts of domestic violence who have been educated at communes, wards or townships but recommit acts of domestic violence which are not serious enough to be examined for penal liability may be confined to educational establishments; people aged under 18 may be confined to reform schools.
3. The competence, time limit and order of and procedures for applying educational measures in communes, wards and townships or confining to educational establishments and reform schools comply with the law on handling of administrative violations.

**Article 44. Complaints and denunciations and settlement of complaints and denunciations**

Complaints and denunciations concerning violations of the law on domestic violence prevention and control and their settlement comply with the law on complaints and denunciations.

## Chapter VI

### IMPLEMENTATION PROVISIONS

**Article 45. Implementation effect**

This Law takes effect on July 1, 2008.

**Article 46. Implementation guidance**

The Government shall detail and guide the implementation of this Law.

*This Law was passed on November 21, 2007, by the 12<sup>th</sup> National Assembly of the Socialist Republic of Vietnam at its 2nd session.*

**THE NATIONAL ASSEMBLY**

**PRESIDENT**

*(Đã ký)*

**Nguyen Phu Trong**