

DECREE
DETAILING AND PROVIDING MEASURES FOR THE IMPLEMENTATION
OF THE LAW ON RED CROSS ACTIVITIES

THE GOVERNMENT

Pursuant to the December 25, 2001 Law on Organization of the Government;
Pursuant to the June 3, 2008 Law on Red Cross Activities;
At the proposal of the Minister of Home Affairs,

DECREES:

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation and subjects of application

1. This Decree details Clause 2, Article 17 on state budget supports for red-cross activities; Clause 1, Article 18 on facilitation and prompt clearance of entry, exit and customs procedures for persons, money and objects in service of red-cross activities in case of natural disasters, catastrophes or dangerous epidemics; and Clause 4, Article 22 on the establishment, organization, operation and management of red-cross funds and measures for implementing the Law on Red Cross Activities.
2. This Decree applies to Vietnamese organizations and individuals; foreign organizations and individuals and international organizations engaged in red-cross activities in Vietnam.

Article 2. Participation in red-cross activities

1. When carrying out red-cross activities in a province or centrally run city, Vietnamese organizations and individuals, foreign organizations and individuals and international organizations shall contact the Red Cross Society and the People's Committee of that province or city for guidance and information on beneficiaries, geographical areas, needs and organizational of red-cross activities; when carrying out red-cross activities in several provinces or centrally-run cities, they shall contact Vietnam Red Cross Society for guidance and information on beneficiaries, geographical areas and needs of red-cross activities and coordination in their implementation.
2. When carrying out red-cross activities in Vietnam, foreign organizations and individuals and overseas international organizations shall contact Vietnam Red Cross Society for guidance in procedures and information on beneficiaries, geographical areas and needs of red-cross activities and coordination in their implementation.
3. Vietnam Red Cross Society shall act as the focal point in receiving international donations and coordinating with foreign organizations and individuals and international organizations in implementing international projects and donations and other international activities concerning red-cross activities in two or more provinces or centrally run cities. Provincial-level Red Cross Societies shall act as the focal point in receiving and coordinating with foreign organizations and individuals and international organizations in carrying out red-cross activities in their respective localities.

Article 3. Policies towards red-cross activists

1. Persons who record outstanding achievements in red-cross activities may be commended and rewarded according to the law on emulation and commendation.
2. Persons who, when carrying out red-cross activities, meet with accidents which damage their health may receive financial supports for:
 - a) Medical treatment to restore their health and lost or deficient functions;

b) Loss or reduction of actual income; in case such income is unstable and cannot be determined, the average income earned from similar jobs will apply.

3. Persons who, when carrying out red-cross activities, die for saving the life or property of people or the State may be considered for recognition as fallen heroes; those who are injured and, therefore, lose 21% or more of their working capacity may be considered for entitlement to preferential policies like war invalids; those who are injured and, therefore, lose between 5% and under 21% of their working capacity may receive a lump-sum allowance under the Ordinance on Preferential Treatment for Persons with Meritorious Services to the Revolution and guiding documents.

4. Funds, order, procedures and dossiers of application for entitlement to preferential policies for persons who, when carrying out red-cross activities, meet with accidents which damage their health:

a) Costs for medical treatment to restore health and lost or deficient functions:

- If the applicants buy health insurance, these costs shall be paid by the health insurance fund according to the Law on Health Insurance and guiding documents;

- If the applicants do not buy health insurance, they may receive state budget supports at the level paid by the health insurance fund. Funds for these supports comply with current budget decentralization regulations of the Law on the State Budget.

b) Financial supports for loss or reduction of actual income shall be allocated from the state budget according to current budget decentralization regulations;

c) The Ministry of Home Affairs shall coordinate with concerned ministries, branches and organizations in providing for the order, procedures, dossiers and levels of supports for red-cross activists specified in Clause 2 of this Article.

Chapter II

SUPPORTING AND FACILITATING RED-CROSS ACTIVITIES

Article 4. State budget supports for red-cross activities

1. State budget funds shall be given to agencies and units assigned by competent agencies to raise, receive, transport and distribute cash and in-kind donations in red-cross activities according to current budget management and decentralization regulations, covering:

a) Rents of warehouses and storing yards; costs for receiving and transporting relief to users;

b) Work-trip allowances for red-cross activities according to current regulations;

c) Other costs (if any) related to the raising, receipt, transportation and distribution of cash and in-kind donations.

2. State budget funds shall be given to the operation of Red Cross Societies of various levels according to the Law on the State Budget and guiding documents.

3. Units assigned to raise, receive, transport and distribute cash and in-kind donations which have their regular operation funds allocated from or supported by the state budget shall use annually allocated funds to pay for the costs specified in Clause 1 of this Article according to current laws. When any irregular cost incurs, affecting the performance of their regular tasks, they shall report such to finance agencies of the same level for settlement or submission to competent authorities for decision.

4. State budget funds for red-cross activities shall be used and managed under the Law on the State Budget.

Article 5. Red-cross funds

1. Red-cross funds include:

a) The Red-Cross Emergency Relief Fund;

b) The Red-Cross Humanitarian Aid Fund;

c) The Agent Orange Victims' Fund;

d) Other red-cross constituent funds.

2. The establishment, organization, operation and management of red-cross funds comply with the Government's Decree No. 148/2007/ND-CP of September 25, 2007, on organization and operation of social funds and charity funds.

Article 6. Prioritizing and facilitating the clearance of import or export procedures for curative medicines, epidemic prevention and control medicines and medical equipment in case of natural disasters, catastrophes and dangerous epidemics

1. The import and export of curative medicines, epidemic prevention and control medicines and medical equipment in case of natural disasters, catastrophes and dangerous epidemics comply with the current laws applicable to the import and export of goods at urgent orders.

2. Concerned agencies, organizations and individuals shall facilitate and promptly clear import or export procedures for curative medicines, epidemic prevention and control medicines and medical equipment in service of red-cross activities in case of natural disasters, catastrophes and dangerous epidemics under the guidance of competent state agencies.

Article 7. Customs procedures for imports and exports to serve red-cross activities in case of natural disasters, catastrophes and dangerous epidemics

1. Customs offices shall clear customs procedures for the import and export of goods in service of red-cross emergency relief activities according to Article 35 of the Customs Law and the Government's Decree No. 154/2005/ND-CP of December 15, 2005, detailing a number of articles of the Customs Law regarding customs procedures, inspection and supervision.

2. Red Cross Societies shall make written certification of goods imported and exported to serve red-cross emergency relief activities and take responsibility before law for their certification.

Article 8. Prioritizing and facilitating the clearance of procedures for the entry, exit and travel of red-cross activists in case of natural disasters, catastrophes and dangerous epidemics

1. Visas for foreigners who enter Vietnam to carry out red-cross activities in case of natural disasters, catastrophes and dangerous epidemics shall be granted by overseas Vietnamese representative missions within 24 hours after receiving an application therefor or granted right at Vietnam's international border gates. When necessary, visas may be granted or modified during the implementation of relief activities in response to natural disasters, catastrophes and dangerous epidemics.

2. Visa application dossiers comply with the Government's Decree No. 21/2001/ND-CP of May 28, 2001, detailing the Ordinance on Foreigners' Entry into, Exit from and Residence in Vietnam and relevant legal documents. Vietnam Red Cross Society's documents calling for international participation in red-cross activities in response to natural disasters, catastrophes and dangerous epidemics in Vietnam shall be as valid as letters of invitation.

3. Vietnamese competent state agencies shall create favorable conditions for foreigners who carry out red-cross activities in Vietnam in case of natural disasters, catastrophes and dangerous epidemics to travel and work in areas affected by natural disasters and participate in post-disaster relief and remedy activities.

4. Vietnamese citizens who carry out relief activities in response to natural disasters, catastrophes and dangerous epidemics in foreign countries shall abide by Vietnam's laws, treaties to which Vietnam has acceded, laws of host countries and international laws and practice.

5. Competent Vietnamese state agencies shall create favorable conditions for Vietnam Red Cross Society to participate in international relief activities.

Chapter III

RED-CROSS SERVICE ESTABLISHMENTS

Article 9. Red-cross social relief establishments

1. Red-cross social relief establishments are set up by Vietnam Red Cross Society by itself or in coordination with other organizations or individuals to nurture and rehabilitate functions for Agent Orange victims, people with disabilities, helpless elderly and orphans in exceptionally difficult circumstances under

the charge reduction or exemption regime.

2. The admission into red-cross social relief establishments must adhere to the principle of prioritizing those in exceptionally difficult circumstances,

3. Red-cross social relief establishments shall be set up under the order and procedures prescribed in the Government's Decree No. 68/2008/ND-CP of May 30, 2008, on conditions and procedures for the establishment, organization, operation and dissolution of social relief establishments.

4. Funds for the operation of red-cross social relief establishments include:

a) Funds raised by Red Cross Societies at various levels and contributed by organizations and individuals that jointly set up these establishments;

b) Donations from domestic and foreign organizations and individuals;

c) Voluntary donations;

d) Other sources as prescribed by law;

e) State budget funds for social relief policy beneficiaries according to law.

Article. 10. Red-cross healthcare establishments

1. Red-cross healthcare establishments are humanitarian healthcare establishments set up by Vietnam Red Cross Society by itself or in coordination with other organizations or individuals to provide free medical examination and treatment to persons in exceptionally difficult circumstances; to provide medical examination and treatment to health insurance beneficiaries and to provide medical examination and treatment with charges to other persons according to law.

2. Red-cross healthcare establishments shall be set up in organizational forms in conformity with the law on medical examination and treatment.

3. Red-cross healthcare establishments may be set up and operate when meeting all conditions on operation of healthcare establishments under the law on medical examination and treatment.

4. Red-cross healthcare establishments shall balance their revenues and expenditures for their operations. Funds for operations of red-cross healthcare establishments include:

a) Funds raised by Red Cross Societies at various levels;

b) Contributions of organizations and individuals that jointly set up these establishments;

c) Voluntary donations of domestic and foreign organizations and individuals;

d) Other lawful sources as prescribed by law.

5. Red-cross healthcare establishments are entitled to incentives under the law on promotion of the socialization of healthcare activities.

Article 11. Red-cross blood donation establishments

1. Red-cross blood donation establishments are humanitarian blood donation establishments set up by Vietnam Red Cross Society by itself or in coordination with other organizations or individuals to supply blood and blood preparations to serve first-aid and therapeutic activities.

2. Red-cross blood donation establishments shall carry out the following activities:

a) Propagating and raising voluntary blood donation;

b) Organizing voluntary blood donation activities;

c) Receiving blood and supplying blood preparations;

d) Coordinating with health agencies in testing and preserving blood and blood products in accordance with prescribed technical processes.

3. Red-cross blood donation establishments shall balance their revenues and expenditures for their operations. Funds for operations of red-cross blood donation establishments include:

a) Funds raised by Red Cross Societies at various levels;

b) Voluntary donations of domestic and foreign organizations and individuals;

c) Other lawful sources as prescribed by law.

4. The Ministry of Health shall assume the prime responsibility for, and coordinate with concerned ministries and branches in, specifying conditions for the operation and procedures for the establishment of red-cross

blood donation establishments.

Article 12. Red-cross first-aid spots and stations

1. Red-cross first-aid spots and stations are set up by Vietnam Red Cross Society by itself or in coordination with other organizations or individuals at places where accidents frequently occur to provide first aid under Clause 3, Article 9 of the Law on Red Cross Activities.
2. Red-cross first-aid spots and stations shall be set up and operate under a regulation promulgated by Vietnam Red Cross Society.
3. Red-cross first-aid spots and stations shall balance their revenues and expenditures for their operations. Funds for operations of red-cross first-aid spots and stations include:
 - a) Funds raised by Red Cross Societies at various levels;
 - b) Voluntary donations of domestic and foreign organizations and individuals;
 - c) Other lawful sources as prescribed by law.
4. People's Committees at various levels shall facilitate the establishment and operation of red-cross first-aid spots and stations in their localities.
5. The Ministry of Health shall specify conditions for the operation, procedures for the establishment and dossiers of application for operation licenses of red-cross first-aid spots and stations.

Article 13. Red-cross first-aid training establishments

1. Red-cross first-aid training establishments are set up by Vietnam Red Cross Society by itself or in coordination with other organizations or individuals to provide training in first-aid skills and methods to cadres and people at communities, agencies, enterprises and schools and to other organizations and individuals upon request.
2. Red-cross First-aid training establishments shall balance their revenues and expenditures for their operations. They shall be organized and operate under a regulation promulgated by-Vietnam Red Cross Society. Funds for operations of red-cross first-aid training establishments include:
 - a) Funds raised by Red Cross .Societies at various levels;
 - b) Donations of domestic and foreign organizations and individuals;
 - c) Voluntary donations;
 - d) Other lawful sources as prescribed by law.
3. The Ministry of Health shall provide first-aid training contents and framework programs and the grant of certificates to trainees.
4. The Ministry of Education and Training shall provide for first-aid training in schools for teachers and students and coordinate with Vietnam Red Cross Society in organizing such training.

Article 14. Red-cross mobile healthcare teams

1. Vietnam Red Cross Society shall form red-cross mobile healthcare teams to provide free medical examination and treatment to people in areas with exceptional socio-economic difficulties, areas affected by natural disasters, catastrophes or epidemics or other areas when necessary.
2. Red-cross mobile healthcare teams shall operate under a regulation promulgated by Vietnam Red Cross Society.
3. Red-cross mobile healthcare teams shall coordinate with Red Cross Societies and People's Committees of communes, wards or townships where they carry out medical examination and treatment activities in organizing these activities and communication about protection of people's health and environmental sanitation.
4. The Ministry of Health shall provide physical foundations, human resources and professional operations of red-cross mobile healthcare teams.

Chapter IV

IMPLEMENTATION PROVISIONS

Article 15. Effect

This Decree takes effect on February 25, 2011.

Article 16. Implementation responsibilities

1. The Minister of Home Affairs shall organize the implementation of this Decree.
2. Ministers, heads of ministerial-level agencies, heads of government-attached agencies, chairpersons of provincial-level People's Committees and concerned organizations and individuals shall implement this Decree.