

## Chapter XIV

### CRIMES OF INFRINGING UPON OWNERSHIP RIGHTS

(...)

#### **Article 143.- Destroying or deliberately damaging property**

1. Those who destroy or deliberately damage other persons' property, causing damage of between five hundred thousand dong and under fifty million dong, or under five hundred thousand dong but causing serious consequences, or who have already been administratively sanctioned for such act or sentenced for such offense and not yet entitled to criminal record remission but repeat their violations shall be subject to non-custodial reform for up to three years or to a prison term of between six months and three years.

2. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between two and seven years of imprisonment:

- a) In an organized manner;
- b) Employing explosives, inflammables or other dangerous means;
- c) Causing serious consequences;
- d) To conceal other crimes;
- e) For the reasons of the victims' official duties;
- f) Dangerous recidivism;
- g) Causing damage to property valued between fifty million dong and under two hundred million dong.

3. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between seven and fifteen years of imprisonment:

- a) Causing damage to property valued between two hundred million dong and under five hundred million dong;
- b) Causing very serious consequences.

4. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between twelve and twenty years of imprisonment or life imprisonment:

- a) Causing damage to property valued at five hundred million dong or higher;
- b) Causing particularly serious consequences.

5. The offenders may also be subject to a fine of between ten million dong and one hundred million dong, to a ban from holding certain posts, practicing certain occupations or doing certain jobs for one to five years.

(...)

## Chapter XIX

### CRIMES OF INFRINGEMENT UPON PUBLIC SAFETY, PUBLIC ORDER

(...)

#### **Article 230.- Illegally manufacturing, stockpiling, transporting, using, trading in or appropriating military weapons and/or technical means**

1. Those who illegally manufacture, stockpile, transport, use, trade in or appropriate military weapons and/or technical means shall be sentenced to between one and seven years of imprisonment.

2. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between five and twelve years of imprisonment:

- a) In an organized manner;
- b) Objects involved in the offense are in great quantity;
- c) Conducting cross-border transport or trading;
- d) Causing serious consequences;
- e) Dangerous recidivism.

3. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between ten years and fifteen years of imprisonment:

- a) The objects involved in the offense are in very great quantity;
- b) Causing very serious consequences.

4. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between fifteen and twenty years of imprisonment or life imprisonment:

- a) The objects involved in the offense are in particularly great quantity;
- b) Causing particularly serious consequences.

5. The offenders may also be subject to a fine of between five million dong and fifty million dong, to probation or residence ban for one to five years.

(...)

#### **Article 232.- Illegally manufacturing, stockpiling, transporting, using, trading or appropriating explosive materials**

1. Those who illegally manufacture, stockpile, transport, use, trade in or appropriate explosive materials shall be sentenced to between one and five years of imprisonment.

2. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between three and ten years of imprisonment:

- a) In an organized manner;
- b) Objects involved in the offense are in great quantity;
- c) Conducting cross-border transportation and/or trading;
- d) Causing serious consequences;
- e) Dangerous recidivism.

3. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between seven and fifteen years of imprisonment:

- a) The objects involved in the offense are in very great quantity;
- b) Causing very serious consequences.

4. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between fifteen and twenty years of imprisonment or life imprisonment:

- a) Objects involved in the offense are in particularly great quantity;
- b) Causing particularly serious consequences.

5. The offenders may also be subject to a fine of between five million dong and fifty million dong, to probation or residence ban for one to five years.

**Article 233.- Illegally manufacturing, stockpiling, transporting, using, trading in or appropriating rudimentary weapons or support devices**

1. Those who illegally manufacture, stockpile, transport, use, trade in or appropriate rudimentary weapons or support devices, have already been administratively sanctioned for such acts, or have already been sentenced for such offense, not yet entitled to criminal record remission but continue to commit it, shall be sentenced to between three months and two years of imprisonment.

2. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between one and five years of imprisonment:

- a) In an organized manner;
- b) Objects involved in the offense are in great quantity;
- c) Conducting cross-border transportation and/or trading;
- d) Causing serious consequences;
- e) Dangerous recidivism.

3. The offenders may also be subject to a fine of between five million dong and fifty million

dong, probation or residence ban for one to five years.

**Article 234.- Breaching regulations relating to the management of weapons, explosive materials, support devices**

1. Those who breach regulations on management of the production, repair, supply, use, maintenance, storage, transport and trading of weapons, explosive materials, support devices, causing the loss of lives or serious damage to the health and/or property of other persons, shall be sentenced to between one and five years of imprisonment.

2. Committing the crime and causing very serious consequences, the offenders shall be sentenced to between three and ten years of imprisonment.

3. Committing the crime and causing particularly serious consequences, the offenders shall be sentenced to between ten and fifteen years of imprisonment.

4. Committing the offense in cases where particularly serious consequences may actually occur if not warded off in time, the offenders shall be subject to non-custodial reform for up to three years or a prison term of between six months and three years.

5. The offenders may also be banned from holding certain posts, practicing certain occupations or doing certain jobs for one to five years.

**Article 235.- Neglecting responsibilities relating to the keeping of weapons, explosive materials and support devices, causing serious consequences**

1. Those who are assigned weapons, explosive materials and/or support devices but neglect their responsibility and let other persons use such weapons, explosive materials and/or support devices, causing the loss of lives or serious damage to the health and/or property of other persons, shall be subject to non-custodial reform for up to three years or a prison term of between six months and five years.

2. Committing the crime and causing very serious or particularly serious consequences, the offenders shall be sentenced to between three and ten years of imprisonment.

3. The offenders may also be banned from holding certain posts, practicing certain occupations or doing certain jobs for one to five years.

**Article 236.- Illegally producing, stockpiling, transporting, using, trading in or appropriating radioactive elements**

1. Those who illegally produce, stockpile, transport, use, trade in or appropriate radioactive elements shall be sentenced to between two and seven years of imprisonment.

2. Committing the crimes in one of the following circumstances, the offenders shall be sentenced to between five and twelve years of imprisonment:

- a) In an organized manner;
- b) The objects involved in the offense are in great quantity;
- c) Conducting cross-border transportation and/or trading;

d) Causing serious consequences;

e) Dangerous recidivism.

3. Committing the offenses in one of the following circumstances, the offenders shall be sentenced to between ten and fifteen years of imprisonment:

a) The objects involved in the offenses are in very great quantity;

b) Causing very serious consequences.

4. Committing the offense in one of the following circumstances, the offender shall be sentenced to between fifteen and twenty years of imprisonment or life imprisonment:

a) The objects involved in the offense are in particularly great number;

b) Causing particularly serious consequences.

5. The offenders may also be subject to a fine of between five million dong and fifty million dong, probation or residence ban for one to five years.

#### **Article 237.- Breaching regulations relating to the management of radioactive elements**

1. Those who violate the regulations relating to the management of the production, supply, use, preservation, storage, transport and/or trading of radioactive elements, which may actually entail serious consequences if not warded off in time, shall be subject to non-custodial reform for up to three years or a prison term of between six months and three years.

2. Committing the crime and causing the loss of lives or damage to the health of other persons, the offenders shall be sentenced to between three and ten years of imprisonment.

3. Committing the crime and causing very serious consequences, the offenders shall be sentenced to between seven and fifteen years of imprisonment.

4. Committing the crime and causing particularly serious consequences, the offenders shall be sentenced to between fifteen and twenty years of imprisonment.

5. The offenders may also be banned from holding certain posts, practicing certain occupations or doing certain jobs for one to five years.

#### **Article 238.- Illegally producing, stockpiling, transporting, using or trading in inflammables, toxins**

1. Those who illegally produce, stockpile, transport, use and/or trade in inflammables and/or toxins shall be sentenced to between one and five years of imprisonment.

2. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between three and ten years of imprisonment:

a) In an organized manner;

b) The objects involved in the offense are in great quantity;

- c) Conducting cross-border transportation and/or trading;
- d) Causing serious consequences;
- e) Dangerous recidivism.

3. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between seven and fifteen years of imprisonment:

- a) The objects involved in the offenses are in very great quantity;
- b) Causing very serious consequences.

4. Committing the crime in one of the following circumstances, the offenders shall be sentenced to from fifteen to twenty years of imprisonment or life imprisonment:

- a) The objects involved in the offenses are in particularly great quantity;
- b) Causing particularly serious consequences.

5. The offenders may also be sentenced to a fine of between five million dong and fifty million dong, the probation or residence ban for one to five years.

**Article 239.- Breaching the regulations relating to the management of inflammables, toxins**

1. Those who violate the regulations relating to the management of the production, supply, use, preservation, storage, transport or trading of inflammables and/or toxins, causing the loss of lives or serious damage to the health and/or property of other persons shall be sentenced to between one and five years of imprisonment.

2. Committing the crime and causing very serious consequences, the offenders shall be sentenced to between three and ten years of imprisonment.

3. Committing the crime and causing particularly serious consequences, the offenders shall be sentenced to between seven and fifteen years of imprisonment.

4. The offenders may also be banned from holding certain posts, practicing certain occupations or doing certain jobs for one to five years.