

THE MINISTRY OF PUBLIC SECURITY

Circular No. 52/2010/TT-BCA of November 30, 2010, detailing a number of articles of the Residence Law, Decree No. 107/2007/ND-CP of June 25, 2007, and Decree No. 56/2010/ND-CP of May 24, 2010, on residence

Pursuant to the November 29, 2006 Residence Law;

Pursuant to Decree No. 107/2007/ND-CP of June 25, 2007, detailing and guiding a number of articles of the Residence Law; Decree No. 56/2010/ND-CP of May 24, 2010, amending and supplementing a number of articles of Decree No. 107/2007/ND-CP of June 25, 2007;

Pursuant to Decree No. 77/2009/ND-CP of September 15, 2009, defining the functions, tasks, powers and organizational structure of the Ministry of Public Security;

The Ministry of Public Security details a number of articles of the Residence Law, Decree No. 107/2007/ND-CP of June 25, 2007, and Decree No. 56/2010/ND-CP of May 24, 2010 (below collectively referred to as Decree No. 107/2007/ND-CP), as follows:

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Circular details and guides the provisions on citizens' places of residence; registration of permanent residence; registration of temporary residence; stay notification; declaration of temporary absence and residence administration responsibility.

Article 2. Subjects of application

This Circular applies to Vietnamese agencies, organizations, households and citizens; overseas Vietnamese who still have the Vietnamese citizenship and return to live in Vietnam.

Article 3. Residence places of officers and men of the People's Army and the People's Police

1. Officers, non-commissioned officers, professional arymen, defense employees, defense workers; professional officers and non-commissioned officers, technical officers and non-commissioned officers, workers and employees of the People's Police, who live outside the barracks of the

People's Army or the People's Police, shall register their residence places under the Residence Law and the guidance in this Circular.

2. Officers, non-commissioned officers, professional army men, defense employees, defense workers; professional officers and non-commissioned officers, technical officers and non-commissioned officers, workers and employees of the People's Police; persons performing their military service or serving for definite terms in the People's Police, who live in the barracks of the People's Army or the People's Police, have their residence managed under separate regulations of the Ministry of National Defense or the Ministry of Public Security.

Article 4. Restricted freedom of residence

1. For the following persons, who are in the period of restricted freedom of residence, the procedures for change of residence places shall temporarily not be carried out, unless the agencies applying such measure permit in writing the change of residence places:

a/ Persons currently banned from leaving their residence places as a measure applied by a procedure-conducting agency;

b/ Persons sentenced to imprisonment but not yet received judgment execution decisions, subject to suspended sentence or entitled to postponement or suspension of the serving of imprisonment penalty; persons on probation;

c/ Persons subject to the measure of confinement to a reformatory, medical treatment establishment or education institution but entitled to postponement or suspension of the serving of such penalty.

2. For persons currently subject to residence ban, the procedures for registration of permanent residence or temporary residence in localities in which such persons are banned by courts from residence are not required.

Article 5. Receipt and processing of residence information reported by citizens, households, agencies and organizations

1. Residence registration or administration agencies shall receive residence information reported by citizens, households, agencies and organizations and process such information according to their prescribed functions, tasks and competence in order to maintain administrative discipline in handling affairs of citizens, agencies and organizations, step up administrative reforms and raise the quality and effectiveness of residence registration and administration.

2. Information will be received by the following modes:

a/ Directly at residence registration or management offices;

- b/ By telephone;
- c/ Feedback letter-boxes;
- d/ Electronically;
- e/ Other forms.

3. Residence information reported by citizens, households, agencies and organizations must be noted down by residence registration or administration officials, together with the time and place of occurrence, relevant organizations and individuals. Information-reporting citizens, agencies and organizations are requested to state their full names and contact addresses for written replies by residence registration or administration offices when necessary.

Chapter II

REGISTRATION OF PERMANENT RESIDENCE

Article 6. Permanent residence registration dossiers

1. A permanent residence registration dossier comprises:

- a/ The written notification of changes in household registration or membership;
- b/ The written declaration of household members;
- c/ The household registration transfer papers (for cases in which household registration transfer papers must be granted under Clause 2, Article 28 of the Residence Law);
- d/ Papers, documents evidencing the lawful domicile as provided in Article 5 of Decree No. 107/2007/ND-CP, unless household registration book holders permit entry into their household registration books.

- If the lawful place of residence is a house leased, borrowed or permitted for stay from an individual, the house lessor, lender or stay permitter shall clearly write his/her permanent residence registration consent in the written notification of changes in household registration or membership, signature, full name and date (in case the documents on house lease, borrowing or permitted stay clearly states the consent to registration of permanent residence in such house, the household head's consent in the written notification of changes in household registration or membership is not required).

- For leased, borrowed or stay-permitted houses in Hanoi or Ho Chi Minh City, the leased, borrowed or stay-permitted flooring space must be clearly stated in contracts, ensuring the minimum flooring space of 5 m²/person.

The flooring space is understood and complied with under the law on housing.

- In case grandparents, parents, wives and husbands, offspring, siblings and grandchildren in family ties, as provided in Clause 1, Article 25 of the Residence Law, move to live together, the papers or documents evidencing the lawful domicile are not required, but papers proving such ties or certifications thereof by commune, ward, township People's Committees (below referred to as commune-level People's Committees for short) are required.

e/ When carrying out procedures for permanent residence registration, citizens shall produce original papers evidencing their domiciles and submit the copies thereof to residence registration offices. Dossier-receiving offices shall examine and write on the copies as true, compared with the originals (with their signatures, full names and date of examination).

2. Permanent residence registration dossiers in some specific cases

In addition to the common papers included in a permanent residence registration dossier specified in Clause 1 of this Article, the following papers are also required for cases below:

a/ If minors do not register their permanent residence with their parent(s) but with other persons, written consent of their parent(s) is required;

b/ When persons nurtured or looked after at concentrated establishments by agencies or organizations, such agencies or organizations shall make a written request. If being nurtured or looked after by individuals, such individuals shall make a written request certified by the commune-level People's Committee. Such request should clearly state basic information on each person as follows: family name, birth date, sex, native place, nationality, religion, serial number of the personal identity card, former permanent residence place before moving to the new place, and address of the current domicile;

c/ Permanent residence registration for children shall be made under Article 13 of the Residence Law; upon their permanent residence registration, their birth certificates are required;

d/ When registering their permanent residence, persons living in religious establishments must possess papers proving they are religious dignitaries, priests or other full-time religious activists under the law on beliefs and religions;

e/ Overseas Vietnamese, who carry valid foreign passports or passport substitute papers issued by foreign countries or do not carry passports but

possess permanent residence papers issued by foreign countries and now return to Vietnam for permanent residence, when registering their permanent residence, must possess a repatriation paper issued by a Vietnamese representation office overseas (if such persons stay overseas) or a written permanent residence consent of the Immigration Department (if such persons are temporarily residing in the country), enclosed with an introduction paper issued by the Immigration Office of the locality in which such persons apply for permanent residence;

f/ Vietnamese citizens settling down overseas, who carry valid Vietnamese passports and return to Vietnam for permanent residence, when registering their permanent residence, must possess Vietnamese passports with entry-confirming stamps of border-gate immigration control forces;

g/ Naturalized foreigners, when registering their permanent residence, must possess papers proving their Vietnamese nationality;

h/ Officers, non-commissioned officers, professional army men, defense employees, defense workers; professional officers and non-commissioned officers, technical officers and non-commissioned officers, workers and employees of the People's Police, who live in the barracks of the People's Army or the People's Police, when registering their permanent residence with their families, must acquire introduction papers of heads of their direct management units (with signature, stamp and full name);

i/ Individuals permitted by household registration book holders to register in the latter's household registration books, when registering their permanent residence, must have the household registration book holders' consent, signatures, full names and dates in written notifications of changes in household registration or membership.

3. Places for submission of permanent residence registration dossiers

a/ For centrally run cities, dossiers shall be submitted at the police offices of rural districts, urban districts or towns;

b/ For provinces, dossiers shall be submitted at police offices of communes, townships, towns or provincial cities.

Article 7. Papers proving that citizens satisfy any of the conditions for registration of permanent residence in centrally run cities

Apart from the papers included in the permanent residence registration dossiers guided in Article 6 of this Circular, any of the following papers is additionally required for cases of transfer to register permanent residence in centrally run cities:

1. For cases defined in Clause 1, Article 20 of the Residence Law, any of the papers defined in Clause 3, Article 7 of Decree No.107/2007/ND-CP.

2. For cases defined in Clause 2, Article 20 of the Residence Law:

a/ Papers evidencing that citizens fall into the case defined at Point a, Clause 2, Article 20 of the Residence Law, including:

- Papers proving spousal relationship: marriage certificate, household registration book or written certification of the commune-level People's Committee in their place of residence.
- Papers proving parent-child relationship: birth certificate, decision recognizing child adoption; decision on recognition of father, mother, child; household registration book or written certification of the commune-level People Commune of their place of residence.

b/ Papers evidencing that citizens fall into the case defined at Point b, Article 20 of the Residence Law, including:

- Papers proving fraternal relationship: household registration book, birth certificate or written certification of the commune-level People's Committee in their place of residence.
- Papers proving that citizens have passed their working age: birth certificate, household registration book, people's identify card or written certification of their birth date by the commune-level People's Committee in their the place of residence.
- Papers proving that citizens are pensioners: retirement book; written certification of social insurance office; written certification of the agency or organization at which such person works before retirement, or of the commune-level People's Committee in their place of residence;
- Papers proving that citizens resign from work due to poor health or quit their jobs: decisions on, or written certification of the agency or organization at which such person works before resigning from work due to poor health or quitting his/her job; or written certification of the commune-level People's Committee in their place of residence.

c/ Papers evidencing that citizens fall into the cases defined at Point c, Clause 2, Article 20 of the Residence Law, including:

- Certification of the commune-level People's Committee in their place of residence, for disabled persons.
- Certification of a medical establishment of district or higher level, for persons losing their working capacity, persons suffering mental disease or other ailments which deprive them of the capacity to recognize and to control their acts.
- Household registration book, birth certificate or written certification of the commune-level People's Committee in their place of residence to prove

the relationship of blood brothers, sisters or paternal or maternal aunts or uncles.

- Guardian-appointing document of the commune- level People's Committee in their place of residence, except cases of natural guardians of minors or persons losing their civil act capacity under the Civil Code.

d/ Papers proving that citizens fall into the case defined at Point d, Clause 2, Article 20 of the Residence Law, including:

- Papers determining that citizens are minors: birth certificate, household registration book, people's identify card or certification of birth date, issued by the commune-level People's Committee of their place of residence.

- Papers proving that citizens are parentless: certificate of the death of father and mother or court decision declaring their father and mother are missing or certification of the death of their father and mother by the commune-level People's Committee of their place of residence.

- Papers proving that the parents are incapable of nurturing them: certification of the commune-level People's Committee.

Apart from the above-mentioned papers, citizens must possess papers proving, or the certification of the commune-level People's Committee of, the relationship of paternal or maternal grandparents, blood brothers or sisters, paternal or maternal aunts and uncles, or guardians.

e/ Papers proving that citizens fall into the case defined at Point e, Clause 2, Article 20 of the Residence Law, including:

- Papers proving that they are single: certification of the commune- level People's Committee of their place of residence.

- Papers evidencing the relationship of paternal or maternal grandparents: household registration book, birth certificate or certification of the commune-level People's Committee of their place of residence.

3. For cases defined at Clause 3, Article 20 of the Residence Law

a/ Papers evidencing that the subject person works at the agency or organization and salaried by the state, including one of the following papers:

- The introduction paper (signed and stamped with full name) of the head of the direct management unit (including units of the People's Army or the People's Police), enclosed with any of the following papers:

+ Decision on transfer or recruitment of state-salaried person being a cadre, civil servant or personnel of the People's Army or the People's Police;

+ Decision on salary increase for cadres or civil servants; salary increase, rank conferment or promotion; decision on appointment to a position in the People's Army or the People's Police.

- Certification (with signature and stamp) of the head of the direct management unit (including units of the People's Army or the People's Police) of current employment and state-paid salary.

b/ Papers evidencing citizens are working under indefinite contracts at agencies or organizations, including any of the following papers:

- The introduction paper (signed and stamped with full name) of the head of the direct management unit (including units of the People's Army or the People's Police), enclosed with any of the following papers:

+ Indefinite-term labor contract as prescribed by the labor law (applicable to all agencies and organizations, including organizations of all economic sectors);

+ Indefinite-term working contract for working in non-business units of the State according to the law on cadres and civil servants.

- Particularly for persons who are leading officials of agencies or organizations, competent authorities' decisions on appointment or transfer of leading officials of the agencies or organizations or papers evidencing they are leading officials of such agencies or organizations as substitutes for indefinite-term contracts.

- Certification (signed and stamped) of the head of the direct management agency or organization (including units of the People's Army or the People's Police) that the citizen is working under an indefinite-term labor contract (applicable to all agencies and organizations, including economic organizations) or under indefinite-term working contracts.

Heads of direct management units are heads of agencies, organizations or armed forces units entitled to use own seals.

4. Evidencing papers defined in Clause 4, Article 20 of the Residence Law, including any of the following:

Household registration book, identity card or certification of police offices of urban districts, rural districts or towns in which citizens previously registered their permanent residence that they already registered their permanent residence in such centrally run cities.

Article 8. Household registration transfer papers

1. The following cases of change of permanent residence places will be granted household registration transfer papers:

a/ Transfer to a place outside a commune or township of a province. In this case, heads of commune or township police offices are competent to sign the household registration transfer papers even for cases of transfer to a place outside a commune or township of a province or outside a province;

b/ Transfer to a place outside a rural district, urban district or town of a centrally run city; town or provincial city.

2. A dossier of application for a household registration transfer paper

a/ The written notification of changes in household registration or membership;

b/ The household registration book (or written certification as member of a previously granted collective registration book).

3. Within two working days after the receipt of dossiers, police offices shall grant household registration transfer papers to citizens. In case of transfer of the whole household, in the household registration transfer paper and household registration book the transfer of the whole household will be indicated so that officials of the place of destination will recover the old household registration book when granting a new one. In case of transfer of one or a number of household members, on the pages on adjustments and changes in the household registration book the following basic contents will be written: information on the transferee(s), time of issuance of the household registration transfer papers, and destination address(es).

4. It is forbidden to ask citizens to acquire written consent of the police office of the place of destination to the permanent registration before the grant of household registration transfer papers.

5. Cases of non-grant of household registration transfer papers

a/ Cases defined in Clause 6, Article 28 of the Residence Law;

b/ Cases of restricted freedom of residence (unless the agencies applying residence freedom restriction measures permit in writing change of the residence place).

Article 9. Competence to register permanent residence

1. Police offices of urban districts, rural districts and towns of centrally run cities; police offices of towns or provincial cities are competent to register permanent residence in centrally run cities or towns and provincial cities.

2. Police offices of communes or township are competent to register permanent residence in communes and townships of provinces.

Article 10. Grant of household registration books

1. Household registration books shall be granted to individuals or households that have registered their permanent residence under Articles 24, 25 and 26 of the Residence Law. The household registration book is valid for determining the place of residence of a citizen.

Citizens changing their permanent residence to places outside a commune or township of a province, outside a rural district, urban district or town of a centrally run city, outside a town or provincial city will be granted new household registration books.

2. If household registration books are damaged, they will be changed; if lost, they will be re-granted. The changed or re-granted household registration books bear the same serial numbers and contents of the old ones.

A dossier of application for household registration book change or re-grant comprises:

a/ The written notification of changes in household registration or membership. For case of household registration book re-grant, certification of the police office of the commune, ward or township in which the permanent residence is registered, is required in the written notification of changes in household registration or membership;

b/ The household registration book (for case of change of damaged household registration books) or written certification of collective member registration (for case of change from old registration book form to new one).

3. Within three working days after the receipt of a complete and valid dossier, the agency competent to register permanent residence shall change or re-grant the household registration book.

4. In the course of permanent residence registration, if errors are made in household registration books due to faults of registration offices, within three working days after the receipt of citizens' requests, permanent residence registration offices shall make adjustments in the household registration books corresponding to the original dossiers.

5. For persons wishing to separate the household registration books as provided at Point b, Clause 1, Article 27 of the Residence Law, the householders shall write in the written notification of changes in household registration or membership their consent to separation of the household registration book, with their signatures, full names and dates. Upon separation of household registration books, the papers on lawful domiciles need not to be produced.

6. Heads of police offices of rural districts, urban districts or towns of centrally run cities, heads of police offices of towns or provincial cities, and heads of police offices of communes or townships of provinces are competent to sign household registration books.

7. Household members are obliged to preserve and use household registration books strictly according to regulations. Household registration books must be produced upon examinations by competent police officers. It is strictly forbidden to correct, erase, mortgage, lend, lease or use household registration books in contravention of law.

8. Household heads shall create favorable conditions for persons named in the household registration books to use the books for dealing with their affairs in accordance with law.

Article 11. Deletion of permanent residence registration

1. Permanent residence registration deletion means the deletion of a citizen's name from a household registration book and permanent residence registration book by a competent permanent residence registry office.

2. Procedures for deletion of permanent residence registration applicable to cases defined at Points a, b, c and d of Clause 1, Article 22 of the Residence Law:

a/ Within 60 days counting from the date a household member becomes subject to permanent residence registration deletion, a household representative shall carry out procedures for the permanent residence registration deletion. A dossier comprises the written notification of changes in household registration or membership; the household registration book;

b/ Within three working days after the receipt of a valid dossier, the permanent residence registry office shall delete the name of the citizen concerned from the permanent residence registration book and household registration book;

c/ Within three working days after the deletion of permanent residence registration, the police offices of rural districts, urban districts or towns of centrally run cities; towns or provincial cities shall adjust the permanent residence registration dossiers, notifying such to citizens' identities archives and police offices of wards, communes or townships in which the persons subject to permanent residence deletion register their permanent residence;

d/ Within three working days after the deletion of permanent residence registration, police offices of communes or townships of provincial districts shall notify such to district police offices. After adjusting the archived

household registration dossiers, district police offices shall notify such to the citizens' identities archives.

3. Procedures for name deletion applicable to cases defined at Point e, Clause 1, Article 22 of the Residence Law:

a/ For communes and townships of provincial districts

- Within five working days after the receipt of permanent residence registration notices of the residence registry offices of localities where citizens move to, the persons subject to permanent residence registration deletion or household representatives shall be notified to bring their household registration books to carry out the procedures for deletion of names from residence registration books or deletion of names from household registration books (for cases of non-transfer of the whole households), and the deletion of permanent residence registration shall be notified to district police offices.

- Within five working days after the receipt of permanent residence registration deletion notices of commune or township police offices, district police offices shall transfer the permanent residence registration dossiers to police offices of the same level in localities where citizens move to and notify such to the citizens' identities archives.

b/ For rural districts, urban districts and towns of centrally run cities; towns and provincial cities

Within ten working days after the receipt of permanent residence registration notices of the residence registry offices of localities where citizens move to, the persons subject to permanent residence registration deletion or household representatives shall be notified to bring their household registration books to carry out the procedures for deletion of names from residence registration books, deletion of names from household registration books (for cases of non-transfer of the whole households), and the permanent residence registration deletion shall be notified to citizens' identities archives and commune/ward/township police offices; at the same time the permanent residence registration dossiers shall be transferred to police offices of the same level in localities where citizens move to.

4. Past the 60-day time limit after a person subject to permanent residence registration deletion appears, if household representative fails to carry out the procedures for deletion of permanent residence registration according to regulation, the police offices of communes, wards or townships where such person resides shall make record thereon, requesting the household to carry out permanent residence registration deletion procedures. Within 30 days after the record is made, if the household representative still fails to carry out the permanent residence registration deletion procedures, the police

offices of communes or townships of provincial districts, police offices of towns or provincial cities, police offices of urban districts, rural districts or towns of centrally run cities shall delete the permanent residence registration.

Article 12. Adjustment of changes in household registration books

1. The subjects and dossiers of adjustment of changes in household registration books shall comply with Article 29 of the Residence Law.
2. Time limits for adjustment of changes in household registration books are as follows:
 - a/ Within 30 days after the issuance of competent agencies' decisions on changes of family names, given names and/or middle names, dates of birth, or other changes in civil status, householders or persons making such changes or household representatives shall carry out procedures for adjustments in their household registration books.
 - b/ Within three months after the issuance of competent state agencies' decisions on changes of administrative boundaries, administrative units, streets, house numbers, the residence registry offices shall notify citizens to come and carry out procedures for making adjustments in their household registration books. Within 30 days after the receipt of such notifications, citizens shall come to carry out the procedures for adjustments.
3. Within three working days after the adjustment of changes in household registration books, police offices of rural districts, urban districts or towns of centrally run cities; towns or provincial cities shall notify such to the citizens' identities archives and police offices of communes, wards or townships in which the persons making such changes permanently reside.
4. Within three working days after the adjustment of changes in household registration books, police offices of communes or townships of provincial districts shall transfer the adjustment and supplementation dossiers to district police offices for archives. Within three working days after the receipt of dossiers, district police offices shall notify such to the citizens' identities archives.

Article 13. Certification of citizens' previous permanent residence registration

1. Certifying competence: Agencies competent to register permanent residence are competent to certify citizens' previous permanent residence registration.
2. A dossier of application for certification comprises:

a/ The written notification of changes in household registration or membership;

b/ Papers or documents evidencing the citizen's previous permanent residence registration (if any).

3. Within three working days after the receipt of a valid dossier, the competent agency shall make certifications and hand over the result to the citizen; in case of non-certification, it shall reply in writing and clearly state the reason. The certification contents cover basic information on each person: full name, other name (if any); date of birth; sex; native place; nationality; religion; people's identify card number; place of permanent residence; permanent residence registration date and deletion date.

Article 14. Cancellation of results of illegal permanent residence registration

1. In case the permanent residence is registered *ultra vires*, without the conditions and for persons other than those defined in Articles 19 and 20 of the Residence Law and guided in this Circular, the directors of provincial Police Departments shall cancel the illegal permanent residence registration by police offices of rural districts, urban district or towns of centrally cities; or police offices of towns or provincial cities; heads of police offices of provincial districts shall cancel the illegal permanent residence registration by police offices of communes or townships of provincial districts.

2. Within three working days after the receipt of decisions on cancellation of illegal permanent residence registration, the agencies that have registered the permanent residence shall delete the names from household registration books and permanent residence registration books, recover the household registration books (if canceling the results of registration of all persons named in the household registration book).

3. Within three working days after the deletion of permanent residence registration, police offices of urban districts, rural districts or towns of centrally run cities; police offices of towns or provincial cities shall notify such to citizens' identities archives and commune/ward/township police offices; police offices of communes or townships of provincial districts shall notify such to district police offices, and district police offices shall such to notify citizens' identities archives within three days after the receipt of notices of commune or township police offices.

Article 15. Places of residence not permitted for permanent residence registration transfer

1. The places of residence not permitted for permanent residence registration transfer are specified in Clause 4, Article 4 of Decree No. 107/2007/ND-CP.

2. Places of residence already planned for compensation, support and resettlement by competent state agencies specified at Point c, Clause 4, Article 4 of Decree No. 107/2007/ND-CP are places of residence with compensation, support and resettlement plans already approved by competent agencies.

Chapter III

TEMPORARY RESIDENCE REGISTRATION

Article 16. Procedures for temporary residence registration

1. A temporary residence registration dossier comprises:

a/ The written notification of changes in household registration or membership; household membership declaration;

b/ Papers evidencing the lawful domicile as provided for in Article 5, Decree No. 107/2007/ND-CP (unless householders possessing household registration books or temporary residence books give consent to the temporary residence registration, the papers on residence places need not to be produced). If the lawful domicile is leased, borrowed or permitted for stay, upon temporary residence registration, the lessor's, lender's or stay permitter's consent to temporary residence registration must be written on the written notification of changes in household registration or membership, together with their full names and dates.

Identity cards or papers certified by police offices of communes, wards or townships in which such persons register their permanent residence must be produced.

2. If temporary residents are permitted by householders to be listed in temporary residence books or to register their temporary residence at the latter's permanent residence places, such permission must be written in the written notification of changes in household registration or membership, together with their full names and dates.

3. Temporary residence registrants shall submit the temporary residence registration dossiers to commune/ward/township police offices.

Article 17. Grant of temporary residence books

1. Temporary residence books shall be granted to temporary residence-registering individuals and households under Article 31 of the Residence Law and the guidance in this Circular, which are indefinitely valid for determining citizens' temporary residence.

Pupils, students and trainees in their campuses or dormitories shall be each granted a separate temporary residence book if he/she wishes to register his/her temporary residence and be granted a separate temporary residence book; if having no need for separate temporary residence books, individuals, agencies and organizations shall make written requests for temporary residence registration, enclosed with a list of individuals who will be named in the temporary residence book. Such list includes basic information on each individual: full name; birth date; sex; native place; nationality; religion; identity card number; occupation; working place, permanent residence place; temporary residence place.

2. When temporary residence books are damaged, they will be changed; if lost, they will be re-granted. The changed or re-granted temporary residence books bear the same serial numbers and contents as the old ones.

A dossier of application for change or re-grant of a temporary residence book comprises:

a/ The written notification of changes in household registration or membership;

b/ The damaged temporary residence book (for case of change).

3. Within two working days after the receipt of complete and valid dossiers, commune/ward/township police offices shall change or re-grant temporary residence books for citizens.

4. Citizens who change their temporary residence to places outside communes, wards or townships will be granted new temporary residence books.

5. If in the course of temporary residence registration writing errors are made in the temporary residence books, within three working days after citizens request the correction, the temporary residence registry offices shall make corrections in the temporary residence books corresponding to the temporary residence registration dossiers.

6. Temporary residents shall preserve and use the temporary residence books strictly according to regulations; produce their temporary residence books upon inspection by competent police officers. It is strictly forbidden to modify, erase, mortgage, lend, lease or use temporary residence books in contravention of law.

Article 18. Adjustment of changes in temporary residence books

1. The subjects and dossiers of adjustment of changes in temporary residence books comply with Article 29 of the Residence Law.

2. The time limits for adjustment of changes in temporary residence books comply with Clause 2, Article 12 of this Circular.
3. Within three working days after the receipt of complete and valid dossiers, commune/ward/township police offices shall adjust or supplement changes in temporary residence books for citizens and temporary residence registration books.

Article 19. Deletion of names in temporary residence registration books

1. Persons who have registered their temporary residence, when dead, missing or no longer living, working or studying in a place for six months or more, will have their names in the temporary residence registration books deleted by police offices of communes, wards or townships in which they have registered their temporary residence.
2. Persons who have registered their temporary residence but are then permitted to register their permanent residence will have their names in the temporary residence registration book deleted by police offices of communes, wards or townships in which they have registered their temporary residence.

Article 20. Cancellation of illegal temporary residence registration

1. In case temporary residence registration is carried out *ultra vires*, not for proper subjects or not under the conditions defined in Article 30 of the Residence Law and guided in this Circular, heads of the police offices of rural districts, urban districts, towns or provincial cities shall cancel the illegal temporary residence registration.
2. Within three working days after the receipt of decisions on cancellation of illegal temporary residence registration, commune/ward/township police offices that have registered the temporary residence shall delete the names of illegal temporary residence registrants in the temporary residence books, temporary residence registration books and withdraw the temporary residence books (if canceling the illegal registration of all persons named in the temporary residence books).

Chapter IV

STAY NOTIFICATION, TEMPORARY ABSENCE DECLARATION

Article 21. Stay and stay notification

1. Stay means a citizen's living for a given period of time in a place in a commune, ward or township outside his/her residence place, which is not subject to temporary residence registration.
2. Families, collective dormitories, medical treatment establishments, hotels, motels and other establishments at which persons aged 14 or more

stay shall notify their stays to commune/ward/ township police offices. Persons who come to stay shall produce to persons who are responsible for receiving stay notifications one of the following papers: identity card; valid Vietnamese passport; personal paper affixed with his/her photo and issued by a competent agency; paper on working mission issued by his/her management agency; written certification of the People's Committee of the commune, ward or township in which he/she resides; other papers evidencing his/her personal identity.

3. The stay notification shall be made in person, via telephone or computer network. The stay duration depends on citizens' demands. Persons who receive stay notifications shall make a note in stay receipt books and shall not grant any stay certification papers to citizens.

4. Stay notification-receiving places are police offices of communes, wards or townships. Depending on their practical conditions, localities shall decide on other additional places for receipt of stay notifications, which shall inform and report data before 22.00 hrs every day to commune/ward/township police offices.

Article 22. Temporary absence declaration

1. Subjects of, and procedures for, temporary absence declaration comply with Article 32 of the Residence Law and the guidance in this Circular.

2. Temporary absence declarants shall go to police offices of communes, wards or townships in which they reside to carry out procedures for temporary absence declaration.

3. Temporary absence declarants defined in Clause 1, Article 32 of the Residence Law, when making temporary absence declaration, shall obtain written consent of competent individuals or agencies supervising and managing them.

Temporary absence declarants defined in Clause 2, Article 32 of the Residence Law shall decide by themselves on their absence duration.

4. Within one working day after the receipt of citizens' requests, police offices of communes, wards or townships in which such citizens reside shall grant temporary absence declaration papers to citizens (for special cases, such time limit can be prolonged but must not exceed two working days).

Chapter V

RESIDENCE ADMINISTRATION RESPONSIBILITIES

Article 23. Responsibilities of provincial-level Police Departments

1. To take responsibility before the Ministry of Public Security and provincial-level People's Committees for directing, guiding, inspecting and organizing the implementation of regulations on residence administration in their respective localities.
2. To assist provincial-level People's Committees in directing commune-level People's Committees to certify papers on lawful domiciles for citizens under Article 5 of Decree No. 107/2007/ND-CP.
3. To assume the prime responsibility for, and coordinate with information and propaganda agencies as well as local sectors and committees in, organizing propaganda on the residence law.
4. To report to the Ministry of Public Security and provincial-level People's Committees on the situation and measures to settle problems arising in the course of residence administration in localities.
5. To examine, inspect and settle complaints and denunciations and handle violations of the law on residence.
6. To review and report on the residence situation and data to the Ministry of Public Security according to regulations.
7. To direct, examine and guide police offices of urban districts, rural districts, towns or provincial cities (below referred to as district-level police offices) in residence registration and administration work.
8. To perform other residence administration tasks according to regulations of the Ministry of Public Security.

Article 24. Responsibilities of police offices of urban districts, rural districts, towns or provincial cities

1. To fulfill the responsibilities prescribed in the Residence Law and guiding documents.
2. To be answerable to provincial-level Police Departments and the People's Committees of urban districts, rural districts, towns or provincial cities (below referred to as district-level People's Committees) for directing, guiding, inspecting and organizing the implementation of regulations on residence administration in their respective localities.
3. To assume the prime responsibility for, and coordinate with information and propaganda agencies as well as local sectors and committees in, carrying out propaganda on the law on residence.
4. To report to provincial-level Police Departments and district-level People's Committees on the situation and measures to settle problems arising in the course of residence administration in localities.

5. To examine, inspect and settle complaints and denunciations, and handle violations of the law on residence according to their competence.
6. To review and report on the residence situation and data to provincial-level Police Departments according to regulations.
7. To manage the archives of permanent residence registration and administration dossiers according to regulations of the Ministry of Public Security.
8. To perform other residence administration tasks under regulations of superior police offices.

Article 25. Responsibilities of commune/ward/township police offices

1. To fulfill the responsibilities defined in the Residence Law.
2. To carry out residence registration and administration in areas under their management according to the Residence Law and regulations of the Ministry of Public Security.
3. To examine and settle complaints and denunciations, and handle violations of the law on residence according to their competence.
4. To review and report on the residence situation and data to district-level police offices according to regulations.
5. To organize propaganda on the law on residence.
6. To manage and archive temporary residence registration and administration dossiers according to regulations of the Ministry of Public Security.
7. To perform other residence administration tasks according to regulations of superior police offices.

Article 26. Residence examination

1. Residence examination shall be carried out through periodical or extraordinary inspections in response to requirements of crime prevention and combat as well as security and order maintenance activities.
2. Subject to residence examination are citizens, households, residence registration and administration agencies at all levels, and agencies and organizations involved in residence administration.
3. Residence examination contents include the realization and organization of the realization of residence registration and administration contents; rights and responsibilities of citizens, households, agencies, organizations; and other contents prescribed by the residence law.

4. People's police officers and combatants assigned to administer residence affairs in localities may directly examine the observance of the law on residence by citizens, households, agencies and organizations in geographical areas under their respective management. Upon examination, they may mobilize mass forces in charge of maintaining grassroots security and order as well as security guards of agencies and enterprises to jointly participate in their examination activities.

5. Residence examination by superior police offices in population areas must be witnessed by police officers assigned to administer residence affairs in such areas.

Chapter VI

ORGANIZATION OF IMPLEMENTATION

Article 27. Effect

This Circular takes effect on January 20, 2011, and replaces the Ministry of Public Security's Circular No.06/2007/TT-BCA-C11 of July 1, 2007, guiding a number of articles of the Residence Law and Decree No.107/2007/ND-CP of June 25, 2007, detailing and guiding a number of articles of the Residence Law.

Article 28. Implementation responsibilities

1. Agencies and organizations shall, within the ambit of their respective functions, tasks and powers, direct the implementation of this Circular.
2. Provincial-level People's Committees shall, within the ambit of their respective functions, tasks and powers, direct the implementation of this Circular in their respective localities; direct commune-level People's Committees in certifying lawful domiciles under Article 5 of Decree No. 107/2007/ND-CP and the guidance in this Circular in order to facilitate residence registration by citizens.
3. The Director General of Police for Administrative Management of Social Order and Safety has the responsibilities:
 - a/ To assist the Minister of Public Security in directing, guiding, inspecting and urging police units and local polices to implement regulations on residence registration and administration;
 - b/ To work out plans on propaganda and implementation of the Residence Law, guiding decrees and this Circular to police offices at all levels;
 - c/ To guide the uniform use of residence registration and administration forms, papers and books nationwide according to regulations of the Ministry of Public Security;

d/ To organize preliminary and final reviews of, and draw experiences from, residence registration and administration work nationwide; to apply advanced technologies to residence registration and administration and establish databases on residence;

e/ To report the situation and proposes to the Minister measures to settle problems and violations and matters arising in the course of residence registration and administration;

f/ To summarize residence data and situation nationwide;

g/ To suspend, cancel according to competence or propose competent authorities to suspend or cancel regulations of local police offices, agencies, organizations or People's Committees at different levels which are contrary to this Circular;

Directors of the Police Departments for Administrative Management of Social Order shall assist the Director General of Police for Administrative Management of Social Order and Safety in performing the above-said responsibilities.

4. Directors of various General Departments, heads of units attached to the Ministry shall, within the ambit of their respective functions and tasks, organize the implementation of, and implement this Circular.

5. Directors of provincial-level Police Departments shall implement this Circular; consolidate citizen reception offices, publicize regulations on residence registration and administration; scrutinize and arrange residence registration and administration officers; guide and inspect professional forces and subordinate police offices in implementing, or organizing the implementation of, this Circular according to regulations.

If meeting with difficulties and problems in the course of implementing this Circular, police units and local polices are requested to promptly report them to the Ministry of Public Security (via the General Department of Police for Administrative Management of Social Order and Safety and the Legal Department) for timely guidance.-

Minister of Public Security
General LE HONG ANH