

THE NATIONAL ASSEMBLY

The Socialist Republic of Vietnam

Law Nr. 2010/QH12

Independence - Freedom - Happiness

THE NATIONAL LAW ON PERSONS WITH DISABILITIES

Pursuant to the Constitution of the Socialist Republic of Vietnam in 1992 which has been amended and supplemented by a number of articles of the Resolution No. 51/2001/QH10;

The National Assembly of Vietnam promulgates the National Law on Disability.

CHAPTER I

GENERAL PROVISIONS

Article 1: Scope of Justification and Subjects of Obligation

This Law regulates the rights and duties of persons with disabilities, responsibility of the State, the families of persons with disabilities and the society towards persons with disabilities.

Article 2: Definitions of Terms

For the use of this law, the following terms are hereby defined:

1. Persons with disabilities by definition of this Law are those who have impairment of one or more parts of their body, which are shown in different forms of disability, and may cause difficulties in work, daily life and learning.

2. Stigma towards persons with disabilities means an attitude of looking upon or paying no adequate respect to the persons for reasons of his or her disability.

3. Discrimination against persons with disabilities is actions to keep away from, to disrespect, to deny, to exclude, to mistreat, to use bad languages for, holding prejudice against, or to limit the due rights of persons with disabilities for reasons of his or her disability.

4. Inclusive education is an educational approach that accomodate persons with disabilities to learn and study with the persons without disabilities in the educational establishments.

5. Special education is an educational approach with which persons with disabilities study in the schools or educational establishments organized separately for persons with disabilities.

6. Semi-inclusive (integrated) education is an educational approach with which persons with disabilities learn in the special class for persons with disabilities in the ordinary school or educational establishments.

7. Independent living means the life of persons with disabilities who are independent in making decision for themselves through enjoying support from the State, the society and the family.

8. Accessibility means to ensure persons with disabilities have equal access and use of public works, public transportation, information technology, cultural, sports, tourism and other services in order to fully integrate into social life.

Article 3: Types and Classification of Disability

1. Disability is categorized as:

- a) Mobility
- b) Hearing and Speaking
- c) Vision
- d) Mental
- e) Intellectual impairment
- f) Other disability/impairments

2. Level of disability severity includes:

- a) Persons with severe disability are those who are unable to support themselves in their daily activities.
- b) Persons with moderate disability are those who are able to support themselves in some of their daily activities.

- c) Persons with minor disabilities are those who do not fall under provisions a and b of this Article.

3. The Government shall regulate the details on types and levels of disability as regulated under this Article.

Article 4: Rights and Duties of Persons with disabilities

1. In addition to the rights that a person with disability/ies enjoy as other individuals without disability/ies, a person with Disability/ies shall have rights to:

- a) Equal participation as other members to all social activities;
- b) Independent living and inclusion into the community and society;
- c) Be exempted or reduced financial contribution to the social activities.
- d) Be entitled to the policies and support of the State including health care, rehabilitation, education, employment, vocational training, cultural services, sports and entertainment, public places, means of transport, information technology that are suitable/appropriate to the person's psychology, physical, health and personal characters.
- e) Other rights as regulated by laws.

2. Persons with Disabilities shall be obliged to observe and fulfill the citizenship tasks as regulated by law.

Article 5: State Disability Policies

1. The State shall ensure annual sufficient budget to implement disability policies and work to support persons with disabilities.

2. Carry out early and timely disability prevention and detection programs and measures to mitigate disabilities caused by hereditary diseases, accidents, injuries and other causes;

3. Implement social protection for persons with disabilities, ensure rights of persons with disabilities to access to health care, health check up, education, vocational training, employment, accessibility in construction, transportation and ICT, cultural activities and entertainment. Priority shall be given to children with disabilities, women with disabilities and the elderly with disabilities.

4. Mainstream disability policies into socio-economic development policies and plans (this is very good)
5. Ensure good conditions for persons with disabilities to access to rehabilitation services, so that they can overcome difficulties to live independently and inclusively;
6. Organize training for officials, staff who are involved in taking care of and provide consultation to persons with disabilities;
7. Encourage the involvement of all social forces and resources in supporting activities for persons with disabilities.
8. Create good conditions for operation of organizations of/and for persons with disabilities.
9. Award organizations, institutions, individuals that contribute to the work to take care, support persons with disabilities as regulated by laws
10. Handle violations of the laws towards persons with disabilities.

Article 6: Involvement of Social Forces and Resources in Supporting Persons with Disabilities

1. The State encourage national and oversea organizations, institutions and individuals to support, invest and provide technical assistance to carry out activities on orthopedics, functional rehabilitation, education, vocational training, employment for persons with disabilities.
2. Individuals and organizations using their own budget for building orthopedic and rehabilitation centers, centers for education, inclusive education support, vocational training shall be entitled to enjoy preferable policies regulated by laws.

Article 7. Responsibilities of institutions, organizations, families and individuals

1. State institutions and organizations shall, within their mandates, be responsible for taking care of, protect legitimate rights and benefits of persons with disabilities;
2. The Fatherland Front of Vietnam and its member organizations shall mobilize all social forces to assist persons with disabilities to lead an inclusive life, to access social services, to participate in the development and monitoring the

implementation, of disability laws, policies and programs, projects.

3. All citizens are obliged to help and assist persons with disabilities.

Article 8: Responsibilities of Families

1. Families shall bear duty to raise awareness on disability, ensure safety in daily life, and carry out measures to prevent diseases, accidents, or causes to disabilities.

2. Family members of persons with disabilities shall bear responsibilities as follows:

a. Protect, nurse and take care of persons with disabilities

b. Create good conditions for persons with disabilities to exercise their rights to be inclusive in the communities

c. Respect opinions and decisions that directly affect the lives of persons with disabilities.

d. Implement the provision 1 regulated in this Article.

Article 9: Organizations of and for Persons with Disabilities.

1. Organization of persons with disabilities (DPOs) is a social voluntary organization that was established and operates under the procedures regulated by the laws. The DPO represents rights and interests of persons with disabilities. The DPO shall be responsible to participate in planning, monitoring the implementation of disability laws, policies, programs and plans relating to persons with disabilities;

2. The Organization for Persons with Disabilities shall be established and operates according to the laws of Vietnam in order to support persons with disabilities.

Article 10. Fund to Support Persons with Disabilities

1. The Fund to support persons with disabilities is a fund for social and charity purpose that aims at mobilizing resources for support of persons with disabilities.

2. The Fund shall mobilize from the sources as follows:

a. Voluntary contribution and donation from national and oversea organizations and individuals.

b. The government funding

c. Other legal resources.

3. The establishment, management and use of the Fund will be followed by laws.

Article 11. Vietnam Disability Day

The day of 18 April is named the Vietnam's Disability Day.

Article 12. International Cooperation

1. International cooperation in disability related areas shall be carried out on the basis of respect of independence, sovereignty, territory, equality in accordance with Vietnam's legislation and international legislation

2. Areas of international cooperation on disability include:

- a) develop and implement international cooperation programs and projects to support persons with disabilities;
- b) participate as member of international organizations; sign, become signatory and implement international conventions and agreements relating to persons with disabilities.
- c) exchange information and experiences in disability area;

Article 13. Information, Education and Communication

1. Information, education and communication on disability issues including disability prevention, awareness raising, changes in attitudes and behaviors, stigma, anti-discrimination to persons with disabilities.

2. The contents of information, education and communication on disability include:

- a. Rights and duties of persons with disabilities
- b. Laws, Policies and programs on disabilities of Vietnam
- c. Responsibilities of the state, individuals, families and the society to persons with disabilities.
- d. Causes and effects of disabilities and the prevention measures.
- e. Anti stigma, anti-discrimination to persons with disabilities.

3. The provision of information, education and communication on disability must ensure the accuracy, clear, realistic, and appropriate to the traditions and culture of Vietnam.

4. Responsibility of information, education and communication on disability issues.
 - a. Organizations, institutions and agencies shall carry out to provide information, education and communication under their responsibilities.
 - b. People's committees at all levels shall be responsible to carry out information, education and communication on disability issues to their local people.
 - c. Mass media shall be responsible to prioritize the timing, length for program broadcasting, education and communication on disability issues on television, radio, newspapers as regulated by the Ministry of Information and Communication.

Article 14. Forbidden Actions

1. stigmatize and discriminate against persons with disabilities;
2. abuse physical body, dignity, honor, properties, legitimate rights and interest of persons with disabilities;
3. urge, persuade or force persons with disabilities to commit actions which are against the law or social morals;
4. make use of persons with disabilities, organizations of persons with disabilities to make personal benefit or carry out illegal actions;
5. the responsible person not fulfilling his responsibilities of nursing, taking care of person with disabilities or refusing to take the above responsibilities when she/he is bound by the law to do so;
6. create obstacles to a person with disabilities in his performing his rights to marriage, to raising his/her children;
7. Carry out un-transparent classification on disability and certification.

CHAPTER II

DISABILITY CERTIFICATION

Article 15. Disability classification

1. The Council on Disability Classification shall carry out disability classification.
2. The following cases shall be carried out by the Medical Examination Council:
 - a. The Council on Disability Classification is not able to conclude level of disability.
 - b. Persons with disabilities or their legal representative do not agree with the results done through observation and have request for medical examination.
 - c. Evidence showing inaccurate results of examination done by the Council on Disability Classification.
3. In the case if the Health Examination Council concludes the result on the level of functional impairment and health status, the level of disability will be carried out by laws.

Article 16. Council of Disability Classification

1. The Chair of commune, ward or district town level people's committee (general called commune level) shall establish the Council on Disability Classification.
2. The composition of the Council on Disability Classification include:
 - a. Chair of the commune people's committee and will be chair of the council.
 - b. Head of the commune health station
 - c. Social Affair Workers
 - d. Leader or his/her deputy of the Fatherland Front, Women's Union, Youth Union, Veteran are members
 - e. Head of the DPOs at commune level.
3. The Chair of the Council on Disability Classification shall be responsible for facilitating the Council activities on the teamwork basis. The conclusion on results of classification shall be voted based on the majority. In case of the even voting, the decision will be made based on the vote of the Chair. The conclusion of results can be valid only if 2/3 members vote and be documented.
4. The Council on Disability Classification shall decide independently and shall be responsible before the law for the accuracy of the results.

5. Ministry of Labor, Invalids and Social Affairs (MOLISA) shall regulate in details the operation of the Council on Disability Classification.

Article 17. Disability Classification Approach

1. The disability classification will be carried out by the Council on Disability Classification as regulated by provision 1 of Article 15 through observation, or testing on simple personal daily activities, and using questionnaires with health and social criterias, or other simple approaches.

Minister of MOLISA shall lead this process in collaboration with the Ministry of Health and Ministry of Education and Training.

2. Ministry of Health shall be leading the process in cooperation with MOLISA to regulate the process for disability classification for provision 2 of article 15 of this Law.

Article 18. Disability Classification and Certification Procedure

1. When there is need for disability classification, PWDs or his/her legal representative shall have to submit application to the People's Committee at commune level where the person with disability resides.
2. Within 30 days maximum, the chair of the commune people's committee shall be responsible to call for a meeting of the council, to inform the timing for doing disability classification to person with disability or his/her legal representative.
3. The Council on Disability Classification shall organize and facilitate the disability classification, to set up a personal profile and to conclude on level of disability.
4. Within 5 day maximum after having result of classification announced by the Council, the chair of the commune people's committee shall issue certificate on level of disability.
5. Process, procedures and profile for disability classification shall be regulated by MOLISA.

Article 19. Disability Certification

1. The Disability Certificate includes the following information:
 - a. Full name, date of birth, gender of person with disabilities.

- b. Residency Address
 - c. Type of disability
 - d. Level of Disability
2. The disability certificate shall be in effect on the day the Chair of the commune people's committee signed.
 3. Minister of MOLISA shall regulate the process for the replacement, renewal and withdraw of the disability certificate for PWDs.

Article 20. Verification on levels of disability.

1. Persons with disabilities or his/her legal representative shall have right to suggest to redo the disability classification if the level of disability is changed.
2. Process, procedures for disability classification and disability certification shall be carried out as regulated at Article 18 and 19 of this Law.

CHAPTER III

HEALTH CARE

Article 21. Primary Health Care for Persons with Disabilities at their locality

1. Health stations/centers at commune and district shall bear responsibility as follows:
 - a. Implement the communication, education and information dissemination programs on health care, and to provide guidance to persons with disabilities in the matters of health care, diseases prevention and functional rehabilitation.
 - b. Develop case management system for persons with disabilities.
 - c. Provide health care and health check-up within the areas of expertise to persons with disabilities.
2. The state shall ensure budget to implement the provision 1 of this Article.

Article 22: Health Check-Up and Treatment

1. The State shall ensure rights of persons with disabilities to access health check up and treatment services on the equal basis as other persons without disabilities;
2. Persons with disabilities shall enjoy health insurance as regulated in the health insurance legislation.
3. Families of persons with disabilities shall have responsibilities for creating favorable condition for persons with disabilities to do health check-up and treatment;
4. Mentally ill persons who are in the excited or depressed mood and are likely to commit suicide or to jeopardize other people's life are obligated to follow treatment in health service facilities as provided by the law; this treatment is financially supported in accordance with State's regulations.
5. Organizations, individuals are encouraged to provide support in health check-up and treatment for persons with disabilities;

Article 23. Responsibilities of health service centers

1. Carry out appropriate measures for health check up and treatment for persons with disabilities.
2. Give priorities in health check-up and treatment to under 6 year old of age children with disabilities, persons with disabilities of level 1 and 2, the elderly of 80 year old and up, national devotees, and pregnant women with disabilities.
3. Provide counseling on disability prevention, and identifying innate disabilities in newly born babies to take rehabilitation in time.
4. Carry out renovation, upgrading of facilities and the health check up centers to ensure reasonable accomodation and accessibility for persons with disabilities.

Article 24: Orthopedics and Rehabilitation Centers.

1. The rehabilitation Center is a center providing rehabilitation services to persons with disabilities in the center and in the community.
2. Orthopedics and rehabilitation facilities include:
 - a) Orthopedics and Rehabilitation Institutes;
 - b) Orthopedics and Rehabilitation Centers;

- c) Sanatorium and Rehabilitation Hospitals;
- d) Medical facilities that includes orthopedics and rehabilitations department;
- e) Social protection facilities that includes orthopedics and rehabilitation section;
- f) Other facilities established in accordance with the State Regulations.

3. The establishment and operation of the Orthopedic and rehabilitation center shall follow the legal regulations;

4. The State shall ensure the investment for establishment of the system of public rehabilitation centers.

Article 25: Community Based Rehabilitation (CBR)

- 1. Community Based Rehabilitation is an approach carried out in the community aiming to transfer knowledge on disability, rehabilitation skills and improve attitude of the society towards persons with disabilities, ensuring the equality on opportunity and inclusion of persons with disabilities in the society.
- 2. Persons with disabilities are supported and given good conditions to participate in community based rehabilitation programmes;
- 3. Families of persons with disabilities should be responsible to support persons with disabilities in community based rehabilitation program.
- 4. Orthopedics and Rehabilitation facilities shall have responsibilities to provide technical guidance in implementing Community Based Rehabilitation Program;
- 5. People's Committee at all levels shall have responsibilities to formulate the implementation of CBR programs followed the guidance of Ministry of Health; encourage organizations and individuals to participate in the implementation of CBR activities;

Article 26: Scientific research and production of orthopedics and rehabilitation equipment

- 1. The State shall provide financial support through projects to institutions, organizations that conduct scientific research and training experts on orthopedics and rehabilitation;

2. Enterprises who produce orthopedics equipment and assistive devices that support persons with disabilities to lead daily life, study, and work are entitled to borrow loan with preferential interest rate and tax exempt or reduction;

3. Orthopedic Equipment that are provided through non-refundable aid programs and projects donated by foreign individuals and organizations shall be exempt from tax or pay reduced tax in accordance with current legislation.

CHAPTER IV

EDUCATION

Article 27: Education for Persons with Disabilities

1. The State ensures the rights of PWDs to education in accordance with the need and capability of person with disabilities.

2. Persons with disabilities can start schooling at a later age than that regulated; their registration for enrollment in educational establishment is given priority; they are exempted from subjects or activities for which they are not physically capable; they are entitled to exemption from, or reduction of, schooling fee, and other training-related payment; they can start apply for stipend and support for schooling materials as regulated by current legislation;

3. Persons with disabilities shall be provided with appropriate education tools, materials developed for persons with disabilities. Persons with hearing and speaking impairment shall be ensured to learn in classes by using sign language, persons with visual impairment shall be ensured to use Braille in classes that are standardized at the national level.

4. Minister of Ministry of Education and Training shall be leading the process in regulating in details of provision of this Article in cooperation with MOLISA and Ministry of Finance.

Article 28: Educational Approaches for Persons with Disabilities

1. Educational approach for persons with disabilities shall include: inclusive, integrated (semi-inclusive) and special education; Inclusive education shall be the main approach applied for education of persons with disabilities.

2. The State encourages persons with disabilities to participate in the inclusive education.

Integrated and Special Education approaches are applied only to students who wish to pursue these approaches for their education program.

3. Persons with disabilities, their families or their legal guardians shall choose an educational approach that is appropriate for person with disability's individual development. Families of persons with disabilities shall be responsible to provide good conditions and opportunities in order for persons with disabilities to learn and develop their own individual's abilities.

The Government encourages PWDs to learn in the inclusive education system.

Article 29: Staff, Civil Servant, Teachers, Lecturers, and Education Support Staff

1. Staff, civil Servant, teachers, lecturers, and education support staff shall have good sense of responsibility, good moral, enthusiasm, and good understanding of persons with disabilities; they shall have good knowledge and meet professional technical requirements, they should be trained and upgraded professional qualification to meet the educational needs of persons with disabilities;

2. Staff, civil servants, teachers, trainers and education support staff who are directly involved in education activities in special education and integrated classes for persons with disabilities are entitled to preferential policies;

Article 30. Responsibilities of the Education Facilities

1. Ensure reasonable accommodations to meet teaching and learning requirements at the education facilities as regulated by Minister of Ministry of Education and Training. It is prohibited to refuse entrance application of persons with disabilities.

2. Carry out new construction, retrofitting and upgrading projects of education facilities to ensure accessibility requirements for persons with disabilities.

Article 31: Inclusive Education Support and Development Center

1. The Inclusive Education Support and Development Center is an organization developing curriculums, equipments, educational support services to persons with disabilities,

2. The Inclusive Education Support and Development Center shall undertake the following tasks:
 - a. identify disability in order to choose appropriate education approach.
 - b. Carry out early intervention for persons with disabilities in the community in order to choose appropriate education approach
 - c. Provide counseling on psychology, health, education and job orientation in order to choose appropriate education approach
 - d. Support persons with disabilities in the families, communities and the education establishments.
 - e. Provide training programs, curriculums, facilities, documents applicable to each type and level of disability.
3. Criteria for establishment of an inclusive education support and development center are:
 - a) Having infrastructure, tools, equipments and services which are suitable to persons with disabilities and their tools
 - b) Having officers, civil servants, teachers, lecturers, and education support staff that are technically qualified to apply the approaches of education for persons with disabilities.
 - c) Having training program, materials and guidance that are suitable for persons with disabilities.
4. The Ministry of Education shall collaborate with the Ministry of Labor, Invalids and Social Affairs to regulate further on point 3 of this Article.
5. People's Committee at provincial level, cities under central management shall establish or issue permit for the establishment of inclusive educational support and development centers.

CHAPTER V

EMPLOYMENT AND VOCATIONAL TRAINING

Article 32: Vocational Training for Persons with Disabilities

1. The State shall ensure the right of persons with disabilities to free of charge vocational orientation, vocational training on an equal basis as others;

2. Vocational Training center shall be responsible to offer diplomat, certificate to persons with disabilities upon successful completion of the training as regulated by the Government.

3. Vocational training facilities shall ensure reasonable accommodation for persons with disabilities who attend vocational training courses, and shall be entitled to preferential policies as regulated in the Vocational Training Law and other relevant regulations;

4. Trainees with disabilities, and teachers giving vocational training to persons with disabilities are entitled to policies regulated by the Law on Education and the Vocational Training Law.

Article 33: Employment for persons with disabilities

1. The State shall ensure rights of persons with disabilities to vocational rehabilitation, free of charge job counseling, job retention and job placement in accordance with the health and types of disabilities.

2. Institutions, agencies, organizations, enterprises and individuals shall not reject job applications of persons with disabilities who are qualified for the positions and shall not create recruitment criteria which are not in accordance with the law aiming to limit job opportunities for persons with disabilities;

3. Institutions, agencies, organizations, enterprises and individuals employing persons with disabilities must place them in the jobs that are suitable to health conditions and qualification of persons with disabilities and execute all regulations on employees with disabilities;

4. Institutions, agencies, organizations, enterprises and individuals employing persons with disabilities shall comply with the provisions of employment legislation for persons with disabilities.

5. Employment/job services are responsible for providing orientation and counseling to help persons with disabilities to find jobs;

6. Persons with disabilities who self employ shall be entitled to borrow loan with low interest rate for business development; to be

trained in business management, technology transfer, and marketing of products in accordance with the current State legislation;

Article 34. Business Enterprises employing more than 50% of their labor force as persons with disabilities.

7. Business enterprises employing more than 30% of their labor force as persons with disabilities shall be supported with adjusting working environment, tax exemption, borrowing loan with low interest rate as the one for business development projects; to be allocated land or rent land with exemption or reduction of land lease payment as per regulated by laws;

Article 35. Policy to employ persons with disabilities

1. The state shall encourage organizations, institutions, and enterprises to employ persons with disabilities. Those who employ persons with disabilities as regulated shall be entitled to enjoy preferential policies as regulated at the Article 34 of this Law.
2. The Government shall regulate specific policies to encourage organizations, institutions and enterprises to employ persons with disabilities as regulated in the provision 1 of this Article.

CHAPTER V

CULTURE, SPORTS AND ENTERTAINMENT

Article 36: Culture, sports and entertainment for persons with disabilities

1. Persons with disabilities shall be ensured rights to develop their talent and aptitude on sport activities, culture, artistic; to participate in composing, performing artistic works, practicing and competing in gymnastic and sport activities;
2. Persons with severe and moderate disabilities shall enjoy fee reduction policies when using cultural, sports and entertainment services.
3. The State shall provide support for organizing cultural and sports activities, taking consideration in particularities of persons with disabilities, and creating good conditions for persons with disabilities to enjoy cultural works;
4. The State shall design, produce equipment, devices and facilities serving cultural and sport activities, organize or

support cultural and sport activities suitable for persons with disabilities;

Article 37: Organize cultural, sports and entertainment activities for persons with disabilities

1. Cultural, sports and entertainment activities for persons with disabilities shall be integrated into the community's cultural life, be diversified and aim at meeting the needs of persons with disabilities;
2. National Sports Festival for persons with disabilities and sport competitions for persons with disabilities shall be organized taking consideration on the particularities of each type and level of disability;
3. Performance Contest for persons with disabilities shall be organized at the level that is suitable to the condition of disability type and level as well as local social, economic and cultural conditions.

Article 38: Responsibilities of cultural and sports facilities

1. To provide materials, equipments, assistive devices to support and facilitate the access and participation of persons with disabilities in cultural, sport activities; to prepare and arrange for assisting devices and equipments to support persons with disabilities when organizing cultural and sport events;
2. To implement new construction, retrofitting and upgrading projects for cultural and sport purpose;
3. To ensure the standards for safety, convenience, and suitability for persons with disabilities are applied in activities of design and production of devices and equipments for cultural and sports activities of persons with disabilities.

CHAPTER VI

HOUSING, PUBLIC BUILDINGS

**PUBLIC TRANSPORTATION AND INFORMATION TECHNOLOGY
and COMMUNICATION**

Article 39: Housing and Public Buildings

1. The approval of design work of public infrastructures, social projects, office buildings, residential apartment blocks must

comply with national construction code and standards so as to ensure access and use of persons with disabilities;

2. The public infrastructures, social projects, office buildings, residential apartment blocks whose permits had been given prior to the date that this Law comes into effect and do not meet the accessibility requirements should be modified within a time schedule regulated by the Government to ensure access and use of persons with disabilities.

Article 40. Timeline for renovation/upgrading the public works/buildings

1. As of 01 January 2010, the following public works/buildings shall be ensured the accessibility features:

- a. Government office buildings
- b. Train stations, bus stations and ports
- c. Health care and health check up stations
- d. Education and Vocational Training Centers
- e. Sports, Culture Buildings

2. As of January 1st, 2025, all living quarters, office buildings, infrastructure works and social public buildings which do not fall under provision 1 of this Article shall ensure accessibility features.

3. The Government shall regulate in details the timeline for upgrading specific types of public works as regulated in provisions 1 and 2 of this Article.

Article 41: Persons with Disabilities participating in public transportation

1. Persons with disabilities using personal means of transport that complies with the safety code regulated by the State shall be provided with driving license after attending the training.

2. Persons with disabilities using public transport shall be entitled to use assistive devices, to carry along free of charge.

3. People with severe disabilities when using public means of transport shall be entitled to reduction of fare cost and service fee;

4. Persons with disabilities shall be given priority to buy tickets, to be assisted and arranged comfortable seats when using public means of transport.

Article 42. Means of Public Transport

1. Public means of transport must have seats reserved for persons with disabilities, be equipped with assistive devices to support persons with disabilities to get in and out, and other equipments necessary to assist persons with disabilities.
2. Retrofitting, design and upgrading of means of public transport must comply with the national accessibility code and standards to ensure access and use by persons with disabilities.
3. Transportation enterprises shall invest and provide means of transport with accessibility features as regulated by the national code and standards.
4. Means of transport with accessibility features as regulated by the National Code and Standards shall be tax exempted according to the law.

Article 43: Information Technology and Communications

1. Government encourages organizations, agencies, enterprises and individuals operating in information and communication to apply and develop information technology for persons with disabilities.
2. Mass media shall be responsible to reflect lives of persons with disabilities on the media.

Vietnam Television shall be responsible to air programs with subtitle, sign language for persons with disabilities as regulated by Ministry of Information and Communication.

3. The State shall have preferential treatment policies in tax, credit and other incentives for research and production of assistive devices to support persons with disabilities to access and use information technology and communications services.

CHAPTER VII

SOCIAL PROTECTION

Article 44. Monthly Social Support

1. Those who shall be entitled to the monthly social support include:
 - a. Persons with severe disabilities, except the cases regulated in the Article 45 of this Law.

b. Persons with moderate disabilities

2. Those who shall be entitled to the monthly support:

a. families nursing persons with severe disabilities

b. people who take care and nurse persons with severe disabilities.

c. Persons with disabilities who fall under provisions a and b of provision 1 and raise children under 36 month old of age.

3. Persons with disabilities under item a and b of this provision are children, women, the elderly shall be entitled higher support norm compared to other persons with disabilities at the same level of disability.

4. The Government shall regulate the cost norm for monthly social support based on the social-economic conditions of each period of time.

Article 45. Nursing and Taking care of Persons with Disabilities in Social Protection Establishments

1. Persons with severe disabilities who have no support or have no possibility to live with family or in the community shall receive to live in the social protection establishments.

2. The State shall provide financial support to take care, nurse to persons with serve disabilities at the public social protection establishments, including:

a) Monthly allowance for nursing and taking care

b) Purchase of materials and essential items for daily life

c) Purchase of conventional drugs

d) Purchase of orthopedic devices, apparatus supporting functional rehabilitation;

e) Funeral fee upon death.

f) Monthly sanitary fee for women in productive age

3. The Government shall regulate in detailed for the support cost norms as regulated under provision 2 of this Article.

Article 46. Funeral Fee Policy

Persons with severe disabilities receiving monthly social support shall be entitled to the funeral fees support upon death with norms regulated by the Government.

Article 47. Centers to Support Persons with Disabilities

1. Centers to support persons with disabilities are those provide services of health care, counseling, assistance, and nursing of persons with disabilities in the communities and the centers.
2. Center for Persons with Disabilities include:
 - a. Social Protection Establishment with nursing and taking care of persons with disabilities
 - b. Service Center to Support PWDs
 - c. Independent Living Center
 - d. Other centers providing consultative services, support services, and nursing of persons with disabilities.
3. The Government shall regulate criteria and requirements for issuing operation licenses, suspend the operation, merging or disolving these centers.
4. The State encourages organizations and individuals to invest in building of facilities and infrastructures for those centers run by the State.

Article 48. Responsibilities of the Centers to Support Persons with Disabilities

1. Apply national technical standards in having material facilities for nursing and taking care of persons with disabilities;
2. Carry out the upgrading of the facilities to support the taking care of persons with disabilities and ensure the access and use by persons with disabilities.

CHAPTER VIII.

STATE RESPONSIBILITIES ON DISABILITY WORK

Article 49: State Management on Disability

1. The State shall ensure unified state management on disability issues;
2. The Ministry of Labor, Invalids and Social Affairs is responsible to the Government for executing the role of the state management on disability;
3. Ministries, Ministerial agencies and Government agencies shall collaborate with Ministry of Labor, Invalids and Social Affairs to carry out state management on disabilities.
4. People's Committees at all levels, within their responsibilities and authorities, shall be responsible for executing state management on disability;

Article 50: Responsibilities of Ministries and Ministerial Agencies

1. Ministry of Labor, Invalids and Social Affairs shall have following responsibilities:

- a) Develop and submit to authorities for promulgation, or to promulgate within their responsibility, legal documents, programs, proposals, plans on disability;
- b) Lead and coordinate with Ministries, ministerial agencies, State bodies, People's Committees and central cities for enforcement and implementation of legal documents on disability; projects, proposals, and plans on disability;
- c) Develop and submit to Government for approval of the procedures, documents, time duration and process of monthly social allowance; the formalities, procedures of receiving and of stop being taken care of in social protection institutions; to set up professional qualification requirements for the personnel performing disability care;
- d) Submit to the Government the regulations on support staff working on disability, civil servants and staff working on rehabilitation, orthopedics, and full-time staff of organizations of persons with disabilities.
- e) Provide professional training to staff and workers working on disability and taking care of persons with disabilities at social protection institutions, in families and in the community;
- f) Develop and implement the awareness raising programs on disability.

- g) Inspect, and monitoring the enforcement and implementation of disability laws and policies;
- h) Carry out international cooperation in disability area;
- i) Regulate the provisions on establishment and operation of the Council on Disability Classification through Observation.
- j) Develop and submit to the Prime Minister the National Action Plan to support persons with disabilities on the five year basis;
- k) Lead and coordinate for implementation of baseline survey on disability and publish the report on the periodic basis;
- l) Perform the planning and management of orthopedics, rehabilitation and social protection system;

2. The Ministry of Health shall be responsible for the followings:

- a) Provide guidance for and carry out the implementation of health care programs for persons with disabilities in public health services/facilities and in the community.
- b) Carry out classification on types and levels of disabilities, on examination procedures to determine disability type and grade, to conduct examination and to provide disability certifying papers;
- c) Perform state management on orthopedic and rehabilitation and management of the subordinate rehabilitation centers;
- d) Lead and coordinate with the Ministry of Labor, Invalids and Social Affairs to stipulate in details orthopedics and rehab activities for persons with disabilities; to provide training in orthopedics and rehabilitation; to implement disability prevention programs, and community-based rehabilitation programs for persons with disabilities.

3. Ministry of Education and Training is responsible for the followings:

- a) Carry out state management on education for persons with disabilities;
- b) Provide unified national regulations on sign language for persons with hearing and speaking impairment; and Braille for the persons with visual impairment;
- c) Do planning on special education system for persons with disabilities and the system of centers to support special education.

d) Provide training for teachers and teacher assistants; develop training programs, curricula and books for students with disabilities; provide teaching equipments and tools for each type of disabilities;

đ) Lead and coordinate with the Ministry of Labor, Invalids and Social Affairs and Ministry of Health to implement special education programs for students with disabilities;

e) Coordinate with Ministry of Health and Ministry of Labor, Invalids and Social Affairs to provide training on orthopedics and rehabilitation.

4. Ministry of Culture, Sports and Tourism shall be responsible for state management on culture, sports and tourism for persons with disabilities; lead and coordinate the implementation of activities aiming at improving cultural and spiritual life of persons with disabilities;

5. Ministry of Construction shall be responsible for leading and coordinating with concerned ministries and bodies to issue and implement national accessibility building codes and standards to ensure persons with disabilities to access and use public works as regulated under provision 3 of article 30 of this Law.

6. Ministry of Transport shall be responsible for leading and coordinating with concerned ministries and bodies to issue and implement national technical codes in means of transport, transportation infrastructure and other support transportation means; priority policies for persons with disabilities when they use public transport; reduction and exemption of transportation fees; and exemption of fees wheelchairs and trolleys serving the movement of persons with disabilities;

7. Ministry of Information and Communications shall be responsible for issuing and providing guidance on implementation of national technical codes in ICT accessibility for persons with disabilities; instruct and guide mass media agencies to inform and disseminate policies, laws and activities for persons with disabilities;

8. Ministry of Science and Technology shall lead and coordinate with concerned ministries and bodies to regulations to encourage study and design assistive devices for persons with disabilities;

9. Ministry of Home Affairs shall be responsible for leading and coordinate with concerned ministries and bodies to issue regulations on regimes and policies for persons working in disability; staff and workers taking care and performing

rehabilitation of persons with disabilities and professionals of disability organizations;

10. **Ministry of Finance** shall be responsible for budget allocation for the implementation of policies, programs, proposals and projects supporting persons with disabilities; assess, compile statistics on persons with disabilities; examination to identify types and levels of disabilities and provision of disability certificate;

11. **Ministry of Planning and Investment** shall make budget arrangement for relevant ministries and bodies and local agencies to implement state investment projects in taking care of, raising, providing orthopedics and rehab services for persons with disabilities; coordinate with Ministry of Labor, Invalids and Social Affairs to survey and compile statistics on persons with disabilities;

12. **Ministries, ministerial level agencies, State bodies** within their function, responsibility and authority shall be responsible for coordinating with Ministry of Labor, Invalids and Social Affairs to implement state management in disability.

CHAPTER IX

EXECUTION PROVISION

Article 51. Law Application

1. Persons with disabilities who are accredited for making good contribution to the country shall benefit, besides the preferential treatment they are entitled to in accordance with the law on persons accredited with contribution to the revolution, from all interests regulated by this Law which are not specified in other preferential treatment policies;

2. Persons with disabilities who are foreigners living and working in Vietnam will be object to the provisions of this Law, except for certain regulations and policies set by the Government.

Article 52. Revision, amendment to the Articles of the Law.

The phrase "disabled persons - Nguoi tan tat" is replaced with "persons with disabilities - Nguoi khuyet tat" in the law and other related policies and programs.

Article 53. Execution Effect

1. This Law shall enact from January 1st, 2011;
2. The Ordinance on Disabled Persons promulgated in 1998 shall be superseded as from the date of enactment of this Law.

Article 54: Implementation Guideline

The Government and other authorized agencies shall regulate in detailed all points, provisions and articles and other provisions regulated under this Law.

The National Assembly of the Socialist Republic of Vietnam passed this Law Term 12th, Session 07 on 17 June 2010.

Chair of the National Assembly

Nguyen Phu Trong