



INCREASING FINES FOR ADMINISTRATIVE VIOLATIONS RELATED TO FIRE PREVENTION AND FIGHTING

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To raise awareness in fire prevention and fighting, increase deterrent effects to prevent and minimize fire prevention and fighting violations, on May 15, 2025, the Government issued Decree 106/2025/ND-CP regulating administrative sanctions against violations in the field of fire prevention and fighting, rescue and salvage (**Decree 106**), replacing Decree 144/2021/ND-CP regulating administrative sanctions against violations in security, order and social safety; prevention and control of social evils; fire prevention and fighting; rescue and salvage; prevention and control of domestic violence (**Decree 144**). The scope of Decree 106 is quite broad, covering from disseminating information, legal regulations and providing professional training in fire prevention and fighting, rescue and salvage; equipping, installing, using, maintaining the equipment for fire prevention and fighting, rescue and salvage; to updating the database on fire prevention and fighting, rescue and salvage; installing, maintaining the connection of fire alarm transmission equipment. Below are some noticeable provisions of

Decree 106/2025/ND-CP:

Firstly, the application subjects of Decree 106 include both organizations and individuals. In particular, *Decree 106 provides clearer and more detailed provisions on organizations compared to Decree 144*, which include economic organizations established under the Law on Enterprises (sole proprietorships, joint stock companies, limited liability companies, etc.), organizations established under the Law on Investment (domestic investors, foreign investors (except individuals) and foreign-invested economic organizations), and organizations established under the Law on Commerce, etc.

Secondly, *Decree 106 increases the fines for some violations*. Most of the fines under Decree 106 are **2 to 3 times higher** than those under Decree 144. For example, the act of (i) *issuing the internal regulations on fire prevention and fighting, rescue and salvage that do not contain sufficient contents as prescribed in legal regulations or are not*

appropriate with the operation characteristics of the facility or means of transport, and the act of (ii) posting the internal regulations, signs, prohibition signs, and guidance signs on fire prevention and fighting, rescue and salvage at the wrong locations shall be fined from VND 1,000,000 to VND 3,000,000. Previously, under Decree 144, the above violations were only subject to a fine ranging from VND 300,000 to VND 500,000. The fine for *failing to issue or post regulations, signs, prohibition signs, and signs on fire prevention, rescue, and salvage* has also increased from VND 1,000,000 - VND 3,000,000 to VND 6,000,000 - VND 8,000,000. In particular, there are some violations for which the fines have increased by **16 to 20 times** compared to the previous ones. For example, for the act of *using fire sources, heat sources, fire/heat-generating equipment, and tools without ensuring the required fire prevention and fighting distance*, the fine of only VND 300,000 - VND 500,000 in Decree 144 has increased to VND 5,000,000 - VND 10,000,000 (16 times higher). The fine for *using fire*

sources, heat sources, fire/heat-generating equipment, and tools in prohibited areas in Decree 106 is 20 times higher than the previous one (from VND 100,000 - VND 300,000 to VND 20,000,000 - VND 25,000,000). It should be noted that the fines are doubled for organizations committing the same violations.

Thirdly, Decree 106 supplements several new violations. For example, for compulsory fire and explosion insurance, several violations have been supplemented, such as (i) a fine ranging from VND 10,000,000 to VND 15,000,000 shall be imposed for *the payment of between 50% and less than 100% of the total amount allocated for fire prevention and fighting, rescue and salvage activities from compulsory fire and explosion insurance as prescribed in legal regulations*, and (ii) a fine ranging from VND 20,000,000 to VND 30,000,000 shall be imposed for *the payment of less than 50% of the total amount allocated for fire prevention and fighting, rescue and salvage activities from compulsory fire and explosion insurance as prescribed in legal regulations*. Regarding evacuation issues in fire prevention and fighting, Decree 106 supplements violations such as *failing to maintain emergency escape routes, exits for rooms and areas* with a fine of VND 20,000,000 - VND 30,000,000, or *failing to maintain emergency escape routes, exits for houses and buildings* with a fine of VND 40,000,000 to VND 50,000,000. It should be noted that if the violator is an organization, the fine for the same act will be doubled.

According to the Ministry of Public Security's assessment of the implementation of Decree 144, the fines for some violations were still low and ineffective in preventing violations. As a result, organizations and individuals were willing to pay the fines since they were lower than the compliance costs. Therefore, to address this issue, Decree 106 has increased the fines against violations compared to the previous ones to enhance the deterrent effects and improve the effectiveness of preventing violations. The supplement of regulations on new violations aims to conform to the current fire prevention and fighting practice, as some of these violations are the direct causes of fires and explosions, causing damage to people and property. Enterprises should update and study the provisions of Decree 106 to ensure that their fire prevention and fighting activities are compliant with legal regulations, thereby minimizing potential legal risks.

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