

**THE MINISTRY OF
INDUSTRY**

No. 136/2004/QĐ-BCN

**THE SOCIALIST REPUBLIC OF VIETNAM
Independence– Freedom – Happiness**

Hanoi, November 19, 2004

DECISION

NO.136/2004/QĐ-BCN OF NOVEMBER 19, 2004 BY THE MINISTER OF INDUSTRY
PROMULGATING THE LIST OF MACHINERY, EQUIPMENT AND TOXIC CHEMICALS
WITH SPECIFIC SAFETY REQUIREMENTS FOR SPECIALIZED INDUSTRIES AND THE
REGULATIONS ON SAFETY TECHNIQUES MANAGEMENT OF MECHINERY,
EQUIPMENT AND TOXIC CHEMICALS WITH SPECIFIC SAFETY REQUIREMENTS
FOR SPECIALIZED INDUSTRIES

THE MINISTER OF INDUSTRY

*Pursuant to the Government's Decree No. 55/2003/ND-CP of May 28, 2003 defining functions,
tasks, powers and the organizational structure of the Ministry of Industry;*

At the proposal of the Director of the Department of Industrial safety techniques

DECIDES

Article 1. To promulgate together with this Decision:

1. The Regulation on safety technique management for machinery, equipment and toxic chemicals with specific safety requirements for specialized industries.
2. The list of machinery, equipment and toxic chemicals with specific safety requirements for specialized industries.

Article 2. This Decision takes effect after 15 days as from the date of its publication on the Official Gazette. The previous provisions in contravention to this Decision are all abolished.

Article 3. Chief of Ministry office, Ministerial chief inspector, Ministerial Director, Directors of Departments of Industry in central-affiliated cities and provinces, General Directors of General companies, Directors of enterprises and heads of industrial line units are responsible for the implementation of this Decision.

**FOR THE MINISTER OF INDUSTRY
DEPUTY MINISTER**

Do Huu Hao

REGULATION

ON MANAGING SAFETY TECHNIQUES FOR MACHINERY, EQUIPMENT AND TOXIC
CHEMICALS WITH SPECIFIC SAFETY REQUIREMENTS FOR SPECIALIZED

INDUSTRIES

(Promulgated together with the Minister of Industry's Decision No.136/2004/QD-BCN of November 19, 2004)

Chapter 1:

GENERAL PROVISIONS

Article 1. This Regulation prescribes the management of safety techniques for machinery, equipment and toxic chemicals (hereinafter referred to as objects) prescribed in the List of machinery, equipment and toxic chemicals with specific safety requirements for specialized industries promulgated by the Ministry of Industry.

Article 2. This Regulation is applicable to the safety technique inspecting units, managing agencies, enterprises, organizations and individuals belonging to the industry domain nationwide (hereinafter referred to as units) including: mechanics, metallurgy, electricity, energy, petroleum, natural resources exploitation, chemistry (including pharmaceutical chemistry), industrial explosives, consuming industry, food industry and other processing industries relating to machinery, equipment and toxic chemicals with specific safety requirements for specialized industries.

Chapter 2:

PROVISIONS ON USER REGISTRATION

Article 3. User registration is an obligatory procedure of objects with specific safety requirements for specialized industries carried out by Departments of Industry in order to enhance the management and responsibilities before law of the units.

Article 4. The user registration of objects with specific safety requirements for specialized industries shall be made at Departments of Industry.

Fixed objects shall be registered at Departments of Industry where the objects are allowed to be installed and used. Mobile objects shall be registered at Departments of Industry where the head offices are situated.

Article 5. The registration is applicable to the following cases:

1. Using the object for the first time.
2. Transferring the ownership or reforming the objects with changes in specifications.

Within ten (10) working days as from the date of fully receiving the valid dossiers, Departments of Industry shall be responsible to carry out procedures for issuing the Registration certificate to the objects under the form of Registration certificate prescribed in Annex 5 promulgated together with this Regulation. In case of delay or refusal, it must be notified in writing in which specifying the reasons.

Article 6. The application dossier for user registration includes:

1. A declaration of registration made under the form in Annex 1 promulgated together with this Regulation.
2. A valid copy of the Safety techniques verification certificate of the machinery and equipment.

3. A written description of the chemical origin, the monthly use volume, the highest inventory volume.

Article 7. When the objects prescribed in Article 1 of this Regulation are no longer used, the units must report to the Departments of Industry where the objects are registered in order to carry out procedures for deleting their names from the registration list.

Chapter 3:

PROVISIONS ON SAFETY TECHNIQUE INSPECTION

Article 8. Safety technique inspection (hereinafter referred to as inspection) of machinery and equipment prescribed in Article 1 of this Regulation is the examination, test (technical examination) and assessment of state of safety techniques of machinery, equipment based on the safety technique standards and norms.

Article 9. When using the machinery and equipment prescribed in Article 1 of this Regulation, the units must send them for inspection at the inspecting units within the prescribed terms.

Article 10. Based on the standards, norms, work conditions and state of the machinery and equipment, the inspection units shall prescribe the subsequent inspection terms.

Article 11. The persons conducting inspection being inspectors must be professionally trained for inspection, and must possess the card of Safety technique inspector issued by the Department of Industrial safety techniques.

Article 12. Standards, norms and processes applicable to the inspection include:

1. Vietnam's standards, Line standards and Safety technique norms.
2. International standards and foreign standards approved by the Vietnam's Government. In case the international standards and foreign standards are inconsistent with the Vietnam's standards, it is recommended to apply the standards of higher safety.
3. The inspection process (technical examination).

Article 13. During the inspection, if the object is detected with risk of unsafety, inspectors must suspend the inspection, identify the shortcomings and request the object using units to rectify them before inspecting again.

Article 14. After the inspection is done, the inspectors must fully record the inspection results and make conclusion on safety conditions in the inspection minutes and the objects' identity. The inspection minutes must contain the object using units' and inspecting units' verification.

Article 15. When the object is determined to be qualified to be put into use, within five working days as from the announcing day of the inspection minute, inspecting units must issue the Safety technique verification certificate to the object using unit under the form of Safety technique verification certificate in Annex 6 promulgated together with this Regulation.

Chapter 4:

COMMENDATION AND HANDLING OF VIOLATION

Article 16. Managing agencies, inspecting units and object using units properly implementing the provisions of this Regulation shall be commended under the general law provisions on emulation and commendation.

Managing agencies, inspecting units and object using units violating the provisions of this Regulation shall be handled as prescribed by law.

Heads of inspecting units must be responsible before law for the inspection results of inspectors under their management.

Inspecting units and inspectors violating the standards, norms, inspection process and law provisions that cause damages to enterprises must compensate for such damages and shall be handled as prescribed by law.

Object using units committing acts of violations of law provisions on safety techniques, depending on the nature and extend of the violations, shall be disciplined, administratively sanctioned or subject to criminal prosecution, and must compensate for the damages on their account prescribed by law.

Article 17. The complaints, denunciations and their settlements relating to the implementation of this Regulation shall be made as prescribed by law provisions on complaints and denunciation.

Chapter 5:

ORGANIZATION OF THE IMPLEMENTATION

Article 18. The Department of Industrial safety techniques is responsible to guide and inspect the implementation of this Regulation in the entire industry domain.

Article 19. Departments of Industry are responsible for guiding and inspecting the implementation of this Regulation for the units within their respective management areas, synthesizing and reporting to the Ministry of Industry on the registration and inspection on May 30 and November 30 every year under the form of report prescribed in Annex 2 promulgated together with this Regulation.

Article 20. Safety technique inspecting units are responsible for:

1. Inspecting safety techniques of the units' objects as prescribed in this Regulation.
2. Issuing the Safety techniques verification certificate to objects qualified to be used.
3. Participating in and coordinating with functional agencies to clarify the causes of safety technique breakdowns and accidents in order to take preventive measures under the allocation of the Department of Industrial safety techniques.
4. Providing for training and vocational courses in safety techniques for the workers at the enterprises' proposal.
5. Collecting and using inspection charges as prescribed.
6. Unifying inspection plans with Departments of Industry to carry out inspections at units under the provinces' management.
7. Making statistics and sending reports on the inspection progress to the Department of Industrial safety techniques on May 30 and November 30 every year under the form of report in Annex 5 promulgated together with this Regulation.

Article 21. Object using units are responsible for:

1. Complying with the provisions in legal documents, standards, safety technique norms and this Regulation regarding the objects under the management.

2. Only putting into use the objects that have been inspected and guaranteed safety.
3. Monitoring and handling breakdowns, accidents relating to safety techniques under the management.
4. Archiving and fully providing for the dossiers, documents relating to the objects for inspecting agencies and units as requested.
5. Preparing necessary conditions for the inspection as prescribed.
6. Providing for training in safety techniques as prescribed.
7. Paying inspection charges as prescribed.
8. Unifying inspection plans with industrial safety technique inspecting units.
9. Making reports on the statistics of registration, inspection in the year and the inspection plan of the following year, and send Departments of Industry annually on November 30 every year under the form of report prescribed in Annex 3 promulgated together with this Regulation.

LIST

LIST OF MACHINERY, EQUIPMENT AND TOXIC CHEMICALS WITH SPECIFIC SAFETY REQUIREMENTS FOR SPECIALIZED INDUSTRIES

*(Promulgated together with the Minister of Industry's Decision No. 136/2004/QĐ-BCN of
November 19, 2004)*

I. List of machinery and equipment

No.	Name of machinery, equipment	Technical property	Inspection	Registration
A. Pressure equipment				
1	Oil heating boiler	Rated loading pressure above 0.7 bar, the product of capacity (measured in litre) and pressure (measured in bar) above 200	x	x
2	Coal gas furnace system	All kinds	x	x
3	Tire vulcanization equipment (steam heating)	All kinds	x	
4	Safety valve	For machinery, equipment with strict requirements for labour safety	x	
5	Pressure pipe system of hydropower plants	All kinds	x	
B. Lifting, conveying machinery and equipment				
6	Lift truck for human	All kinds	x	x
7	Fork-lift truck	Tonnage of 5,000N or above	x	
8	Manual chain hoist	Tonnage of 5,000N or above	x	
9	inch, hoist	Tonnage of 10,000N or above,	x	

		elevation angle from 250 to 350		
		Tonnage of 10,000N or above, elevation angle from 350 to 900	x	x
10	Hydraulic mechanism (except for hydraulic jack lift)	Lifting load of 10,000N or above	x	
		Lifting load of 200,000N or above	x	x
C. Machinery, equipment used in mines containing inflammable or explosive gases				
11	Hydraulic pillar and scaffold used in mine exploitation	All kinds	x	
12	Explosion-proof transformer	All kinds	x	
13	Explosion-proof electric engine	All kinds	x	
14	Explosion-proof electric distribution, connection and disconnection equipment	All kinds	x	
15	Explosion-proof control equipment	All kinds	x	
16	Explosion-proof electric generator	All kinds	x	x
17	Electric leak relay	All kinds	x	
18	Explosion-proof information equipment	All kinds	x	
19	Explosion-proof electric cable	All kinds	x	
20	Explosion-proof light	All kinds	x	
21	Coal crusher	All kinds	x	
D. Other equipment				
22	The system of equipment of producing, storing, transporting chemicals with strict requirements for labour hygiene, and hazardous chemicals with specific safety requirements for specialized industries.	All kinds	x	
23	Electric blasting machine	All kinds	x	x
24	Electric fuse resistance testing machine	All kinds	x	x
25	Electric blasting network testing machine	All kinds	x	x
26	Hydroelectric dam hatch	All kinds	x	

II. List of toxic chemicals

No.	Chemical name		Chemical formula
	English name	Vietnamese name	
1	Acetylene	Axetyten	C_2H_2
2	Ammonia, anhyduos	Amoniac khan	NH_3
3	Acetone	Axeton	$(CH_3)_2CO$
4	Alumium (power)	Nhôm, dạng bột	Al
5	Ammonium nitrate	Amoni nitrat	NH_4NO_3
6	Butanol	Butanol	$C_4H_{10}O$
7	Butyl acetate	Butyl axetat	$C_4H_9COOCH_3$
8	Carbon dioxide	Cacbon dioxit	CO_2
9	Hexachlorobenzene	Hexaclorobenzen	C_6Cl_6
10	Chlorine	Clo	Cl_2
11	Aluminum carbide	Carbua nhôm	Al_2C_3
12	Calcium Carbide	Carbua canxi	CaC_2
13	Ethyl acetate	Etyl axetat	$CH_3COOC_2H_5$
14	Ethyl chlorofomate	Etyl clofomat	$ClCOOC_2H_5$
15	Formic acid	Axit formic	$HCOOH$
16	Hydride metals	Hydrua kim loại	XH (X: alkaline metal)
17	Hydrogen chloride acid	Axit clohydric	HCl
18	Hydrogen flouride acid	Axit flohydric	HF
19	Hypochlorite	Hypoclorit	ClO_3^-
20	Hydrogen peroxide	Hydro peroxit	H_2O_2
21	Hydrogen	Hydro	H_2
22	Isobutyl acetat	Isobutyl axetat	$C_4H_9COOCH_3$
23	Methanol	Metanol	CH_4O
24	Chilling Methane	Metan	CH_4
25	Methyl hydrazine	Metyl hydrazin	CH_6N_2
26	Methyl ethyl ketone	Metyl etyl keton	$CH_3COC_2H_5$
27	Methyl isocyanate	Metyl iso xyanat	CH_3NCO
28	Nitrocellulose	Nitroxenluloza	$C_6H_8(NO_2)_2O_5$
29	Nitrile	Nitril	RCN
30	Polyhalogen biphenyls	Các hợp chất polihalogen biphenyl	$X_n(C_6H_5-n)_2$
31	Phosphoric acid	Axit phosphoric	H_3PO_4
32	Phosphide metals	Phosphua kim loại	XmP_n
33	Permanganate	Permaganat	MnO_4^-
34	Nitrate	Nitrat	NO_3^-
35	Phenol	Phenol	C_6H_5OH
36	Nitrite	Nitrit	NO_2^-

37	Sodium hydroxide	Natri hydroxit	NaOH
38	Sulfuric acid	Axit sulfuric	H ₂ SO ₄
39	Sodiumhydrosulphide	Natri hydro sulphit	NaHS
40	Sulfur	Lưu huỳnh	S
41	Sodiumsulphide	Natri sulphua	Na ₂ S
42	Sodiumchlorite	Natriclorit	NaClO ₂
43	Trichloroethylene	Triclo etylen	C ₂ HCl ₃
44	Xyanide	Xyanua	CN-
45	Cetone	Xeton	R-CO-R'

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