

No: 33/2002/QH10

Hanoi, April 02, 2002

LAW

ON ORGANIZATION OF THE PEOPLE'S COURTS

(No. 33/2002/QH10 of April 2, 2002)

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under Resolution No. 51/2001/QH10 of December 25, 2001 of the Xth National Assembly, at its 11th session;

This Law prescribes the organization and operation of the People's Courts.

Chapter I

GENERAL PROVISIONS

Article 1.- The Supreme People's Court, the local People's Courts, the military courts and other law-prescribed courts are adjudicating bodies of the Socialist Republic of Vietnam.

The courts adjudicate criminal, civil, marriage and family, labor, economic and administrative cases and settle other matters as prescribed by law.

Within the scope of their functions, the courts have the task to protect the socialist legislation; to protect the socialist regime and the people's mastery; to protect the property of the State and collectives; to protect the lives, property, freedom, honor and dignity of citizens.

Through their activities, the courts shall contribute to educating citizens in the loyalty to the Fatherland, the strict observance of law, the respect for social conducts and the sense of struggle to prevent and combat crimes and other law offenses.

Article 2.- There are in the Socialist Republic of Vietnam the following courts:

1. The Supreme People's Court;
2. The People's Courts of the provinces and centrally-run cities;
3. The People's Courts of the rural districts, urban districts, provincial capitals and provincial cities;

4. The military courts;
5. Other courts prescribed by law.

In special circumstances, the National Assembly may decide to set up the special tribunals.

Article 3.- The regime of appointing judges shall apply to courts of all levels.

The regime of electing people's jurors shall apply to local People's Courts. The regime of appointing army men's jurors shall apply to the military courts of military regions and the equivalent, the regional military courts.

Article 4.- The trials by the People's Courts shall be participated by the people's jurors and the trials by the military courts shall be participated by the army men's jurors as provided for by the procedural law. In adjudication, the jurors are equal in right to the judges.

Article 5.- In trials, judges and jurors are independent from each other and only abide by laws.

Article 6.- The courts adjudicate collectively and make decisions by majority.

The composition of the Trial Council of each adjudicating level shall be provided by the procedural law.

Article 7.- The courts shall conduct public trials, except for case of necessity to conduct secret trials in order to keep the State secrets, preserve the nation's fine traditions and customs or to keep secrets of the involved parties at their legitimate requests.

Article 8.- The courts conduct trials according to the principle that all citizens are equal before law, regardless of their sex, nationality, belief, religion, social class, social position; individuals, agencies, organizations, people's armed force units and production as well as business establishments of all economic sectors are all equal before law.

Article 9.- The courts shall ensure the right to defense of the defendants as well as the legitimate rights and interests of the involved parties.

Article 10.- The courts shall ensure that the persons involved in legal proceedings have the right to use their own nationalities speech and scripts before courts.

Article 11.-

1. The courts shall implement the two-level trial regime.

First-instance judgements and/or rulings of courts may be appealed and/or protested against according to the provisions of procedural law.

The first-instance judgements and/or decisions, which are not appealed and/or protested against within the law-prescribed time limits shall take legal effect. For first-instance judgements and/or decisions, which are appealed and/or protested against, the cases must be brought to appellate trials. The appellate judgements and/or decisions shall take legal effect.

2. For already effective judgements and/or rulings of courts, where law violations or new circumstances are discovered, they shall be re-considered in the supervisory or review order prescribed by the procedural law.

Article 12.- The already effective judgements and decisions of courts must be respected by all State bodies, political organizations, socio-political organizations, social organizations, socio-professional organizations, economic organizations, peoples armed force units and people.

Individuals, agencies and organizations, that are obliged to execute judgements and decisions of courts, must strictly execute them.

Within the scope of their respective functions, the People's Courts and agencies as well as organizations which are assigned the task to enforce the courts judgements and decisions must strictly enforce them and take responsibility before law for the performance of such task.

Article 13.- In case of necessity, in addition to their judgements and decisions, the courts shall make proposals requesting the concerned agencies and/or organizations to apply measures to do away with the causes and conditions for the commission of crimes or law offenses in such agencies and/or organizations. The agencies and/or organizations which receive the proposals shall have to study the implementation thereof and shall, within 30 days as from the date of receiving the proposals, have to notify the courts thereof.

Article 14.- The courts shall coordinate with the State bodies, Fatherland Front committees and the Front's member organizations, other social organizations, economic organizations and people's armed force units in bringing into play the educational effect of court sessions and in creating favorable conditions for the enforcement of the courts' judgements and rulings.

Article 15.- The courts shall join the Procuracies, police offices, inspectorates, judicial bodies, other concerned agencies, Fatherland Front committees and the Front's member organizations as well as people's armed force units in studying and implementing policies and measures to prevent and combat crimes and other law offenses.

Article 16.- The chief judge of the Supreme People's Court shall be responsible for and report on its activities before the National Assembly; while the National Assembly is in recess, he/she shall be responsible for and report on its activities before the National Assembly Standing Committee and the State President; and reply questions of National Assembly deputies.

The chief judges of the local People's Courts are responsible for and report on their activities before the People's Councils of the same level; and reply questions of People's Council deputies.

Article 17.-

1. The Supreme People's Court shall organizationally manage the local People's Courts in close coordination with the local People's Councils.
2. The Supreme People's Court shall organizationally manage the military courts in close coordination with the Ministry of Defense.
3. The Regulation on coordination between the Supreme People's Court and the local People's Councils, between the Supreme People's Court and the Ministry of Defense in organizationally managing the local People's Courts as well as the military courts shall be prescribed by the National Assembly Standing Committee.

Chapter II

THE SUPREME PEOPLE'S COURT

Article 18.-

1. The Supreme People's Court is the highest adjudicating body of the Socialist Republic of Vietnam.
2. The organizational structure of the Supreme People's Court is composed of:
 - a) The Council of Judges of the Supreme People's Court;
 - b) The central military court, the criminal court, civil court, economic court, labor court, administrative court and appellate courts of the Supreme People Court; in case of necessity, the National Assembly Standing Committee shall decide to set up other specialized courts at the proposal of the chief judge of the Supreme People's Court;
 - c) The assisting apparatus.
3. The Supreme People's Court shall have the chief judge, deputy-chief judges, judges and court clerk.

Article 19.- The Supreme People's Court shall have the following tasks and powers:

1. To guide courts to uniformly apply laws, sum up experiences in trials by courts;
2. To supervise the trials by tribunals at different levels; to supervise the trials by special tribunals and other courts, except otherwise provided for upon the establishment of such courts;
3. To submit bills to the National Assembly and draft ordinances to the National Assembly Standing Committee as provided for by law.

Article 20.- The Supreme People's Court shall have the competence to conduct:

1. Supervisory, review trials of cases with judgements and/or decisions which have already taken legal effect but been protested against according to the provisions of the procedural law;
2. The appellate trials of cases with the first-instance judgements and/or decisions of immediate lower courts, which have not yet taken legal effect but have been appealed and/or protested against appealed according to the provisions of the procedural law.

Article 21.-

1. The Council of Judges of the Supreme People's Court is the highest body for trials according to supervisory and review procedures and the agency guiding courts to uniformly apply laws.
2. The Council of Judges of the Supreme People's Court is composed of:
 - a) The chief judge and deputy-chief judges of the Supreme People's Court;
 - b) A number of judges of the Supreme People's Court, decided by the National Assembly Standing Committee at the proposal of the chief judge of the Supreme People's Court.
3. The total number of members of the Council of Judges of the Supreme People's Court shall not exceed seventeen.

Article 22.-

1. The Council of Judges of the Supreme People's Court shall have the following tasks and powers:
 - a) To supervise and review cases with already effective judgements and/or decisions being protested against under the provisions of the procedural law;
 - b) To guide courts to uniformly apply laws;
 - c) To sum up the adjudicating experiences;
 - d) To adopt the reports of the chief judge of the Supreme People's Court on the courts activities for submission to the National Assembly, the National Assembly Standing Committee and the State President;
 - e) To prepare bills for submission to the National Assembly and draft ordinances for submission to the National Assembly Standing Committee.
2. A meeting of the Council of Judges of the Supreme People's Court must be attended by at least two-thirds of its total members. Decisions of the Council of Judges of the Supreme People's Court must be voted for by more than half of the total number of its members.

The chairman of the Supreme People's Procuracy and the Minister of Justice shall have the responsibility to attend meetings of the Council of Judges of the Supreme People's Court when the guidance for application of laws is discussed.

Article 23.-

1. The Criminal Court, the Civil Court, the Economic Court, the Labor Court and the Administrative Court of the Supreme People's Court have their respective chief judge, deputy-chief judges, judges and court clerks.

2. The Criminal Court, the Civil Court, the Economic Court, the Labor Court and the Administrative Court of the Supreme People's Court shall supervise and review cases with already effective judgements and/or decisions being protested against under the provisions of the procedural legislation.

Article 24.-

1. The Appellate Courts of the Supreme People's Court shall have their own chief judge, deputy-chief judges, judges, court clerks.

2. The Appellate Courts of the Supreme People's Courts shall have the following tasks and powers:

a) To conduct appellate trials of cases where the first-instance judgements and/or decisions of immediate lower courts, have not yet taken legal effect but have been appealed and/or protested against according to the provisions of the procedural law;

b) To settle complaints about decisions of the People's Courts of provinces or centrally-run cities on declaration of bankruptcy according to law provisions.

c) To settle complaints about decisions of the People's Courts of provinces or centrally-run cities on settlement of labor strikes according to the provisions of law.

Article 25.- The chief judge of the Supreme People's Court shall have the following tasks and powers:

1. To organize the adjudicating work of the Supreme People's Court;

2. To preside over meetings of the Council of Judges of the Supreme People's Court;

3. To protest according to supervisory and review procedures against already effective judgements and/or decisions of courts at different levels according to the provisions of the procedural law;

4. To submit to the State President his/her own opinions on cases where convicts apply for commutation of capital punishment;

5. To appoint, remove from office, dismiss chief judges, deputy-chief judges of specialized courts, department directors and deputy-directors as well as other posts in the Supreme People's Court, except for its deputy-chief judges and judges;
6. To appoint, remove from office, dismiss judges of local People's Courts, military courts of the Military Regions and the equivalent, the regional military courts at the proposal of the Judge Selection Council;
7. To appoint, remove from office, dismiss chief judges, deputy-chief judges of local People's Courts after reaching agreement with the Standing Members of the local People's Councils; to appoint, remove from office, dismiss chief judges, deputy-chief judges of the military courts of the Military Regions and the equivalent, the regional military courts after reaching agreement with the Minister of Defense;
8. To organize professional fostering for judges, jurors and officials of courts;
9. To report on activities of courts before the National Assembly, the National Assembly Standing Committee and the State President;
10. To direct the drafting of bills, ordinances, which shall be submitted by the Supreme People's Court to the National Assembly and the National Assembly Standing Committee;
11. To define the assisting apparatuses of the Supreme People's Court, the local People's Courts and submit them to the National Assembly Standing Committee for approval; to define the assisting apparatuses of the military courts after reaching agreement with the Minister of Defense and submit them to the National Assembly Standing Committee for approval;
12. To organize the examination of the management and use of fundings within the ambit of responsibility of the court sector in order to ensure their compliance with the legislation on budget; perform other jobs prescribed by law.

Article 26.- The deputy-chief judges of the Supreme People's Court shall assist the chief judge in performing his/her tasks under the chief judge's assignment. When the chief judge is absent, a deputy-chief judge shall be authorized by the chief judge to represent him/her in directing the court's activities. Such deputy-chief judge shall be answerable to the chief judge for the assigned tasks

Chapter III

THE LOCAL PEOPLE'S COURTS

Section A. THE PEOPLE'S COURTS OF THE PROVINCES, THE CENTRALLY-RUN CITIES

Article 27.-

1. The organizational structure of the People's Court of a province or centrally-run city is composed of:

a) The Committee of Judges;

b) The Criminal Court, the Civil Court, the Economic Court, the Labor Court, the Administrative Court; in case of necessity, the National Assembly Standing Committee shall decide to set up other specialized courts at the proposal of the chief judge of the Supreme People's Court;

c) The assisting apparatus.

2. The provincial/municipal People's Court has a chief judge, deputy-chief judges, judges, people's jurors and court clerks.

Article 28.- The People's Courts of the provinces and centrally-run cities shall have the competence:

1. To conduct first-instance trials of cases according to the provisions of the procedural law;

2. To conduct appellate trials of cases where the first-instance judgements and/or rulings of lower courts have not yet taken legal effect but have been appealed and/or protested against according to the provisions of the procedural law;

3. To supervise, review cases where judgements and/or rulings of lower courts have already taken legal effect but been protested against according to the provisions of the procedural law;

4. To settle other matters as provided for by law.

Article 29.-

1. The Committee of Judges of the provincial/municipal People's Court is composed of:

a) The chief judge and deputy-chief judges of the provincial/municipal People's Court;

b) A number of judges of the provincial/municipal People's Court, to be decided by the chief judge of the Supreme People's Court at the proposal of the chief judge of the provincial/municipal People's Court.

The total number of members of the Committee of Judge of the provincial/municipal People's Court shall not exceed nine persons.

2. The Committee of Judges of the provincial/municipal People's Court shall have the following tasks and powers:

a) To supervise, review cases where the judgements and/or decisions of lower courts, have already taken legal effect but been protested against;

b) To ensure the uniform application of laws at its court and the lower courts;

c) To sum up adjudicating experiences;

d) To adopt reports of the chief judge of the provincial/municipal People's Court on activities of courts in the locality for reporting them before the People's Council of the same level and to the Supreme People's Court.

3. A meeting of the Committee of Judges of the provincial/municipal People's Court must be attended by at least two-thirds of its total members. The decisions of the Committee of Judges of the provincial/municipal People's Court must be voted for by more than half of the total number of its members.

Article 30.-

1. The specialized courts of the provincial/municipal People's Courts shall have a chief judge, deputy-chief judges, judges and court clerks.

2. The Criminal Courts, the Civil Courts and the Administrative Courts of the provincial/municipal People's Courts shall have the following tasks and powers:

a) To conduct first-instance trials of cases according to the provisions of the procedural law;

b) To conduct appellate trials of cases where the judgements and/or decisions of lower courts have already taken legal effect but been appealed and/or protested against according to the provisions of the procedural law.

3. The Economic Courts of the provincial/municipal People's Courts shall have the following tasks and powers:

a) To conduct first-instance trials of economic cases according to the provisions of the procedural law;

b) To conduct appellate trials of economic cases where the first-instance judgements and/or rulings of lower courts have not yet taken legal effect but have been appealed and/or protested against according to the provisions of the procedural law;

c) To settle bankruptcy according to law provisions.

4. The Labor Courts of the provincial/municipal People's Courts shall have the following tasks and powers:

a) To conduct first-instance trials of labor cases according to the provisions of the procedural law;

b) To conduct appellate trials of labor cases where the judgements and/or decisions of lower courts have not yet taken legal effect but have been appealed and/or protested against according to the provisions of procedural law;

c) To settle labor strikes according to law provisions.

Article 31.-

1. The chief judges of the provincial/municipal People's Courts shall have the following tasks and powers:

a) To organize trials;

b) To preside over the meetings of the Committee of Judges;

c) To protest according to supervisory and review procedures against already effective judgements and/or rulings of lower courts according to the provisions of procedural law;

d) To appoint, remove from office, dismiss chief judges, deputy-chief judges of specialized courts and other posts in their courts, excluding deputy-chief judges and judges;

e) To organize professional fostering for judges, jurors and officials of their courts and the lower courts;

f) To report on activities of the courts in their respective localities before the People's Councils of the same level and to the Supreme People's Court;

g) To perform other tasks as provided for by law.

2. Deputy-chief judges of the provincial/municipal People's Courts shall assist the chief judges in performing their tasks according to the latter's assignment. When a chief judge is absent, a deputy-chief judge shall be authorized by the chief judge to represent him/her to direct the activities of the local court. Such deputy-chief judge shall be answerable to the chief judge for the assigned tasks.

Section B. THE PEOPLE’S COURTS OF RURAL DISTRICTS, URBAN DISTRICTS, PROVINCIAL CAPITALS, PROVINCIAL CITIES

Article 32.-

1. The People’s Court of a rural district, an urban district, a provincial capital or a provincial city shall have a chief judge, one or two deputy-chief judges, judges, people’s jurors, court clerks.

The People’s Courts of rural districts, urban districts, provincial capitals or provincial cities shall have their own assisting apparatuses.

2. The People’s Courts of rural districts, urban districts, provincial capitals or provincial cities are competent to conduct first-instance trials of cases as provided for by the procedural law.

Article 33.-

1. The chief judges of the People’s Courts of rural districts, urban districts, provincial capitals or provincial cities shall have the following tasks and powers:

- a) To organize trials and other works according to law provisions;
- b) To report on activities of their courts before the People’s Councils of the same level and to the immediate superior courts.

2. The deputy-chief judges shall assist the chief judges in performing their tasks according to the latter’s assignment and be answerable to the chief judges for the assigned tasks.

Chapter IV

MILITARY COURTS

Article 34.-

1. The military courts are organized within Vietnam People’s Army to adjudicate cases with defendants being army men and other cases as provided for by law.

2. The military courts shall include:

- a) The central military court;
- b) The military courts of military regions and the equivalent;
- c) The regional military courts.

3. Army men, state employees and defense workers working at military courts shall have the rights and obligations according to the regimes prescribed for the army; and enjoy the allowance regime for the court sector.

Article 35.-

1. The central military court shall have a chief judge, deputy-chief judges, judges, court clerks.

The chief judge of the central military court shall be a deputy-chief judge of the Supreme People's Court, and judges of the central military court are judges of the Supreme People's Court.

2. The military courts of the military regions or the equivalent shall have a chief judge, deputy-chief judges, judges, army men's jurors, court clerks.

3. The regional military courts shall have a chief judge, deputy-chief judges, judges, army men's jurors, court clerks.

Article 36.- The organization and operation of the military courts shall be stipulated by the National Assembly Standing Committee.

Chapter V

JUDGES AND JURORS

Article 37.-

1. Vietnamese citizens who are loyal to the Fatherland and the Constitution of the Socialist Republic of Vietnam, have good qualities and virtue, are incorrupt and honest, determined to protect the socialist legislation, have the law bachelor degree and been trained in adjudicating operations, have engaged in practical work for a period of time prescribed by law, have the adjudicating capability and have good health to ensure the fulfillment of assigned tasks may be selected and appointed to work as judges.

2. Vietnamese citizens who are loyal to the Fatherland and the Constitution of the Socialist Republic of Vietnam, have good qualities and virtue, are incorrupt and honest, have the legal knowledge, have the spirit to resolutely protect the socialist legislation and have good health to ensure the fulfillment of assigned tasks may be elected or appointed to be jurors.

3. The judges and jurors shall take responsibility before law for the performance of their tasks and the exercise of their powers and must keep work secrets according to law provisions; if committing law offenses, they shall, depending on the nature and seriousness of their violations, be disciplined or examined for penal liability according to law provisions.

4. If judges, jurors, while performing their tasks and exercising their powers, cause damage, the courts where such judges and/or jurors have performed the adjudicating tasks shall have to pay

the compensation therefor and the judges and/or jurors who have caused the damage have the responsibility to repay the courts according to the provisions of law.

5. The specific criteria of judges and jurors of the courts of each level, the procedures for selection, appointment, removal from office, dismissal of judges, election or appointment, removal from office and dismissal of jurors, and the rights and obligations of judges and jurors shall be prescribed by the National Assembly Standing Committee.

Article 38.- Judges and jurors must respect people and submit to the people's supervision.

When performing their tasks and exercising their powers, the judges and jurors may contact State agencies, the Fatherland Front committee and the Front's member organizations, other social organizations, economic organizations, people's armed force units and citizens. Within the ambit of their respective functions and tasks, the agencies, organizations and citizens shall have to create conditions for judges and jurors to perform their tasks.

All acts of obstructing judges and/or jurors from performing their tasks are strictly forbidden.

Article 39.- Persons who satisfy all criteria prescribed in Clause 1, Article 37 of this Law for appointment as judges must be selected and recommended by the Judge Selection Council.

The organization and operation of the Judge Selection Council and the relationship between the Judge Selection Council and the chief judge of the Supreme People's Court shall be prescribed by the National Assembly Standing Committee.

Article 40.-

1. The chief judge of the Supreme People's Court shall be elected, removed from office or dismissed by the National Assembly at the proposal of the State President.

The term of office of the chief judge of the Supreme People's Court shall correspond to the term of the National Assembly. Upon the expiry of the National Assembly's term, the chief judge of the Supreme People's Court will continue performing his/her tasks till the new National Assembly elect the new chief judge.

2. Deputy-chief judges and judges of the Supreme People's Court and the chief judge, deputy-chief judges and judges of the central military court shall be appointed, removed from office or dismissed by the State President.

3. Judges of the local People's Courts, the military courts of military regions or the equivalent and the regional military courts shall be appointed, removed from office and dismissed by the chief judge of the Supreme People's Court at the proposal of the Judge Selection Council.

4. The chief judges, deputy-chief judges of the local People Courts shall be appointed, removed from office or dismissed by the chief judge of the Supreme People's Court after reaching agreement with the permanent members of the local People's Councils; the chief judges and

deputy-chief judges of the military courts of the military regions or the equivalent, of the regional military courts shall be appointed, removed from office, or dismissed by the chief judge of the Supreme People's Court after reaching agreement with the Minister of Defense.

5. The term of office of the deputy-chief judges and judges of the Supreme People's Court, the chief judges, deputy-chief judges and judges of the local People's Courts and the military courts shall be five years.

Article 41.-

1. The people's jurors of the local People's Courts shall be elected by the People's Councils of the same level at the recommendation of the Father Front committees of the same levels, and removed from office or dismissed by the People's Councils of the same levels at the proposal of the chief judges of the People's Courts of the same levels after reaching agreement with the Fatherland Front committees of the same levels.

2. The army-men's jurors of the military courts of military regions or the equivalent shall be appointed by the director of the General Political Department of Vietnam People's Army at the recommendation of the political agencies of the military regions, army corps, army services, general departments or the equivalent levels and removed from office or dismissed by the director of the General Political Department of the Vietnam People's Army at the proposal of the chief judges of the military courts of military regions or the equivalent after reaching agreement with the political agencies of the military regions, army corps, army services, general departments or the equivalent level.

3. The army-men's jurors of the regional military courts shall be appointed by the directors of the political departments of military regions, army corps, army services, general departments or the equivalent level at the recommendation of the political agencies of divisions or the equivalent level, and removed from office or dismissed by the directors of the political departments of the military regions, army corps, army services, general departments or the equivalent level at the proposal of the chief judges of the regional military courts after reaching agreement with the political agencies of divisions or the equivalent level.

4. The term of office of the army men's jurors shall be five years.

5. The term of office of the people's jurors of the local People's Courts shall correspond to the term of the People's Councils of the same levels.

6. The management of the people's jurors and army man's jurors shall be stipulated by the National Assembly Standing Committee.

Article 42.-

1. The number of judges of the Supreme People's Court, the numbers of judges and people's jurors of the local People's Courts shall be decided by the National Assembly Standing Committee at the proposal of the chief judge of the Supreme People's Court.

2. The numbers of judges and army men's jurors of the military courts shall be decided by the National Assembly Standing Committee at the proposal of the chief judge of the Supreme People's Court after reaching agreement with the Minister of Defense.

Article 43.- The State bodies, people's armed force units, economic organizations and social organizations having persons elected or appointed to be jurors have the responsibility to create conditions for the jurors to perform their adjudicating tasks.

Jurors shall be given professional fostering and provided with uniforms and allowances when performing their adjudicating tasks.

Chapter VI

ENSURING OPERATIONS OF THE COURTS

Article 44.- The regime of salary, allowances, identify cards, uniforms for officials and employees of the court sector and the regime of preferences for judges shall be stipulated by the National Assembly Standing Committee.

Article 45.-

1. The total payrolls of the Supreme People's Court and the local People's Courts shall be decided by the National Assembly Standing Committee at the proposal of the chief judge of the Supreme People's Court.

2. The total payrolls of the central military court and military courts of the military regions or the equivalent level, the regional military courts shall be decided by the National Assembly Standing Committee at the proposal of the chief judge of the Supreme People's Court after reaching agreement with the Minister of Defense.

The chief judge of the Supreme People's Court shall closely coordinate with the Minister of Defense in stipulating the payroll for each military court of the military region or the equivalent level, each regional military court.

Article 46.-

1. The funds for operation of the Supreme People's Court and the local People's Courts shall be estimated and proposed to the Government by the Supreme People's Court for submission to the National Assembly for decision.

2. The funds for operation of the military courts shall be estimated and proposed to the Government by the Ministry of Defense in coordination with the Supreme People's Court for submission to the National Assembly for decision.

3. The management, allocation and use of funds shall comply with the legislation of State budget.

4. The State shall prioritize the investment in development of information technology and other means in order to ensure that the People's Courts well perform their functions and tasks.

Article 47.- The police offices shall have the task to escort defendants and protect the hearings of the Supreme People's Court and the local People's Courts.

The military police in the army shall have the task to escort defendants and protect the hearings of the military courts.

Chapter VII

IMPLEMENTATION PROVISIONS

Article 48.- This Law shall replace the October 6, 1992 Law on Organization of the People's Courts, which was amended and supplemented by the December 28, 1993 and October 28, 1995 laws amending and supplementing a number of article of the Law on Organization of the People's Courts.

The previous stipulations contrary to this Law shall all be annulled.

This Law was passed on April 2, 2002 by the Xth National Assembly of the Socialist Republic of Vietnam at its 11th session.

NATIONAL ASSEMBLY CHAIRMAN

Nguyen Van An