

STRUGGLING AND PREVENTING "BLACK CREDIT" CRIMINALS IN VIETNAM: CURRENT SITUATION AND SOLUTIONS

¹Nguyen Hong Dieu, ²Nguyen Xuan Thuy, ³Ha Thu Hang, ⁴Vu The Cong

Abstract: *Interesting lending activities, also known as "black credit" such as "octopus tentacles" are spreading, causing unpredictable consequences for the people and society of Vietnam. In addition to making the borrower money fall into a state of financial depletion, debt collection tricks also directly increase the rate of cases such as property seizure, gambling, murder ... to confuse public opinion; causing disorder and social safety. The article gives an overview of the nature of "black credit", analyzes the status of black credit criminal activity; causes and conditions of the offense; Since then, offering a number of solutions to fight, prevent and prevent crimes in the field of "black credit" in Vietnam today.*

Keywords: *black credit, black credit crime, informal credit, crime prevention.*

I. Introduction

In social life, there is a part of people who need to borrow without collateral, unable to meet loan conditions at official credit channels, who have reached individuals and organizations. Credit activities to borrow money with very high interest rates. In addition, there is a significant part due to participating in activities of gambling, betting, drugs ... or other illegal needs that also seek the path of high interest loans. Knowing the needs of borrowers, many people use their spare cash to lend to other people at very high interest rates or participate as intermediaries, mobilizing capital, causing huge risks for people both lenders and borrowers, leading to insolvency, they occur in many residential areas. This is the main cause of "black credit". Taking advantage of this demand of people, people use telecommunications networks, Internet, hiding businesses with financial lending functions, debt collection services, pawnshop business, creating casings, dealing with authorities to organize non-mortgage lending, capital mobilization, financial business, capital contribution,

¹ People's Police Academy, Vietnam

² People's Police Academy, Vietnam

³ University of Fire prevention and Fighting, Vietnam

⁴ People's Police Academy, Vietnam

business asset contribution with very high interest rates (from 100% to 300%) even up to 700% / year for the amount of money at the time of the loan to make a profit (Hoang Quoc Thai, 2019).

Lending with high interest rates, borrowers who cannot afford to pay, creditors often use illegal methods to collect debts or hire criminal gangs, subjects with criminal records, criminal records to use weapons to collect debts. Since then, it has generated crimes such as: Murdering, intentionally causing injury, arresting, keeping people illegally, robbing property, destroying property ... seriously affecting social order and security, causing worry and pressing among people. The situation of "black credit" for usury lending tends to thrive, even publicly "posting leaflets calling for unsecured loans" potentially risks instability and security (using acts violating law on debt collection such as: property seizure, illegal arrest of people, etc..

Recently, in Vietnam, a number of establishments and subjects hiding under the pawn service business and financial business (with or without permission, hanging or not hanging) have been spreading leaflets, posting advertisements, posting information on websites ... (actually black credit activities), causing difficulties in the management, prevention, fight against crime; thereby creating complex issues of criminal crime, drugs and social evils. According to the Vietnam Police, the subjects operating in the field of black credit mostly have criminal records, criminal records, hoodlums and thugs. Many objects and facilities operate inter-provincial, stealthily and spread leaflets in residential areas. Therefore, the study of the situation and solutions to prevent and fight against "black credit" crime in Vietnam has become an urgent issue.

II. General awareness about "informal" and "black credit" credits

2.1. Informal credits

Currently, there are many different conceptions about informal credit: According to author Frank Ellis (1988), "Informal credit is credit given by organizations and individuals outside the formal organizations (such as the system of commercial banks, people's credit fund system, donor agencies). *"Informal credit is a place where capital mobilization, supply and transaction activities occur publicly or covertly outside the framework of the law of the state or are not dependent, not under the control of the state"* (Vu Thanh Thuy, 2015). There is one or some or all of the elements beyond the framework of the current legal institution (of which the most basic element is the interest rate). However, in practice, it may also include direct credit relations between rural residents whose interest rates are perfectly normal, even lower than the official market rate. These relationships arise on the basis of emotional relationships (family, friends ...) or many other diverse relationships. Subjects participating in the supply of credit capital in this market are private loan shark, traders selling goods, pawnshop owners or voluntary credit cooperation groups such as: ward, friends or brothers lending assistance.

German economic scholars believe that *"informal credit is the mobilization of non-custodial sources like friends, relatives, lenders, gold and silver shops... informal capital supply is not under the state management but still following certain principles, borrowers and lenders often have close social relationships, so help them avoid credit risks"* (Vu Thanh Thuy, 2015).

"Current figures estimate the size of informal credit to be around 15-20% of the total credit of the economy. In particular, the scale of "black credit" accounts for about 30-35% of the total informal credit,

equivalent to 6-8% of the total outstanding loans of the economy, about VND 400,000-500,000 billion. The scale is not too large but the consequences are very large” (Can Van Luc, 2019).

2.2. Black credit

Just going to the Google search page to type in the keyword "hot loans, low interest rates"; "Online loans" or "mortgage-free loans" in seconds you will find millions of results with attractive credit support offers. According to these "winged" commercials, just a phone call, immediately "fresh money" will be brought to the home for people in need of loans.

According to the State Bank, "black credit" is understood as organizations and individuals having unlicensed lending activities of the State Bank with very high interest rates compared to the provisions, also known as lending high interest”. According to the police, "black credit" has two main manifestations of high interest rates associated with the activities of criminal gangs and law violations.

Thus, "Black credit activity" means the act of raising capital and providing credit not in compliance with the provisions of the law on borrowing and lending. This activity exists in many organized forms with operating scale in many localities such as financial and financial service companies; or not organized, small as some pawn shops, individuals specializing in lending ...

Victims of black credit are very diverse in age, education, job, from unskilled workers, small traders, difficult and no access to formal capital. If they cannot repay the loan, the borrower will be intimidated, threatened, injured, and property seized ... The inverse of gangs and organizations of usurying loans has become horrible fear of the people. But they still seek black credit. The reason is partly lack of knowledge and urgent need for spending without collateral, so they cannot borrow money at banks and credit institutions.

2.3. Regulations of law on lending interest rates and criminals lending high interest in civil transactions

Firstly, regarding the lending interest rates: Article 468 of the 2015 Civil Code stipulates the loan interest rates as follows ⁵:

“1. The interest rate is agreed by the parties.

Where the parties have agreed on an interest rate, the agreed interest rate may not exceed 20% / year of the loan, unless otherwise prescribed by related laws ...

In case the agreed interest rate exceeds the limit interest rate prescribed in this Clause, the excess interest rate has no effect. ”

Secondly, regarding the composition of the crime of usury in civil transactions: According to the provisions of Article 201 of the Criminal Code No. 100/2015 / QH13 of November 27, 2015, the following is prescribed⁶:

“1. Any person in a civil transaction who lends at an interest rate of 5 times the highest interest rate stipulated in the Civil Code, illegally gains from VND 30,000,000 to under VND 100,000,000 or has been tried a fine of administrative violation for this act or a conviction for this crime, which has not yet been expunged but

⁵ See also Civil Code 2015

⁶ See also Civil Code 2015

also violated, shall be imposed a fine of between VND 50,000,000 and VND 200,000,000 or subject to non-custodial reform 03 years.

2. Committing the crime of illegally earning VND 100,000,000 or more, a fine of between VND 200,000,000 and 1,000,000,000 or a prison term of between 06 months and 03 years.

3. Offenders may also be imposed a fine of between VND 30,000,000 and VND 100,000,000, banned from holding certain posts, practicing certain occupations or doing certain jobs for between 1 and 5 years."

Through practice, the author found that the Civil Code, the Criminal Code, the Law on Handling administrative violations and the documents detailing the implementation have many provisions as a basis for restricting activities "black credit", "high interest rates". Legal experts said that the 2015 Civil Code dedicated Section 4, Chapter XVI to provide for the Property Loan Contract, including the rights and obligations of the borrower and the lender; the transfer of ownership, use of borrowed assets; interest rates; form of loan contract. In particular, to control the problems related to usury, Article 468 of the 2015 Civil Code specifies the ceiling on lending rates. Specifically as follows: The loan interest rate is agreed by the parties and must not exceed 20% / year of the loan (unless otherwise prescribed by other relevant laws and this ceiling interest rate will be set by the Commission). The Standing Committee of the National Assembly adjusts according to the actual situation). In case the agreed interest rate exceeds the limit interest rate (20% / year / loan), the excess interest rate has no effect. In case the parties have agreed on an interest payment, but there is no clear interest rate and there is a dispute on the interest rate, the interest rate is determined by 50% of the limit interest rate at the time of debt payment. In addition, in the form of surname organization, hui, bieu and wards (hereinafter collectively referred to as surname), in the case of an organization with interest, the interest rate must comply with the provisions of the Civil Code and the law. It is also strictly forbidden to organize them in the form of usury.

And the Criminal Code 2015, which provides for the crime of usury in civil transactions in Article 201. Accordingly, the act of usury only constitutes a crime when there are two signs: (1) interest rate of five times or more of the highest interest rate prescribed in the Civil Code; (2) illegally obtained profits from VND 30 million to less than VND 100 million or have been administratively sanctioned for this act or have been convicted of this crime, not yet had their criminal records wiped out but also committed violations. Compared to the provisions in Article 163 - Crime of usury, 1999 Criminal Code, Article 201 was amended in the direction of reducing the number of times the loan interest rate compared to the highest interest rate prescribed in the Civil Code from 10 to 5 times; replace the "exploitative nature" circumstances with the one "illegally collecting" profits from VND 30 million to under VND 100 million or have been administratively sanctioned for this act or have been convicted of this crime, has not been deleted a criminal record but also violated. " At the same time, on penalties, the 2015 Penal Code amended and supplemented in the direction of replacing the method of calculating the fines "from one to ten times the interest" with the specific amount of from VND 50 million to VND 200 million".

III. The current situation of crime "black credit" in Vietnam today, its causes and conditions

3.1. Current criminal situation "black credit" in Vietnam.

Currently, there are some popular types of "black credit" loans such as: Gross loan (also known as "Bat" loan), which means short-term loan, required to pay principal and interest daily. "Hot loan", pay interest daily, pay principal at a set time, then can extend an agreement. Another type of loan is a lottery loan, when the debtor is unable to pay the debt, he / she is forced to write a note, charge a high interest, then force the transfer of houses and assets to deduct. In addition, there are also some subjects and facilities taking advantage of online lending and online lending through websites, social networks and mobile applications with interest and interest calculation methods. The interest rate is similar to the stated forms.

The objects of "black credit" activities often lurk under the covers are business establishments and groups such as: Pawn shops, debt collection service providers, financial companies; establishments and individuals show signs of mobilizing capital with unusually high interest rates and often offer forms to attract capital from people such as promotions, commissions, mobilization. capital for investment, entrusted bond investment with high interest rates.

Recent statistics from the Ministry of Public Security show that between 2015 and 2018 nationwide, there were 7,624 crimes involving "black credit". In which, there were 56 murders, 389 intentional injuries, 629 robberies, 836 robberies, 1,809 frauds, 3,581 abuse of confidence, 165 cases of property destruction (BT, 2019).

According to the report, in the first five months of 2019, the police force cleared 933 gangs and criminal groups (particularly the rush to suppress criminals from December 16, 2018 to February 15, 2019, eliminated breaking 436 establishments, prosecuting 12 cases, 358 defendants were involved in "black credit"). In which, they actively mobilized simultaneously, fought to destroy many lines, gangs lending heavy interest, squeezing debts, Rent debt collection (BT, 2019).

Typically, as the case of breaking the line of heavy loan interest, the police have temporarily seized 11 objects, seized 11 billion VND and 3 cars in Hanoi. The destruction of a group of black credit subjects in the name of Nam Long Finance Company, arrested 18 objects of 32 branches in many localities in Thanh Hoa (BT, 2019).

Through investigation shows that only from very small cases, a series of systems and lines of loans with exorbitant interest rates are gradually revealed. It is worth mentioning that the majority of lending activities of companies of this type are agreements, civil relations. But behind the system of shops, branches providing financial support, unsecured loans is the operation of a large-scale gangster organization.

Not only that, black credit crimes are not only traditionally for high interest loans, but nowadays there are also very sophisticated tricks, looking for ways to reach people who need to borrow money through many various forms such as online lending, colluding with bank staff, making it difficult for borrowers to have many administrative procedures, thereby introducing borrowers to lending financial support companies with high interest rates, even issued leaflets, posted fliers in public places such as railway stations, bus stations, poles, traffic corridors, ...

In the area of Hanoi City: According to the statistics of the Criminal Police Department - Hanoi Police, there are 1,247 pawn shops, 669 financial businesses, along with nearly 600 lending activities put on the management list (Nguyen Binh, 2019). Almost all of the above facilities and individuals provide financial lending services. From the results of the baseline survey, the Criminal Police Department and units of the Hanoi City Police Department promptly organized the assignment, decentralized management, focusing on business establishments, individuals and drives. the group has complicated expressions, has ever committed violations or the leader has a lot of criminal records and criminal records.

In Ho Chi Minh City, since 2014, the City Police discovered a number of people in the North who rented houses and illegally engaged in credit activities, causing a criminal case every month, but this number now quadruples. times, "The lightest sentence is an infringement of a place of residence, intentionally causing injury, forcing, or destroying property; still heavy is murder. In this year alone, there were 3 murder cases in the city due to bad debt recovery"(Propaganda materials, 2019). The City Police identified 873 subjects who illegally gave loans and violated interest rates; of which more than two thirds are from the Northern provinces, many people are being investigated and wanted. The forces have recorded 60 groups with more than 320 violating subjects. However, most were only administratively sanctioned for minor violations such as failing to register their temporary residence, causing public disorder ... Only a few criminal gangs were prosecuted and detained (Propaganda materials, 2019).

These results have restrained, made the activities of organized crime in general, gangs related to "black credit" in particular are no longer active and open as before. However, the Minister stated that "the operation of criminal gangs in the form of "gangster", gangs operating "black credit" are still potentially complex again". (La Huong, 2019).

3.2. Causes and conditions of "black credit" crime

Firstly, it is the negative impact of the market economy. In fact, not everyone has access to bank credit, because this legal credit requires very strict conditions. While the basic feature of "black credit" is to have high lending rates, the procedure is extremely simple. Customers of various "black credit" activities, from big shop owners, to people with "extreme distress", are willing to accept all conditions, as long as they have money to deal with hot needs and often do not have awareness of danger from "black credit". Moreover, the procedure is extremely simple, anytime, anywhere, every request, flexible; The loan is usually small and large, depending on the borrower; collateral is extremely diverse, maybe fridge, TV, telephone,

The reason, according to the Minister of Public Security, is that *"the demand for loans from people and businesses is increasing while the credit forms of the State are still difficult to access, so individuals and organizations come to borrow capital at unofficial credit facilities, points for usury. In addition, a part of people, especially young people who are interested in gambling, betting, online games, borrowed heavy interest to use for their unwarranted purposes, when necessary, high interest rates are also acceptable receive loans"* (La Huong, 2019).

Secondly, the criminal tricks are becoming increasingly sophisticated to deal with the authorities. Some of the victims who were in the borrowing process often hid information or did not even cooperate with the investigating authorities; or being controlled by threats, so they do not dare to denounce, report due to fear of

retaliation, fear of being made clear about borrowing money to use in some nefarious things ... When the police agency finds out, the incident happened for too long and for a long time, the collected evidence is limited and difficult for investigation and handling.

Minister To Lam said: *"The struggle against criminal gangs related to" black credit "still faces many difficulties and obstacles. Because, "black credit" gangs are often associated with organized crime and the tendency to create legal cover in the form of financial business establishments, companies and businesses to operate"* (La Huong, 2019). A number of debt collection service enterprises are operating many violations related to security and order such as debt collection in the form of "mental terrorism", colluding with criminal gangs to keep people illegally. to reclaim debt. Meanwhile, if these facilities violate but not to the extent of criminal handling, the police force has no authority to sanction administrative violations in the field of debt collection service business.

Thirdly, some obstacles in the process of applying the law make it difficult for the fight against this type of crime, such as: Short investigation time, the application of preventive measures also faces many difficulties because provisions of the Criminal Code, this is only a less serious crime; The inconsistent awareness of local procedure-conducting agencies on the amount of "Illegal profits", these are the difficulties and obstacles affecting the expansion of the investigation and verification of circumstances. in the case (Nong Thanh Thien, 2019).

In addition, this type of crime has had more sophisticated disinformation, not small operations, but behind an entire organization, the line with long chain stores throughout the provinces and cities across the country (BT, 2019). This led to difficulties in investigating, handling and dismantling the entire line, which is a major barrier in the fight against the criminals of the police force. Assaulting, breaking into houses, using force to attack homeowners, pouring dirt and waste into houses; intimidating relatives of debtors, ... These are the most common acts of a gangster force called the debt hired collector.

Fourthly, the professional qualifications of Investigators, Procurators and officers directly engaged in this crime are still limited. The reality of criminal handling for this type of crime is not much, so the process of investigation and handling is still embarrassing, not proactive. Besides, equipment for investigation is still lacking and not synchronized.

IV. Some solutions to fight and prevent crime of "black credit"

4.1. Group of solutions to fight against "black credit" crimes according to the function of the people's police force

- Strengthening the repression of crimes nationwide and on cyberspace, attaching importance to the struggle to clarify the causes of crimes, on that basis, to clarify acts of law violations related to "black credit". to handle them strictly and strictly according to the provisions of law. Struggling and clarifying gambling lines, gathering places, organizing gambling, fraudulent appropriation of assets through capital mobilization methods, destroying criminal gangs, organized crimes, crimes using high technology, using military weapons, hiding under organizations and enterprises to collect rented debts.

- Taking the initiative in grasping the situation of the locality, promptly detect criminal gangs with new "black credit" activities, which are set up in order to confront and apply appropriate professional measures to prevent, destroy or disintegrate gangs.

- Concentrating professional measures to fight and quickly solve cases involving gangs and subjects of "black credit" business activities, resolutely not to operate publicly and spontaneously.

- Needing to improve the efficiency of the reception, settlement of denunciations and information on crimes; Since then, police force has set up a specialized project to crack down on crimes, destroy criminal gangs, and other lines that take advantage of "black credit", give us loan, collect debt ... Pay attention to the training. professional skills, improve skills of officers and soldiers directly fighting against "black credit" crime. Equipping facilities (such as camcorders, audio recorders) and using and operating skills to improve the quality of investigation, prosecution and adjudication for this type of crime.

- Promoting cooperation and information exchange on crime prevention in general and crime prevention related to "black credit" in particular between the professional bureaus of the Ministry of Public Security and the Ministry of Public Security provinces, cities ... Absolutely not let criminal gangs "black credit" operate in many areas without being managed and organized to eradicate.

4.2. Group of solutions to prevent crime "black credit"

- *Strengthening education, persuasion and propaganda to all classes of people about the conspiracy, tricks and methods of criminal "black credit" and the harms and consequences of "black credit" caused for relatives, family and society.*

Frequently, continuously organize propaganda and dissemination of new modes and tricks of the "black credit" crime, the unpredictable consequences of this criminal activity in many forms and rich contents. , diversified, suitable to each type of object; maximize the advantages of the mass media, internal information and the role of mass organizations and social organizations in educating and educating people to participate and detect denunciations for criminal activities. At the same time, it is necessary to meet the legitimate needs of the people by expanding consumer credit sources with reasonable interest rates and terms.

- *Continue to improve the legal system on "black credit" criminals in the direction of increasing transparency and completeness, tighter in the legal system, issuing guiding documents related to cognitive problems of law to have a basis for handling to ensure consistency and compliance with the regulations.*

+ Borrowing - lending money, property, raising capital is a voluntary civil relationship with the agreement of the two parties, often taking place "silently" until the borrower fails to pay the debt and gets ganged up criminals threaten, arrest, beaten, mentally persecute ... the new case was reported causing difficulties for prevention and prevention. On the other hand, the crime of lending heavy interest in civil transactions is a less serious crime, in many cases when prosecuting an investigation, the procuracies do not approve the arrest warrant for suspects for detention so it is difficult to regulate Investigate and expand criminal gangs. Therefore, it is necessary to specify more clearly the criminal acts of "black credit"; aggravating administrative penalties and imprisonment; supplementing regulations on handling of acts of borrowing usury for improper purposes (such as borrowing for lottery, gambling, etc.)

+ The banking sector will revise Circular 43/2016 / TT-NHNN on consumer lending by financial companies to strictly control the operations of financial companies, strengthen state management of the operation of this type through management of size, business conditions, scope of operation, interest rate framework, ... to prevent the situation and risk of insecurity and abetting the black credit activities; strengthening the role and responsibility of the State Bank branches in provinces and cities.

+ The State Bank of Vietnam also amended Circular 39/2016 / TT-NHNN regulating lending activities of credit institutions to customers in order to separate lending activities for life and for borrowing for personal consumption of commercial banks, creating favorable conditions for banks to expand personal consumption loans. The State Bank also studies to complete the regulations on mortgage loans with savings books (Huy Thang, 2019).

+ The State Bank will also finalize and submit to the Government for promulgation a Decree amending and supplementing Decree No. 141/2006 / ND-CP of November 22, 2006, promulgating the List of legal capital levels for microfinance institutions. tissue; Urgently formulate a Plan to implement the Scheme on consolidation and development of the People's Credit Fund system up to 2020, with orientations to 2030 under the Governor's Decision No. 209 / QD-NHNN dated January 31, 2019 ensuring microfinance institutions and the people's credit fund system to operate safely, sustainably and on the right target, contributing to meet more and more fully and timely the demand for capital loans used for people's lives (Huy Thang, 2019).

+ The State Bank will study and propose the Government to issue a Decree to replace Decision No. 28/2015 / QD-TTg dated July 21, 2015 on credit for newly-escaped households (ending implementation in 2020) in the direction of expanding the lending subjects including consumer loans to households who have just escaped from poverty, creating conditions for these subjects to continue to access capital to serve their daily life needs, restricting the number of households who come to "black credit" source.

4.3. Group of preventive solutions in credit and banking activities

- The State Bank will closely monitor lending activities in service of production, business and consumption of credit institutions, ensuring that banking activities promptly meet credit needs for socio-economic development and local consumption needs of the people; coordinate with local authorities at all levels to effectively implement the program to connect enterprises' banks, solve difficulties for customers' loans; actively coordinate with departments, agencies, socio-political organizations to propagate and explain to people about the harmful effects of black credit, and at the same time propose solutions to prevent and limit this activities

- The banking sector must continue to coordinate with the Ministry of Public Security, concerned ministries, branches, local authorities and socio-political organizations to step up communication activities so that people can fully grasp information on their owners. Party and State policies, regulations of the banking industry on credit policy programs, ways to access loans; at the same time, warn against the tricks of the subjects, the usury organization as well as the heavy consequences caused by the black credit. "This task I assigned the State Bank Communications Department to preside and coordinate with related units to implement" (Thai Trung, 2019).

- From credit institutions, they should continue to drastically implement the policies of the Government and the State Bank as well as preferential loan packages; vigorously deploying credit policies for agricultural and rural development under Decree 55 and Decree 116 and relevant guiding documents so that people can quickly enjoy preferential policies newly revised by the Government. supplemented in 2018 (Huy Thang, 2019).

- Particularly for Agribank, besides boosting rural agriculture loans under Decree 55 and Decree 116 of the Government, continue to promote the implementation of unsecured lending program. VND 5,000 billion to promptly meet urgent capital needs of the people. Develop policies to assign a number of commercial banks to implement consumer credit lending programs in hot credit hot spots. In the direction of: Commercial banks shall coordinate with People's Committees of communes, wards and mass organizations (Veterans 'Association, Women's Union, Farmers' Union) to provide consumer loans with appropriate forms and interest rates. Agreement to ensure cost risk compensation (Thai Trung, 2019).

- Vietnam Bank for Social Policies (VBSP) cooperates with units of the State Bank in the process of drafting a Government Decree on consumer loans to households who have just escaped from poverty; At the same time, to review and coordinate with the concerned ministries and branches in reporting and advising the Government and the Prime Minister to expand the beneficiaries, raising the lending level and lending term for a number of credit programs. serving consumption such as job creation loans, pupils and students in difficult circumstances; Lending to young people to start a business, creating conditions for starting a business with young people, so that it is suitable with reality (Huy Thang, 2019).

- The State Bank encourages commercial banks to develop a mobile banking model in disadvantaged areas, making it easier for customers to access capital and other banking services. Banks should continue to consider extending the debt, adjusting the repayment term when people are facing difficulties due to legitimate reasons that are unable to pay debts on time, helping people to increase access to credit capital. banks, without having to take heavy loans from black credit lenders.

V. Conclusion

The research and improvement of policies and laws related to the activities of black credit crimes will make a positive contribution to the prevention of crime in general and crimes in financial and commercial activities in particular. The implementation and implementation of the above groups of solutions requires the active participation of the State, society, sectors at all levels, all people and especially credit institutions of Vietnam. The Government of Vietnam needs to improve the credit and banking policies in the direction of creating a legal corridor, facilitating administrative procedures, expanding the subjects to access credit sources, contributing to limiting the credit development. black. On the other hand, continue to improve the criminal policy for black credit crimes, contributing to reducing the rate of black credit crimes in Vietnam in the coming time.

REFERENCES

1. National Assembly of Socialist Republic of Vietnam, Criminal Code 2015
2. National Assembly of Socialist Republic of Vietnam, Civil Code 2015
3. PhD. Can Van Luc, 2019, *Conduct appropriate informal credit*, at tapchitaichinh.vn/ngan-hang/ung-xu-phu-hop-tin-dung-phi-chinh-thuc-302065.html
4. Hoang Quoc Thai, 2019, *Solutions to prevent crimes arising from the relationship "black credit"* at <https://vksndtc.gov.vn/tin-chi-tiet-8139>
5. Nong Thanh Thien, 2019, *Enhancing the prevention and prevention of "black credit" criminals*, at <https://kiemsat.vn/nang-cao-cong-tac-phong-ngua-ngan-chan-toi-pham-tin-dung-den-54358.html>
6. Vu Thanh Thuy, 2015, Thesis: Analysis of factors affecting informal credit ..., Ho Chi Minh City University of Economics.
7. La Huong, 2019, *Perspective perspectives: how to prevent "black credit"?* at <http://quochoi.vn/hoatdongdbqh/Pages/tin-hoat-dong-dai-bieu.aspx?ItemID=41177>
8. Nguyen Binh, 2019, *Hanoi police with strong 'remedies' to intercept 'black credit'* at <https://anninhthudo.vn/phap-luat/cong-an-ha-noi-voi-nhung-lieu-phap-manh-danh-chan-tin-dung-den/812370.antd>
9. Propaganda materials, 2019: *Achieving prevention of black credit activities & criminal credit activities*, <http://www.phunu.hochiminhcity.gov.vn/tai-lieu-tuyen-truyen-dau-tranh-ngan-ngua-cac-hoat-dong-tin-dung-den-toi-pham-cho-vay-nang-lai-post1262.html>
10. Thai Trung, 2019, *Perfecting the law to restrict "black credit" activities*, <https://nhandan.com.vn/phapluat/thoi-su/item/39204402-hoan-thien-quy-dinh-phap-luat-de-han-che-hoat-dong-tin-dung-den.html>
11. Huy Thang, 2019, *Five groups of solutions "tightening" on black credit*, <https://thuvienphapluat.vn/tintuc/vn/thoi-su-phap-luat/tai-chinh/23137/nam-nhom-giai-phap-chat-voi-tin-dung-den>
12. Ha Vu, 2019, *Struggling with criminals related to "black credit" is difficult*, <http://vneconomy.vn/dau-tranh-voi-toi-pham-lien-quan-den-tin-dung-den-gap-nhieu-kho-khan-20190603202852067.htm>
13. BT, 2019, *Black credit is actually the activity of organized crime*, <http://www.antv.gov.vn/tin-tuc/phap-luat/tin-dung-den-thuc-chat-la-hoat-dong-cua-toi-pham-co-to-chuc-281273.html>