

## **LEGAL DOCUMENTS**

### **THE GOVERNMENT**

#### **Decree No. 21/2013/ND-CP of March 4, 2013, defining the functions, tasks, powers and organizational structure of the Ministry of Natural Resources and Environment**

*Pursuant to the December 25, 2001 Law on Organization of the Government;*

*Pursuant to the Government's Decree No. 36/2012/ND-CP of April 18, 2012, defining the functions, tasks, powers and organizational structures of ministries and ministerial-level agencies;*

*At the proposal of the Minister of Natural Resources and Environment,*

*The Government promulgates the Decree defining the functions, tasks, powers and organizational structure of the Ministry of Natural Resources and Environment.*

#### **Article 1. Position and functions**

The Ministry of Natural Resources and Environment is a governmental agency performing the state management of land; water resources; minerals and geology; environment; hydrometeorology; climate change; survey and cartography; integrated and unified management of sea areas and islands; and public services in the sectors and fields under its management.

#### **Article 2. Tasks and powers**

The Ministry of Natural Resources and Environment has the tasks and powers defined in the Government's Decree No. 36/2012/ND-CP of April 18, 2012, defining the functions, tasks, powers and organizational structures of ministries and ministerial-level agencies, and the following specific tasks and powers:

1. To submit to the Government draft laws and draft resolutions to be promulgated by the National Assembly, draft ordinances and draft resolutions to be promulgated by the National Assembly Standing Committee, draft resolutions and draft decrees to be promulgated by the Government, and draft decisions to be promulgated by the Prime Minister according to its approved annual law-making programs and plans, and draft projects and schemes as assigned by the Government or the Prime Minister.

2. To submit to the Government or Prime Minister for approval, and organize the implementation of, strategy, master plan and long-term, five-year and annual development plans and national important programs, projects and works in the natural resources and environment sector.

3. To approve development strategies, master plans and programs in the sectors and fields under its state management and investment projects as decentralized or authorized by the Government or the Prime Minister; to inspect and guide the implementation of these strategies, master plans, programs and projects after they are approved.

4. To promulgate decisions, directives, circulars and other documents on the state management in the sectors and fields under its management; to direct, guide, examine and organize the implementation of legal documents in the sectors and fields under its management; to conduct public information and education about the law on natural resources and environment; to formulate national standards and promulgate national technical regulations and econo-technical norms for application in the sectors and fields under its state management.

5. Regarding land:

a/ To guide and examine the implementation of strategies, master plans, plans, programs, schemes and projects on land management and use after they are decided or approved by competent authorities;

b/ To elaborate national and regional land use master plans and plans; to appraise land use master plans and plans elaborated by provincial-level People's Committees; to appraise master plans and plans on land use for defense or security purposes; to give written opinions on land use-related contents of sectoral master plans involving the use of land;

c/ To assume the prime responsibility for, and coordinate with related ministries and sectors in, formulating and submitting to the Government for promulgation and adjustment price brackets for land of different categories and principles and methods of determining land prices; to appraise and give written opinions on land, compensation and ground

clearance-related matters of investment projects to be approved by the National Assembly or the Prime Minister and projects in conditional investment sectors; to guide and examine the formulation of land price tables and the determination of specific land prices; to make land price maps; to summarize and provide data and information on price brackets for land of different categories, land price tables and specific land prices;

d/ To guide and examine the survey and making of cadastral maps, land use cartograms and land use planning maps; elaboration and modification of land use master plans and plans; land allocation, lease and recovery, and change of land use purposes; registration of land use rights and house and land-attached asset ownership; compilation and management of cadastral dossiers and building of cadastral data; grant of certificates of land use rights and house and land-attached asset ownership; and land users' exercise of rights and performance of obligations in accordance with law;

dd/ To guide, examine and conduct land statistics, inventory and assessment according to its competence;

e/ To guide and examine the compliance with conditions and procedures for providing public services in land management and use and grant of practice certificates in the land sector in accordance with law;

g/ To guide, examine and organize the implementation of the law on compensation, support and resettlement upon land recovery

by the State; to guide and examine the identification of land users eligible or ineligible for compensation and support;

h/ To guide and inspect land recovery, development of the land fund and bidding for land-occupying projects;

i/ To distribute, and manage the use of, blank certificates of land use rights and house and land-attached asset ownership;

k/ To survey and assess land use potential and efficiency to serve the state management of land and socio-economic development requirements;

l/ To build a national information system to archive land-related data;

m/ To direct, guide and examine the settlement of land-related complaints and disputes in accordance with law.

#### 6. Regarding water resources:

a/ To guide and examine the implementation of policies, laws, strategies and master plans on water resources in accordance with law; to organize the implementation of decided or approved plans, programs, schemes and projects on prevention and control of water source pollution, deterioration and depletion, restoration of deteriorated or depleted water resources and response to and remedy of water source pollution incidents so as to economically and effectively exploit and use water sources of river basins under its management for integrated and multiple purposes;

b/ To elaborate master plans on basic survey of water resources and national water resource master plans; to elaborate and approve water resource master plans for inter-provincial river basins and inter-provincial water sources and organize the implementation after such master plans are approved; to give written opinions on water resource master plans of provinces and centrally run cities, specialized master plans involving the exploitation and use of water resources and activities involved in the exploitation, use and protection of water resources according to its competence; to appraise projects on water transfer between river basins;

c/ To elaborate plans on prevention and control of water source pollution, deterioration and depletion and restoration of inter-provincial water sources already polluted, deteriorated or depleted; to give written opinions on plans on prevention and control of water source pollution, deterioration and depletion and restoration of intra-provincial water sources already polluted, deteriorated or depleted, which are elaborated by provincial-level People's Committees; to guide and examine the implementation of plans on prevention and control of water source pollution, deterioration and depletion in construction, production, business and service provision activities and plans on response to water source pollution incidents in accordance with law;

d/ To decide on the classification of inter-provincial and transnational water sources; to make and promulgate a list of inter-provincial

river basins; to make and promulgate a list of intra-provincial river basins and lists of inter-provincial and transnational water sources; to develop water conservation models; and to conduct public information about water-saving models, technologies and equipment;

dd/ To guide, examine and organize according to its competence the formation and management of water source protection corridors, excluding dike protection corridors and protection limits of irrigation works according to the law on dikes and operation and protection of irrigation works; determination and announcement of minimum flows of rivers, exploitation limits of aquifers, water reserve areas and areas where groundwater exploitation is restricted in accordance with law;

e/ To elaborate inter-reservoir operation processes for river-basin reservoirs on the list of reservoirs, for which inter-reservoir operation processes must be elaborated, and guide, examine and inspect the implementation of such processes after they are promulgated; to appraise the conformity with water resource master plans and the satisfaction of law-prescribed requirements for protection, exploitation and integrated and multi-purpose use of water resources of projects on building river-basin reservoirs; to guide and examine the implementation of plans on the regulation and distribution of water resources on river basins nationwide;

g/ To conduct basic surveys of water resources; to summarize results of basic survey of water resources and the water resource

exploitation, use and protection conducted by ministries, sectors and localities; to conduct water resource inventory, assessment and forecasts; to build and manage a system for observation and surveillance of water resources, water exploitation and use and discharge of wastewater into water sources with regard to inter-provincial river basins and inter-provincial and transnational water sources; to build, manage and exploit the national information system and database on water resources; to archive, manage, publicize and provide information and data on water resources, exploitation and use of water resources and the current conditions of water sources on river basins in accordance with law;

h/ To guide, examine and organize the grant, extension, modification, invalidation and revocation of water resource licenses in accordance with law;

i/ To act as the national focal agency for exchange of information relating to transnational water sources and participation in international organizations of and forums on river basins; to participate in negotiating and implementing conventions, treaties and international agreements on water resources; to implement programs, plans, schemes, projects and tasks on international cooperation in water resources in accordance with international commitments and treaties and law; to guide and examine the implementation of conventions, treaties and international agreements on water resources to which the



Socialist Republic of Vietnam is a contracting party:

k/ To settle disputes and divergences in the exploitation and use of water resources and discharge of wastewater into water sources falling under its licensing competence and other water resource-related disputes between provinces and centrally run cities; to monitor, supervise and summarize developments of transnational water sources and promptly report to and propose the Government or the Prime Minister to handle arising issues so as to assure Vietnam's rights and interests.

7. Regarding geology and minerals:

a/ To guide and examine the implementation of geological and mineral strategies, master plans, plans, programs, schemes and projects after they are promulgated or approved by competent authorities:

b/ To elaborate and implement mineral strategies; master plans on basic geological surveys of minerals nationwide; to give opinions on ministerial, sectoral and local master plans on mineral exploration, mining, processing and use:

c/ To zone off and publicize areas with small reserves of scatteredly distributed minerals and areas with hazardous minerals; to zone off and submit to competent authorities for approval national mineral reserve areas and areas not subject to mining rights auction; to summarize and examine the zoning off of areas not subject to mining rights auction and areas banned or temporarily banned from

mineral activities by localities;

d/ To decide to mine or not to mine minerals in areas with national important projects or works for which the investment policy is to be decided by the National Assembly or important projects and works which are to be decided by the Government or the Prime Minister, for which mineral survey and assessment have been conducted or mineral survey and assessment have not yet been conducted but minerals have been discovered;

dd/ To study and conduct basic geological surveys of minerals; to prescribe the formulation and appraisal of projects and reports on basic geological survey of minerals and mineral exploration and mining reports; to formulate and guide the formulation of projects on geological heritages, geological conservation, geological park networks and geological hazards:

e/ To appraise schemes on basic geological survey of minerals and schemes on mineral exploration in accordance with law;

g/ To register geological surveys of minerals; to summarize results of geological surveys of minerals and mineral activities; to make statistics and inventory of mineral deposits; to build the national geological and mineral database; to publicize and publish documents and information on basic geological surveys of minerals; and to manage geological and mineral information and samples;

h/ To organize auctions for mining rights in accordance with its competence; to determine

money amounts for grant of mining rights under its licensing competence;

i/ To grant, extend, revoke and approve the return of mineral exploration licenses and mining licenses; to permit the transfer of mineral exploration or mining rights; to approve the partial return of mineral exploration and mining areas; to approve mine closure schemes and decisions in accordance with law; to grant, revoke and invalidate certificates of free sale of imported and exported mineral products and goods in accordance with law;

k/ To examine the observance of mineral exploration licenses and mining licenses it has granted; to control mineral activities and basic geological surveys of minerals nationwide; to monitor and examine the observance of sustainable development policies in basic geological surveys of minerals and mineral activities and policies on protection of interests of localities and people in areas where mining activities are carried out.

8. Regarding the environment:

a/ To guide, examine and organize the implementation of policies, laws, inter-sectoral, inter-provincial, inter-regional and national strategies, master plans, plans, programs, schemes, projects and tasks on environmental pollution prevention and control; remedy of environmental incidents and environmental deterioration, improvement of the environmental quality, environmental protection in inter-provincial river basins, biodiversity, environmental health, development

of environmental technologies, environmental protection services and environmental services related to biodiversity and cross-border environmental problems in accordance with law;

b/ To assume the prime responsibility for, or coordinate with ministries and sectors in, managing wastes in accordance with law;

c/ To formulate and submit to competent agencies for promulgation national environment and biodiversity indicators and the system of environmental statistical indicators in accordance with law;

d/ To guide and examine strategic environmental assessment; environmental impact assessment, environmental protection commitment, environmental protection schemes and activities carried out after environmental impact assessment reports are appraised; to appraise strategic environmental assessment reports, appraise and approve environmental impact assessment reports and environmental protection schemes and certify the implementation of environmental protection facilities or measures to serve the projects' operation as stated in approved environmental impact assessment reports and environmental protection schemes in accordance with law;

dd/ To guide the survey and identification of polluted areas, determination of environmental damage, identification of responsibilities to pay compensation for environmental damage, remedy environmental pollution and improve the environment; to direct, guide and examine

the survey and identification of polluted areas, determination of environmental damage and identification of the responsibility to pay compensation for environmental damage, remedy environmental pollution and improve the environment in polluted areas involving many provinces or countries:

e/ To guide and organize according to its competence the making, modification and supplementation of the list of seriously polluting establishments which must be thoroughly handled and the identification of seriously polluting establishments which have been thoroughly handled; to examine the handling of seriously polluting establishments, provision of targeted supports from the state budget for thorough handling of seriously polluting establishments in public areas in accordance with law;

g/ To elaborate the national master plan on biodiversity conservation and guide and examine the implementation of such master plan after it is approved; to guide the elaboration and appraise the conformity of ministerial biodiversity conservation master plans with the national biodiversity conservation master plan;

h/ To organize inter-sectoral councils for appraising projects on establishment of national conservation zones embracing two or more provinces or centrally run cities; to assume the prime responsibility for, and coordinate with related provincial-level People's Committees in, formulating projects on establishment and management of national conservation zones as

assigned by the Government;

i/ To guide and examine the management of invasive alien species and biodiversity conservation at biodiversity conservation establishments and conservation of species on the list of rare, precious endangered species prioritized for protection, excluding plant varieties and animal breeds;

k/ To guide and examine the permanent preservation of genetic resources and samples of species prioritized for protection; to guide the management and supervision of activities of approaching to genetic resources and traditional knowledge about genetic resources and sharing of benefits brought about by the approach of genetic resources managed by the State and traditional knowledge about genetic resources; to build and uniformly manage the national database on genetic resources, genetically modified organisms and genetic samples of genetically modified organisms concerning biodiversity; to make a list of genetically modified organisms for which bio-safety certificates have been granted;

l/ To elaborate and submit to competent authorities for promulgation or promulgate according to its competence the lists of, and programs on conservation of, rare, precious endangered species prioritized for protection, excluding plant varieties and animal breeds; the list of invasive alien species; list of biologicals used for pollution prevention and mitigation and waste treatment; list of polluting biologicals banned from import; list

of scraps permitted for import; and lists of environmental technologies promoted for or restricted or banned from transfer; to organize the compilation of Vietnam's Red Book:

m/ To build and manage the national environmental observation system; to guide, examine and organize the implementation of the master plan on the national environmental observation system, the national environmental observation program, environment and biodiversity observation, arbitration analysis and testing and calibration of environmental observation equipment; to direct the elaboration of and uniformly manage environmental observation data and environment and biodiversity database; to assume the prime responsibility for elaborating and publicizing national environment and biodiversity reports; and to guide ministries, sectors and localities in environment and biodiversity reporting:

n/ To guide and organize the appraisal, examination and assessment of environmental pollution treatment works, equipment and technologies; to guide and examine environmental verification in accordance with law; to research and apply scientific and technological advances in environmental protection and develop environmental technologies; to formulate and implement trial programs and models on sustainable and environment- friendly production and consumption:

o/ To guide and conduct the registration, recognition, grant and revocation of licenses

and certificates in the field of environment and biodiversity in accordance with law;

p/ To summarize and estimate annual non-business funds needed for environmental activities of ministries, sectors and localities and coordinate with the Ministry of Finance in submitting these estimates to competent authorities for consideration and decision; to coordinate with the Ministry of Finance in guiding and examining the planning and allocation of non-business funds for environmental activities after fund estimates are approved;

q/ To guide the payment for environmental services related to biodiversity, payment of compensations for environmental rehabilitation and payment of deposits for environmental improvement and rehabilitation in accordance with law; to manage the Vietnam Environmental Protection Fund; to guide the organization and operation of sectoral and local environmental protection funds; to act as the national focal agency of the Global Environment Facility;

r/ To act as the national focal point in implementing environment and biodiversity treaties as assigned by the Government; to assume the prime responsibility for elaborating nomination dossiers for recognition of wetlands of international importance under the Ramsar Convention and nomination dossiers for recognition of ASEAN heritages;

s/ To assume the prime responsibility for, and coordinate with ministries, sectors and localities in, organizing the research into and



remedy of consequences of chemical toxins used by the US during the Vietnam war.

9. Regarding hydrometeorology:

a/ To direct and examine the implementation of hydrometeorological strategies, master plans, plans, programs, schemes and projects after they are approved by competent state agencies;

b/ To build, manage and use the national network of hydrometeorological observation, lightning observation and positioning and climate change surveillance; and to manage hydrometeorological surveys and investigations;

c/ To guide, inspect and conduct the establishment, upgrading, degrading, relocation or dismantlement of hydrometeorological works in accordance with law;

d/ To guide and examine the protection of technical safety corridors of hydrometeorological works nationwide;

dd/ To uniformly manage and conduct hydrometeorological forecast and warning and climate forecast; to publish official bulletins on climate trends, weather developments, tropical low pressures, typhoons, floods, inundation, floodtides and other dangerous hydrometeorological phenomena;

e/ To elaborate, guide and examine the implementation of regulations on forecasting and warning about earthquakes, tsunamis, typhoons, tropical low pressures, floods, inundation, floodtides and other dangerous hydrometeorological phenomena;

g/ To build, manage and exploit the national system for natural disaster warning; to guide the provision and use of bulletins on typhoons, tropical low pressures, floods, inundation, earthquakes, tsunamis, floodtides and other dangerous hydrometeorological phenomena;

h/ To build and manage the basic and special-use systems of hydrometeorological information and database systems managed by the State; to provide hydrometeorological information and data; to appraise hydrometeorological contents of master plans on and designs of national key construction works and projects and other construction works and projects in accordance with law;

i/ To grant, extend and revoke operation licenses of special-use hydrometeorological works and licenses for hydrometeorological forecast and warning in accordance with law; to appraise technical standards of measurement works and equipment used in special-use hydrometeorological facilities and lightning observation and positioning facilities built by ministries, sectors and localities with state budget funds;

k/ To act as the national focal point in participating in international hydrometeorological organizations and forums and implementing hydrometeorological treaties as assigned by the Government.

10. Regarding survey and cartography:

a/ To elaborate, and guide and organize the implementation of, strategies on development of the survey and mapping sector and master plans, plans, schemes and national key

projects on basic and specialized survey and mapping after they are approved by competent authorities;

b/ To build, update, manage and use the geological spatial data infrastructure, the national reference system, the national baseline data system, the national system of base measuring points, the national system of satellite positioning stations, the aerial imaging system, the national systems of topographic maps and the national geographic information database; and to promulgate the list of place-names to be displayed on maps;

c/ To publicize and provide survey and mapping information and data in accordance with law;

d/ To guide, examine and conduct the inspection and testing of survey and mapping equipment according to national standards;

dd/ To give opinions on contents related to survey and mapping of state budget-funded programs, schemes, projects and tasks, excluding defense and security projects, which are implemented by ministries, sectors and provincial-level People's Committees;

e/ To grant, extend and revoke licenses for survey and mapping operations; to examine the publishing and distribution of maps; to suspend the publishing and direct the recall of maps with illegal contents; to grant, revoke and invalidate certificates of free sale of imported and exported survey and mapping goods and products;

g/ To make, edit, publish and distribute map products in accordance with law;

h/ To conduct survey, draw and update maps and dossiers of administrative boundaries to serve the demarcation, adjustment and management of administrative boundaries in accordance with law; to appraise the presentation of administrative boundaries on maps of different kinds;

i/ To conduct survey and draw maps and dossiers to serve the negotiation, planning, demarcation and management of national borderlines, sea areas, the exclusive economic zone and continental shelf of Vietnam; to build the national border database; to appraise the presentation of national borderlines on maps of different kinds; to print and distribute maps and documents related to national land borderlines, sea areas, islands, exclusive economic zone and continental shelf of Vietnam;

k/ To coordinate with the Ministry of Science and Technology and the Ministry of Foreign Affairs in proposing to the Government the conclusion and implementation of agreements on mutual recognition of conformity assessment results with regard to survey and mapping.

11. Regarding integrated and unified management of sea areas and islands:

a/ To elaborate Vietnam's marine strategy and policies and laws on integrated and unified management of sea areas and islands and organize implementation after they are approved by competent state management agencies;

b/ To elaborate and submit to competent

state agencies for approval or adjustment, and guide the implementation of, master plans and zoning plans of sea areas, coastal areas and islands:

c/ To assume the prime responsibility for, and coordinate with ministries, sectors and People's Committees of coastal provinces and centrally run cities in, elaborating, submitting to competent authorities for approval, and implementing, programs, plans, schemes, projects and tasks on integrated management of sea areas, coastal areas and islands which involve several ministries, sectors and coastal localities:

d/ To elaborate and promulgate directives and targets on integrated management of sea areas, coastal areas and islands in accordance with law:

dd/ To participating in the appraisal of master plans and schemes on the establishment of sea conservation zones; to participate in the appraisal of projects and works involving the exploitation and use of marine and island natural resources to be approved by the Government or the Prime Minister; to give opinions on ministerial, sectoral and local schemes and projects involving the use of land areas reclaimed from the sea in accordance with law:

e/ To assume the prime responsibility for, or join in, settling, or proposing competent authorities to settle, matters on inter-sectoral and inter-provincial management and use of marine and island natural resources:

g/ To uniformly manage basic surveys of sea areas and island nationwide; to appraise ministerial, sectoral and local programs, plans, schemes and projects on basic surveys of sea areas and islands in accordance with law; to assume the prime responsibility for elaborating and implementing key programs and projects on basic surveys of marine natural resources and environment as assigned by the Government:

h/ To participate in the appraisal and monitor, examine and summarize the implementation of ministerial, sectoral and local programs and projects on sea and ocean scientific research in accordance with law; to license scientific research activities conducted or jointly conducted by foreign parties in sea areas and islands under Vietnam's sovereignty after reaching agreement with the Ministry of National Defense and the Ministry of Foreign Affairs:

i/ To participate in the formulation of strategies, policies and schemes on national defense, security and foreign affairs activities in association with socio-economic development which are related to Vietnam's sovereignty and sovereignty and jurisdiction rights on the sea as well as ministerial, sectoral and local mechanisms and policies on management of sectors and trades involving the exploitation and use of marine natural resources:

k/ To summarize and evaluate Vietnam's sea-related socio-economic potential; to make statistics of, classify and assess the potential of sea areas, islands, archipelagoes and

sunken atolls under Vietnam's sovereignty; to analyze, evaluate and forecast domestic and international developments and moves concerning the management, exploitation and use of natural resources, scientific research and international cooperation on Vietnam's sea areas and islands; to assume the prime responsibility for building and managing the national sea and island database;

l/ To elaborate master plans and plans on the building, use and management of the national system for observation of marine natural resources and environment, special-use works and equipment for sea and ocean research and survey and warning and remedy of consequences of natural disasters and environmental incidents in the sea under its management in accordance with law;

m/ To assume the prime responsibility for, and coordinate with related ministries, sectors and localities in, inspecting and supervising the exploitation and use of natural resources and environmental protection in seas areas, coastal areas and islands;

n/ To act as the focal point in summarizing and coordinating international cooperation on sea issues;

o/ To guide and conduct public information about the management, protection and sustainable development of Vietnam's sea areas and islands.

## 12. Regarding climate change:

a/ To elaborate and implement national key programs, schemes and projects on response to

climate change under its competence;

b/ To propose and institutionalize international mechanisms, policies and initiatives concerning climate change impacts on socio-economic development and national defense and security, assuring conformity with national conditions and interests; to propose the adjustment, modification and supplementation of Vietnam's climate change-related mechanisms, policies and technological standards so as to suit the reality in the world;

c/ To supervise and assess climate change and its impacts on natural conditions, humans and socio-economic development; to coordinate with ministries, sectors and localities in proposing appropriate adaptation measures for submission to competent authorities for approval and implementation;

d/ To build and operate the system for measurement, reporting and verification (MRV) of greenhouse gas emission mitigation activities at home and abroad; to conduct national greenhouse gas inventory; to propose Vietnam's policies and measures for mitigating greenhouse gas emissions suitable to socio-economic development in each period (nationally appropriate mitigation action - NAMA);

To guide, examine and organize the implementation of measures to manage carbon credit trading activities in accordance with law and treaties which Vietnam has acceded to, to grant certificates to investment projects implemented by businesses of different



economic sectors under the clean development mechanism or other international mechanisms on greenhouse gas mitigation;

dd/ To build, update, publicize and uniformly manage the national database on climate change, climate change scenarios and sea level rise; to devise measures of accessing and using information on climate change;

e/ To negotiate, accede to and implement treaties and join international organizations on climate change; to mobilize international resources and coordinate and implement schemes, projects and tasks on international cooperation on climate change within its competence;

g/ To give opinions on ministerial, sectoral and local programs, schemes, projects and tasks related to climate change; to make and appraise the list of priority projects under Vietnam's Support Program to Respond to Climate Change (SP-RCC); to elaborate and submit to competent authorities for promulgation criteria for assessing SPRCC priority projects in conformity with framework policies already committed with donors and reality;

h/ To act as the national focal agency in implementing the United Nations Framework Convention on Climate Change, the Kyoto Protocol and other treaties concerning climate change; the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances that Deplete the Ozone Layer and other treaties related to the protection of the ozone layer; to implement, inspect, guide

and certify the registration of import, export, temporary import for re-export and use of ozone layer-depleting substances under the Montreal Protocol;

i/ To assist the National Climate Change Committee in urging the implementation of the national strategy and action plan on climate change, the national target program on response to climate change, the support program to respond to climate change and other ministerial, sectoral and local strategies, programs, schemes, projects and tasks related to climate change.

### 13. Regarding remote sensing:

a/ To elaborate strategies, master plans, plans, schemes and national key projects on remote sensing infrastructure construction and application and guide and organize their implementation after they are approved;

b/ To guide and organize according to its competence the application of remote sensing in observation and surveillance of natural resources, environment and natural disasters and in other sectors to serve state management, socio-economic development and security and national defense; the preservation, exploitation and use of national remote sensing data;

c/ To build and operate satellite image receiving stations and satellite image processing centers to serve civic sectors under the approved mechanism on coordinated exploitation of common remote sensing technology institutions of ministries and sectors;

d/ To summarize the needs to receive remote sensing data of ministries, sectors and localities and elaborate plans on receiving and processing remote sensing data under annual and five-year plans for implementation;

dd/ To build, update, manage and operate the national remote sensing database and national remote sensing super-data; to publicize and provide remote sensing data to agencies, organizations and individuals in accordance with law;

e/ To give opinions on state budget-funded programs, schemes and projects involving the purchase of foreign remote sensing data by ministries, sectors and provincial-level People's Committees.

14. To conduct the statistics, inventory and archive of materials and data on the fields under its management in accordance with law.

15. To direct and organize scientific and technological research and application in the fields under its management; to organize the editing and publishing of publications on natural resources and environment in accordance with law.

16. To undertake international cooperation in the fields under its state management in accordance with law; to organize the negotiation and conclusion of treaties under authorization of competent state agencies; to sign international agreements in its own capacity; and to join international organizations as assigned by the Government.

17. To organize and direct the application

of information technology in the fields under its state management; to build and develop the national database on natural resources and environment.

18. To organize and direct the implementation of its administrative reform program in line with the objectives and contents of the state administrative reform program after it is approved by the Prime Minister.

19. To direct the formulation of, submit to competent authorities for decision, and guide the implementation of, master plans on development of the network of non-business and public-service organizations, and mechanisms and policies on the provision and socialization of public services in the fields under its management.

20. To manage associations and non-governmental organizations operating in the fields under its state management in accordance with law.

21. To represent the owner of state capital portions in enterprises under its management in accordance with law.

22. To manage its organizational apparatus and state payroll of civil servants, working positions and structure of public employees based on their professional titles and employees in public non-business units; to decide on the rotation, transfer, appointment, relief from office, dismissal, commendation, and disciplining of, regimes and policies applicable to, and training and retraining of, cadres, civil servants and public employees under its management in accordance with law.

23. To conduct examination and inspection; to settle complaints, denunciations and petitions of citizens; to prevent and combat corruption and negative practices and handle violations of law in the fields under its management;

24. To manage its assigned finance and assets and manage and use allocated state budget funds in accordance with law.

25. To perform other tasks and exercise other powers as assigned by the Government or the Prime Minister or in accordance with law.

**Article 3. Organizational structure**

1. The International Cooperation Department.

2. The Planning Department.

3. The Science and Technology Department.

4. The Legal Department.

5. The Finance Department.

6. The Emulation, Commendation and Public Information Department.

7. The Organization and Personnel Department.

8. The Inspectorate.

9. The Office (with representative agency in Ho Chi Minh City).

10. The Vietnam Administration of Sea and Islands.

11. The General Department of Geology and Minerals of Vietnam.

12. The Vietnam General Department for Land Administration.

13. The Vietnam Environment Administration.

14. The Information Technology Department.

15. The Department of Survey and Mapping of Vietnam.

16. The Department of Hydrometeorology and Climate Change.

17. The Department of Water Resources Management.

18. The National Remote Sensing Center.

19. The Institute for Natural Resources and Environment Strategies and Policies.

20. The Natural Resources and Environment newspaper.

21. The Natural Resources and Environment magazine.

22. The National Hydrometeorology Center.

23. The Center for Water Resources Survey and Planning.

The units referred to in Clause 1 thru Clause 18 of this Article are administrative units assisting the Minister of Natural Resources and Environment in performing the state management function, the units referred to in Clause 19 thru Clause 23 are state non-business units serving the state management function of the Ministry of Natural Resources and Environment.

The Department of Survey and Mapping of Vietnam has a sub-department in Ho Chi Minh City; the Department of Water Resources Management has sub-departments in Ho Chi Minh City, Northern Central, Central Vietnam and Central Highlands regions.

The International Cooperation Department may be structured into 3 divisions; the Planning Department, 3 divisions; the Science and Technology Department, 3 divisions; the Legal Department, 4 divisions; the Finance Department, 3 divisions; the Emulation, Commendation and Public Information Department, 2 divisions; and the Organization and Personnel Department, 3 divisions.

The Minister of Natural Resources and Environment shall define the functions, tasks, powers and organizational structures of its attached units, except those referred to in Clauses 10 thru 13 and Clause 22 of this Article; and propose the Prime Minister to define the functions, tasks, powers and organizational structures of its general departments, the National Hydrometeorology Center; and submit to the Prime Minister for decision and promulgation a list of other existing non-business units of the Ministry.

#### **Article 4. Effect**

1. This Decree takes effect on May 1, 2013.

2. This Decree replaces the Government's Decree No. 25/2008/ND-CP of March 4, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Natural Resources and Environment;

Decree No. 19/2010/ND-CP of March 5, 2010, amending and supplementing Point c, d, g, h and i, Clause 5, Article 2 of Decree No. 25/2008/ND-CP of March 4, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Natural Resources and Environment; and Decree No. 89/2010/ND-CP of August 16, 2010, amending and supplementing Article 3 of Decree No. 25/2008/ND-CP of March 4, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Natural Resources and Environment.

3. To annul all previous provisions which are contrary to this Decree.

#### **Article 5. Transitional provisions**

1. The General Department of Geology and Minerals of Vietnam shall continue performing the functions, tasks and powers prescribed in current regulations until the Prime Minister decides on its functions, tasks, powers and organizational structure.

2. The Emulation and Commendation Department, the Ministry's representative agency in Ho Chi Minh City, the National Remote Sensing Center and the Center for Natural Resource Planning and Survey shall continue performing the functions, tasks and powers prescribed in current regulations until the Minister of Natural Resources and Environment decides on their functions, tasks, powers and organizational structure.

#### **Article 6. Implementation responsibilities**



Ministers, heads of ministerial-level agencies, heads of government-attached agencies, and chairpersons of provincial-level People's Committees shall implement this Decree.-

*On behalf of the Government*

Prime Minister

NGUYEN TAN DUNG