

REGULATION ON MANAGING THE PROGRAMS AND PROJECTS IN THE COUNTRY IMPLEMENTED BY NON-BUSINESS UNITS OF THE MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT

(Issued together with Decision No. 72/2000/QĐ-BNN-KHCN of July 5, 2000)

Chapter I

GENERAL PROVISIONS

Article 1.- Aims and requirements

1. This Regulation is issued with the aim of:

- Effecting unified management of the process of preparing and implementing the programs and projects in the country in strict accordance with the State's prescriptions,
- Encouraging the agencies and organizations to participate in the implementation of the programs and projects in conformity with their functions and tasks,
- Enhancing the capabilities in research, technology transfer and training in agriculture and rural development.

2. Requirements: To use most effectively the domestic investment sources managed by the State, to fight against graft and wastefulness.

Article 2.- Objects and scope of application

1. This Regulation applies to all research programs, target programs, basic survey projects, model building, test production, experimentation, projects of technology transfer, technical assistance to and contracts with domestic partners, which are funded by the State budget in the domain of agriculture and rural development, and other projects conducted by the units themselves through contracts (hereafter referred to as projects for short).

2. All administrative and non-business units, non-business economic units: research institutes, survey and planning institutes, training establishments, centers, stations, farms, departments and boards... (hereafter called units) under the Ministry of Agriculture and Rural Development shall have to comply with this Regulation.

3. The project managing units are the agencies of the Ministry of Agriculture and Rural Development (departments, boards) helping the Minister to manage the projects in the domains assigned to them as stipulated in Clause 2, Article 6 of this Regulation.

The unit in charge of a project is the investing unit. In case the project is implemented by only one unit, the unit in charge of the project shall also be the implementing unit. If many units participate in implementing the project, the units participating in the implementation of the project are all implementing units of the project. The investor shall be the person assigned with the task of organizing the implementation of the project by decision of the Minister or the head of the unit in charge of the project according to the assignment of responsibilities by the State.

Chapter II

DETERMINING, ELABORATING, APPRAISING AND RATIFYING THE PROJECTS

Article 3.- Determining and elaborating the projects

1. The aim and content of the project must conform with the strategy, plan, key programs and priorities of the State and the Ministry of Agriculture and Rural Development, and at the same time, with the functions, tasks and specialization of the implementing unit.

2. The elaboration of a project must comply with the current prescriptions and regulations for each type of project, must solicit the suggestions of specialized departments according to the assignment by the Ministry of Agriculture and Rural Development stipulated in Clause 2, Article 6 of this Regulation.

3. The projects must be elaborated according to the unified form of the State and ensure the fullest use of the related documents in order to avoid overlapping contents.

4. The projects initiated by the units themselves through contracts must be approved by the Ministry before they are implemented.

Article 4.- Appraising and ratifying the projects

1. All projects must be appraised as prescribed by the State for each type of project before submission to the competent authorities for approval.

2. With regard to the projects under approval competence of the Ministry of Agricultural and Rural Development, the unit in charge of the project must submit all the necessary dossiers prescribed for each type of project to the specialized departments stipulated in Clause 2, Article 6 of this Regulation for appraisal and submission to the Ministry for ratification.

3. For the projects with other funding sources,

effected by the unit through economic contracts, the appraisal shall be stipulated by the funding agency but the unit in charge of the project must report the content and the result of the ratification to the Ministry through the specialized departments defined in Clause 2, Article 6 of this Regulation.

4. The ratification and signing of the projects must comply with the State's prescriptions on the competence in project ratification.

Chapter III

ORGANIZING AND MANAGING THE IMPLEMENTATION OF THE PROJECTS

Article 5.- Organizing the implementation of the projects

The head of the unit in charge of a project shall organize the implementation of the project according to the approved objectives and contents of the project and current prescriptions of the State. After the project is approved, the head of the unit in charge of the project shall propose the personnel and consult with the related departments and submit the proposal to the Ministry for the establishment of a managing board of the project (or for authorizing the unit to decide).

Article 6.- Managing the projects

1. The content of project management includes: to guide the elaboration of the project, appraise the contents of and approve the project, inspect the implementation, assess the result, organize the pre-acceptance test and hand-over, settle the accounts and approve the account settlement.

2. Assignment of the project management responsibilities:

a/ The Science, Technology and Product Quality Department shall help the Minister to manage and integrate the projects using the scientific and technological non-business capital sources and the projects with contents related to scientific research, technology transfer, environment and the strengthening of scientific and technological potentials.

b/ The Department of Plans and Planning shall help the Minister to manage the projects using non-business economic capital sources and the projects with contents related to the basic survey, development investment and planning, and have to integrate all the projects to report to the Ministry.

c/ The Department of Investment in Capital Construction shall help the Minister to manage and integrate the projects using the capital construction

investment funds.

d/ The Department for Organization and Personnel shall help the Minister to manage and integrate the projects using non-business training funds and the projects with contents related to the training of manpower, organizing the apparatus and administrative reforms.

e/ The Department of Finance and Accountancy shall help the Minister to manage the finance and accountancy matters of all the projects; guide the units to effect revenues and expenditures according to the current regimes of the State, at the same time propose supplements or amendments to the regulations and norms for expenditures which are no longer appropriate in order to create conditions for the units to implement the projects smoothly and effectively.

f/ The Inspectorate of the Ministry shall help the Minister to supervise and inspect the programs and projects strictly according to the State management function of the Ministry and the provisions of the legislation on supervision and inspection.

g/ The Department of Forestry Development, the Department of Agricultural and Forestry Promotion, the Department of Farming and Residence Sedentarization and New Economic Zones, the Department of Water Management and Water Conservancy, the Department of Flood and Storm Prevention and Combat and Dyke Management, the Department of Plant Protection, the Department of Plant Protection and Veterinary... shall manage the projects of the units according to the assignment of responsibilities by the Ministry of Agriculture and Rural Development and send periodical reports to the Department of Plans and Planning for integration.

Article 7.- Financial management of the projects

The financial management of the projects must strictly comply with the current State regimes and the the Ministry's Regulation on Financial Management for the projects in the administrative and non-business units of the Ministry of Agriculture and Rural Development.

Article 8.- Managing materials and equipment of the projects

Materials and equipment purchased for the operations of the projects are properties of the State and must be managed according to current prescriptions. The project owners must open books for monitoring and after the projects are completed must hand them over to the implementing units of the projects.

Article 9.- Checking the implementation of the projects

In the process of implementing a project, the Ministry of Agriculture and Rural Development shall organize or coordinate with the related ministries and branches to conduct periodical or extraordinary inspection of the implementation of the project and the use of fund by the project.

The project owner and the head of the unit in charge of the project shall have to prepare and supply fully the information related to the project when requested by the inspection team.

Article 10.- Pre-acceptance test, hand-over and reporting regime

1. The project owner and the head of the unit in charge of the project shall have to report to the Ministry on the progress of implementation of the project every six months at the beginning of July and January each year, to the assigned units defined in Clause 2, Article 6 of this Regulation.

2. After completion of the project, the project owner and the head of the unit in charge of the project must organize the pre-acceptance test, and hand over the project as prescribed for each type and send the report to the Ministry through the departments as stipulated in Item 2, Article 6 of this Regulation.

3. The specialized departments of the Ministry shall jointly draw up the unified forms of report for each type of project and guide the units in the implementation.

Article 11.- Managing the documents of the projects

The documents of the projects shall be kept at the specialized departments defined in Clause 2, Article 6 of this Regulation and at the related units at the request of the Ministry.

Article 12.- Copyright, copyright registration

With regard to the projects which are subjects of scientific research, only after the results of the research have been appraised and tested by the Science and Technology Council and approved by the Ministry can the copyright thereover be registered under the Regulation on protection of copyright and industrial property.

Chapter V

IMPLEMENTATION PROVISIONS

Article 13.- The director of the Ministry's Office, the directors of the Departments, the heads of the agencies managing and implementing the projects and the related units under the Ministry shall have to implement this Regulation.

All earlier stipulations which are contrary to this Regulation are now annulled.

In the process of implementation, should any supplement or amendment be deemed necessary, it should be reported in time to the Ministry for consideration and decision.

*For the Minister of Agriculture and
Rural Development*
Vice Minister
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