

**DECREE No. 56/2005/ND-CP OF APRIL 26,  
2005 ON AGRICULTURAL PROMOTION AND  
FISHERY PROMOTION**

**THE GOVERNMENT**

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

*At the proposals of the Minister of Agriculture  
and Rural Development and the Minister of  
Fisheries,*

**DECREES:**

***Chapter I***

**GENERAL PROVISIONS**

**Article 1.-** Scope of regulation and subjects of  
application

1. This Decree provides for agricultural and

fishery promotion contents, organizations and  
policies.

2. Vietnamese organizations and individuals;  
foreign organizations and individuals, that conduct  
agricultural promotion activities in the domains of  
cultivation, husbandry, forestry, irrigation, salt-making,  
processing and preservation of agricultural, fishery  
or salt products, rural production and business lines  
and/or fishery promotion in the domain of  
aquaculture, exploitation, preservation and  
processing of aquatic products (hereinafter referred  
collectively to as agricultural promotion and fishery  
promotion in the fields of agriculture and fisheries).

3. Peasants, salt-makers, fishermen, agricultural-  
forestry farm households and workers, farm owners,  
enterprises, cooperatives, cooperation teams  
engaged in agricultural production, forestry, fisheries,  
salt-making, processing, preservation and  
consumption of agricultural, aquatic and/or salt  
products, rural production and business lines  
(hereinafter referred collectively to as producers) are  
entitled to enjoy agricultural promotion, fishery  
promotion policies as provided for in this Decree.

4. Agricultural promotion and/or fishery  
promotion activities related to international  
programs, projects or treaties to which Vietnam is  
a member shall comply with such international  
programs, projects or treaties.

**Article 2.-** Objectives of agricultural promotion,  
fishery promotion

1. To raise producers' awareness of the guidelines,  
policies, laws, knowledge, skills on science and  
techniques, management and business.

2. To contribute to accelerating the economic  
restructuring of agriculture and the countryside; to  
raise production productivity, quality and efficiency,

and develop production along the direction of sustainability, to create jobs, increase incomes, eliminate hunger and reduce poverty, contributing to accelerating the process of agricultural and rural industrialization and modernization.

3. To mobilize resources from domestic and foreign organizations and individuals for agricultural and/or fishery promotion.

**Article 3.-** Principles for agricultural, fishery promotion activities

1. To stem from the demands of producers and requirements of agricultural and fishery development.

2. To create a close association between managers, scientists, entrepreneurs and producers as well as among producers.

3. To socialize agricultural, fishery promotion activities.

4. To be democratic and public, voluntarily participated by producers.

5. Agricultural, fishery promotion activities must be in line with, and in service of, the agricultural and rural development strategy; giving priority to deep-lying, remote areas, regions meeting with exceptional difficulties, zones producing commodities in service of export.

## **Chapter II**

### **CONTENTS OF AGRICULTURAL, FISHERY PROMOTION ACTIVITIES**

**Article 4.-** Information, propagation

1. To propagate the guidelines and policies of the Party and the State, scientific and technological advances, market and price information, to

popularize advance models in production, management, business, development of agriculture and fisheries.

2. To publish, guide and supply information to producers through the mass media, conferences, seminars, contests, trade fairs, exhibitions and other forms of information and propagation.

**Article 5.-** Fostering, drilling and training

1. Craft fostering, drilling and handing down to producers in order to raise their production and economic management knowledge and skills in the fields of agriculture and fisheries.

2. Training to raise professional qualifications and skills for agricultural or fishery promoters.

3. Organizing domestic and overseas working visits, surveys or study tours.

**Article 6.-** Building of models and scientific and technological transfer

1. Building up models for demonstration of scientific and technological advances, suitable to each locality and demands of producers.

2. Building up hi-tech models in the agricultural and fisheries domains.

3. Transferring scientific and technological results from demonstration models to the vast majority.

**Article 7.-** Consultancy and service

1. Providing consultancy and support on policies and legislation on land, fisheries, market, science and technology, applying advanced production, management and business experiences to agricultural and fisheries development.

2. Providing services in the fields of legislation, drilling and training, information supply, scientific

and technological transfer, trade promotion, market, prices, investment, credit, project formulation, supply of technical facilities and equipment and other activities related to agriculture or fisheries according to provisions of law.

3. Advising, supporting small- and medium-sized enterprises in formulation of investment projects for development of agriculture, fisheries and rural crafts, in the search for production grounds, labor recruitment and training, capital mobilization, application for investment preferences, and other administrative procedures in accordance with provisions of law and in compatibility with the plans on development of agriculture, fisheries and rural crafts according to regions, territories and localities.

4. Providing consultancy on, and support for, the development and application of post-harvest technologies, agricultural, forestry and aquatic product processing, salt-making.

5. Providing consultancy on, and support for, management and use of rural clean water and environmental hygiene.

6. Providing consultancy on, and support for, organizational renewal, managerial renovation, production rationalization, production cost reduction by enterprises, collective economic organizations in the agricultural and rural domains.

**Article 8.-** International cooperation on agricultural promotion and fishery promotion

1. Participating in agricultural and/or fishery promotion activities under international cooperation programs.

2. Exchanging experience in agricultural and/or fishery promotion with foreign organizations and individuals as well as international organizations.

### **Chapter III**

## **AGRICULTURAL, FISHERY PROMOTION ORGANIZATIONS**

**Article 9.-** Central agricultural, fishery promotion organizations

a) The National Center for Agricultural Promotion is a non-business unit under the Ministry of Agriculture and Rural Development;

b) The National Center for Fishery Promotion is a non-business unit under the Ministry of Fisheries.

c) The functions, tasks, powers and organizational apparatuses of the National Center for Agricultural Promotion and the National Center for Fishery Promotion shall be prescribed respectively by the Minister of Agriculture and Rural Development and the Minister of Fisheries.

**Article 10.-** Local agricultural, fishery promotion organizations

1. Local agricultural or fishery promotion organizations are non-business units, defined as follows:

a) Agricultural or fishery promotion organizations in provinces or centrally-run cities (called provincial-level agricultural, fishery promotion organizations);

b) Agricultural or fishery promotion organizations in urban districts, rural districts, provincial capitals or towns (called district-level agricultural or fishery promotion organizations).

2. The functions, tasks and organizational apparatuses of local agricultural, fishery promotion organizations shall be prescribed by presidents of provincial/municipal People's Committees.

**Article 11.-** Grassroots agricultural, fishery promotion organizations

1. Each commune, ward, township (hereinafter referred collectively to as commune level) shall have at least one person performing agricultural and/or fishery promotion work.

2. Villages, hamlets (hereinafter referred collectively to as village level) shall have agricultural, fishery promotion collaborators.

3. Provincial-level People's Committees shall provide the number of, and remuneration regime for, commune-level agricultural, fishery promotion personnel and village-level agricultural, fishery promotion collaborators.

**Article 12.-** Other agricultural, fishery promotion organizations

1. To encourage, and create conditions for, political organizations, socio-political organizations, economic organizations, social organizations, socio-professional organizations, scientific organizations, education and training organizations, professional associations as well as domestic and foreign organizations and individuals to set up agricultural and/or fishery promotion organizations (hereinafter referred collectively to as other agricultural, fishery promotion organizations).

2. Other agricultural, fishery promotion organizations shall conduct agricultural, fishery promotion activities according to the provisions of this Decree and other relevant law provisions.

3. The functions, tasks and organizational apparatuses of agricultural, fishery promotion organizations of any organizations or individuals shall be prescribed by such organizations or individuals.

#### **Chapter IV**

#### **OPERATION FUNDS AND AGRICULTURAL, FISHERY PROMOTION POLICIES**

**Article 13.-** Agricultural, fishery promotion funding sources

1. Central agricultural, fishery promotion funds shall be formed from the following sources:

a) State budget allocations according to the ministries' approved annual budget estimates;

b) Proceeds from performance of contracts on agricultural, fishery promotion services for producers;

c) Financial supports and lawful contributions of domestic and foreign organizations and individuals;

d) Other lawful revenue sources as prescribed by law.

2. Local agricultural, fishery promotion funds (including funds for provincial-, district- and grassroots-level agricultural, fishery promotion) shall be formed from the following sources:

a) Budgets allocated by provincial/municipal People's Committees according to localities' approved annual budget estimates;

b) Proceeds from performance of contracts with central agricultural, fishery promotion organizations;

c) Proceeds from performance of contracts on agricultural, fishery promotion services for producers;

d) Financial supports and lawful contributions of domestic and foreign organizations as well as individuals;

e) Other lawful revenue sources as provided for by law.

3. Funds of other agricultural, fishery promotion organizations shall be formed from the following sources:

a) Partial state budget supports via (domestic,

overseas) programs, projects approved by competent authorities;

b) Proceeds from performance of contracts with central or local agricultural or fishery promotion organizations;

c) Proceeds from performance of contracts on agricultural, fishery promotion services for producers;

d) Financial supports and lawful contributions of domestic and foreign organizations and individuals;

e) Other lawful revenue sources as provided by law.

**Article 14.-** Use of agricultural, fishery promotion funds

1. Central and local agricultural or fishery promotion funds from the state budget shall be used for the following purposes:

a) Training, fostering, drilling, information, propagation, document printing;

b) Building up demonstration models, hi-tech models, scientific and technological result transfer models;

c) Buying copyrights, new appropriate technologies, hiring experts in agricultural, fishery promotion activities;

d) Procuring facilities and equipment in direct service of agricultural, fishery promotion activities;

e) Organizing surveys, study tours, seminars, competition, fairs, exhibitions at home and abroad;

f) Other expenditures in service of agricultural, fishery promotion activities.

2. Non-state budget funds for agricultural, fishery promotion shall be spent on agricultural, fishery promotion activity contents prescribed in Articles

4, 5, 6, 7, 8, 16 and 17 of this Decree and on supporting the spending purposes stated in Clause 1 of this Article.

**Article 15.-** Management of central and local agricultural, fishery promotion funds

1. Central agricultural and fishery promotion funds shall be used for agricultural, fishery promotion activities managed and organized by the Ministry of Agriculture and Rural Development or the Ministry of Fisheries. Local agricultural, fishery promotion funds shall be used for agricultural, fishery promotion activities managed and organized by provincial/municipal People's Committees.

2. The plans on, and estimates of, central agricultural, fishery promotion funds shall be formulated by the Ministry of Agriculture and Rural Development or the Ministry of Fisheries and be included in their annual budget estimates, be submitted to the Government for submission to the National Assembly for approval.

3. Annual estimates of expenditure for agricultural, fishery promotion of localities shall be submitted by the People's Committees to the People's Councils of the same levels for decision according to the provisions of the State Budget Law.

4. The spending and settlement of central and local agricultural, fishery promotion funds shall be based on agricultural, fishery promotion programs or projects approved by competent authorities.

5. The management and use of non-state budget funds for agricultural, fishery promotion shall be decided by agricultural, fishery promotion organizations in accordance with the provisions of this Decree and provisions of law.

6. The Ministry of Finance shall coordinate with

the Ministry of Agriculture and Rural Development and the Ministry of Fisheries in specifically guiding the order of formulating, managing and using central and local agricultural and fishery promotion funds.

**Article 16.- Policies in support of producers**

1. Producers may participate in and perform the agricultural and/or fishery promotion contents prescribed in Chapter II of this Decree.

2. The State adopts policies to support producers for direct participation in agricultural and/or fishery promotion according to the following contents:

a) Attending fostering, drilling and training courses, participating in study tours, conferences, contests, seminars to raise their production and economic management knowledge and skills in agriculture, forestry, fisheries and rural production and business lines;

b) Being supported with funds for building up demonstration models of application of technical advances, scientific and technological transfer in agriculture, fisheries and rural production and business lines.

3. The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Agriculture and Rural Development and the Ministry of Fisheries in, guiding the policies in support of producers.

Provincial/municipal People's Committees shall base themselves on practical conditions of their respective localities to decide on specific support levels.

**Article 17.- Policies towards agricultural, fishery promoters**

1. To be provided with training, fostering, study

tours, domestic or overseas study to raise their professional qualifications and skills; to prioritize the training of grassroots agricultural, fishery promoters being ethnic minority people or women.

2. To participate or be supported by consultancy and service organizations in agricultural, fisheries production according to the provisions of Article 7 of this Decree.

3. Agricultural, fishery promoters of other agricultural or fishery promotion organizations, apart from the policies prescribed in Clauses 1 and 2 of this Article, may also participate in central or local agricultural or fishery promotion programs or projects through contracts signed with central or local agricultural or fishery promotion organizations.

**Chapter V**

**ORGANIZATION OF IMPLEMENTATION**

**Article 18.- Responsibilities of ministries, branches**

1. The Ministry of Agriculture and Rural Development and the Ministry of Fisheries shall perform the function of state management over agricultural, fishery promotion activities according to the following contents:

a) Formulating and promulgating or proposing competent agencies to promulgate strategies, legal documents, projects, policies on agricultural, fishery promotion;

b) Working out central agricultural, fishery promotion program, plan in each period and submitting them to the Prime Minister for approval;

c) Organizing the implementation and guiding localities in the deployment of agricultural, fishery promotion activities under approved programs,

plans, projects;

d) Cooperating with domestic and foreign organizations and/or individuals to attract capital and resources in service of agricultural, fishery promotion activities;

e) Monitoring, evaluating and annually reporting to the *Prime Minister on the implementation of agricultural, fishery promotion programs, plans, projects*;

f) Examining, inspecting and settling complaints, *denunciations in the field of agricultural, fishery promotion activities*;

g) *Managing central agricultural, fishery promotion funds.*

2. The ministries, the ministerial-level agencies, the Government-attached agencies shall, within the scope of their tasks and powers, have to coordinate with the Ministry of Agriculture and Rural Development and the Ministry of Fisheries in performing the function of state management over agricultural, fishery promotion activities according to the Government's regulations.

**Article 19.-** Responsibilities of provincial/municipal People's Committees

Provincial/municipal People's Committees shall perform the function of state management over agricultural, fishery promotion activities in their respective localities according to the following contents:

a) Formulating and promulgating strategies, legal documents, policies on agricultural, fishery promotion suitable to the local conditions;

b) Approving and directing the implementation of programs, plans, projects on agricultural, fishery promotion in their localities;

c) *Ensuring capital sources to support activities*

and implementation of policies on agricultural, fishery promotion in the provinces;

d) Managing local agricultural, fishery promotion funding;

e) Establishing ties with domestic and foreign organizations and individuals in order to attract capital sources for agricultural, fishery promotion activities of localities;

f) *Biannually reporting to the Ministry of Agriculture and Rural Development, the Ministry of Fisheries on agricultural, fishery promotion activities in the localities.*

**Article 20.-** Commendation and handling of violations

1. Organizations and individuals that record achievements in agricultural, fishery promotion activities shall be commended/rewarded according to law provisions.

2. Organizations and individuals that commit acts of violating the provisions of this Decree shall, depending on the nature and seriousness of their violations, be disciplined, administratively sanctioned or examined for penal liability; and pay compensations according to law provisions if causing damage.

3. *Annually, the Ministry of Agriculture and Rural Development, the Ministry of Fisheries and provincial/municipal People's Committees shall review and draw experience from agricultural, fishery promotion activities.*

**Article 21.-** Complaints, denunciations

1. Organizations and individuals may lodge their complaints about administrative decisions, administrative acts of state administrative agencies or competent persons in state administrative

agencies when they have grounds to believe that such decisions or acts are contrary to the provisions of this Decree according to the provisions of legislation on complaints and denunciations.

2. Individuals may denounce to competent agencies, organizations or individuals about acts of violating the provisions of this Decree of other organizations or individuals according to provisions of legislation on complaints and denunciations.

3. The competence, procedures and time limits for settlement of complaints or denunciations shall comply with the provisions of legislation on complaints and denunciations.

## ***Chapter VI***

### **IMPLEMENTATION PROVISIONS**

#### ***Article 22.-*** Implementation effect

This Decree takes effect 15 days after its publication in the “ CONG BAO” and replaces the Government’s Decree No.13-CP of March 2, 1993, on agricultural promotion work.

#### ***Article 23.-*** Responsibilities for implementation

1. The Ministry of Agriculture and Rural Development, the Ministry of Fisheries shall coordinate with the relevant ministries and branches in guiding the implementation of this Decree.

2. The ministers, the heads of ministerial-level agencies, the heads of Government-attached agencies and the presidents of provincial/municipal People’s Committees shall have to implement this Decree.

***On behalf of the Government***

***Prime Minister***

**PHAN VAN KHAI**