

THE GOVERNMENT

No. 36/2017/ND-CP

THE SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

Hanoi, April 4, 2017

DECREE

**DEFINING THE FUNCTIONS, TASKS, POWERS AND ORGANIZATIONAL STRUCTURE
OF THE MINISTRY OF NATURAL RESOURCES AND ENVIRONMENT**

Pursuant to the June 19, 2015 Law on Organization of the Government;

Pursuant to the Government's Decree No. 123/2016/ND-CP of September 1, 2016, 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 function of state management of land; water resources; minerals and geology; environment; hydrometeorology; climate change; survey and cartography; integrated management of marine and island resources and protection of the marine and island environment; remote sensing; and state management of public services in the fields under its management.

Article 2. Tasks and powers

The Ministry of Natural Resources and Environment shall perform the tasks and exercise the powers defined in the Government's Decree No. 123/2016/ND-CP of September 1, 2016, 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 resolutions of the National Assembly, draft ordinances and resolutions of the National Assembly Standing Committee, and draft decrees of the Government under the Ministry's approved annual law-making programs and plans, and resolutions, mechanisms, policies, projects, schemes and legal documents under the Ministry's state management as assigned by the Government or Prime Minister.
2. To submit to the Government and Prime Minister for approval, and organize the implementation of, strategies, master plans and long-term, medium-term and annual development plans and important national programs, projects and works in the sectors and fields under its management.
3. To submit to the Prime Minister draft decisions, directives and other documents to be promulgated by the Prime Minister.
4. 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 Prime Minister; to inspect and guide the implementation of these strategies, master plans and programs after they are approved.

5. To promulgate circulars, decisions, directives 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 provide public information and organize education about the law on natural resources and environment; to develop national standards and promulgate national technical regulations and econo-technical norms for application in the sectors and fields under its state management.

6. Regarding land:

a/ To guide, examine and organize the implementation of policies, laws, 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 and modify national and regional land use master plans and plans and manage them after they are approved by the National Assembly; to appraise land use master plans and plans elaborated by provincial-level People's Committees; to appraise masterplans and plans on land use for defense or security purposes and change of the use purpose of rice farming land, protection and special-use forest land; to give written opinions on land use- related contents of sectoral master plans involving the use of land and land-related contents of investment projects as prescribed by law;

c/ To guide land allocation for real estate market development under land use master plans and plans;

d/ To guide and examine the survey and measurement 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 development of land databases; grant of certificates of land use rights and ownership of house and land-attached assets; and land users' exercise of rights and performance of obligations in accordance with law;

dd/ To assume the prime responsibility for, and coordinate with related ministries and sectors in formulating and submitting to the Government or competent agencies for promulgation principles and methods of land pricing; to guide the formulation of and modify land price tables and the determination of specific land prices in accordance with the land law; to make land price maps; to formulate, summarize and provide data and information on land price brackets and tables and specific land prices;

e/ To guide and inspect land recovery, development of land funds and manage recovered land funds; auction of land use rights and management of land use in auctions for land occupying projects 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 identify land users eligible or ineligible for compensation and support; to appraise the policy framework for compensation, support and resettlement upon land recovery by the State for investment projects that are decided by the National Assembly or approved by the Prime Minister and require relocation of whole communities, affecting all the livelihood, socio-economic activities, and cultural traditions of the

communities, and for projects requiring the recovery of land located in many provinces and centrally run cities;

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

i/ To elaborate and submit to competent agencies for approval a regular and irregular land statistics and inventory plan and organize the implementation after the plan is approved; to guide and examine the compilation of land statistics and land inventory under the Ministry's competence;

k/ To elaborate and submit to competent agencies for approval a master plan on survey and assessment of land and efficiency in the use of land of different categories and organize the implementation of the master plan after it is approved;

l/ To build and uniformly manage a national land information system; to manage the development, update and exploitation of the national land database;

m/ To develop the system of monitoring and evaluation of land management and use; to manage and operate the system of monitoring and evaluation of land management and use at the central level; to guide and examine the management and operation of the system of monitoring and evaluation of the land management and use at the local level;

n/ To direct and guide the settlement of land-related complaints and disputes in accordance with law;

o/ To manage and guide land-related public services and grant of practice certificates in the land sector in accordance with law.

7. Regarding water resources:

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

b/ To elaborate master plans on baseline survey of water resources and the 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 of the master plans after they are approved; to give written opinions on water resource master plans of provinces and centrally run cities; to approve contents involving exploitation, use and protection of water resources and the prevention, control and remediation of harmful effects caused by water to irrigation, hydroelectric power and water supply, and inland waterway transport master plans and other master plans involving the exploitation and use of water resources which are elaborated by ministries and ministerial-level agencies, and activities related to the exploitation, use and protection of water resources according to its competence; to appraise projects on water transfer between river basins;

c/ To classify inter-provincial water sources by degree of pollution and depletion; to elaborate plans on the regulation and distribution of water resources to restore inter-provincial water sources already polluted, deteriorated or depleted and organize the implementation of such plans

after they are approved by competent authorities; to guide and examine the implementation of plans on the regulation and distribution of water resources and plans on prevention and control of water source deterioration and depletion in construction, production, business and service activities in accordance with law;

d/ To make 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;

dd/ To zone off and announce areas where groundwater exploitation is banned or restricted, areas requiring artificial supplementation of groundwater, the minimum flow and groundwater exploitation limits in accordance with law; to guide the observance of regulations on the formation and management of water source protection corridors in accordance with law; to determine and publicize sanitation protection zones of domestic water-supplying areas;

e/ To develop water conservation models; to provide public information about water-saving models, technologies and equipment; to guide the observance of regulations on incentives for water conservation activities;

g/ To elaborate and adjust inter-reservoir operation processes for river-basin reservoirs on the list of reservoirs, for which inter-reservoir operation processes are required, and guide the implementation of such processes after they are promulgated; to guide the implementation of regulations on surveillance and observation of water resource exploitation and use and discharge of wastewater into water sources of river basins; to appraise reservoir construction projects whether they satisfy the requirements of protection, exploitation and use of water resources for integrated and multiple purposes and conform with master plans on water resources;

h/ To guide, examine and take measures to maintain the minimum flows of rivers, ensure the exploitation and integral and efficient use of water sources of river basins for reservoirs and the protection of river beds and banks and maintenance of water flow; to comply with standards and technical regulations on safety, prevention and control of land subsidence in the course of water exploration and exploitation in accordance with law; to direct the implementation of measures to restrict land subsidence (excluding irrigation works, dikes and natural disaster prevention and control) in the course of water exploration and exploitation in accordance with law;

i/ To conduct baseline surveys of national water resources; to summarize results of baseline surveys of water resources and water resource exploitation, use and protection conducted by ministries, sectors and localities; to conduct water resource inventory, assessment and forecasts; to develop 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 develop, manage and exploit the national information system and database on water resources; to manage, archive, publicize and provide information and data on water resources, exploitation and use of water resources, water scarcity and shortage in river basins and measures to regulate, distribute and economically use water;

k/ To guide, examine and organize the grant, extension, modification, suspension, revocation and re-grant of licenses to explore, exploit and use water resources, discharge wastewater into water sources and practice groundwater drilling; to approve the transfer of the water resource exploitation right in accordance with law;

l/ To settle problems and disputes arising in the exploitation and use of water resources or discharge of wastewater into water sources falling under its licensing competence and other water resource-related problems among provinces and centrally run cities;

m/ To act as the national focal body in exchanging information relating to transnational water sources and participating in international river basin organizations and river basin forums; to guide and examine the implementation of international conventions, treaties and agreements on water resources to which the Socialist Republic of Vietnam is a contracting party;

n/ 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 ensure Vietnam's rights and interests;

o/ To act as the standing body of the Vietnam Mekong River Commission, the National Council of Water Resources and other river basin committees.

8. Regarding geology and minerals:

a/ To guide, examine and organize the implementation of policies, laws, strategies, master plans, plans, programs, schemes and projects on geology and minerals, hydrogeology, engineering geology, geological hazard, geological heritage, and geological parks after they are decided and approved by competent authorities;

b/ To elaborate and implement mineral strategies; master plans on geological baseline surveys of minerals nationwide; to give written 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 propose competent authorities to approve national mineral reserve areas and areas not subject to mining rights auction; to review the zoning off of areas not subject to mining rights auction and areas banned or temporarily banned from mineral activities by localities; to appraise and propose competent authorities to approve areas banned from mineral activities managed by provincial-level People's Committees;

d/ To decide whether or not to extract minerals in areas with national important projects or works on 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 geological baseline surveys of minerals and engineering geology; to prescribe the formulation and appraisal of projects and reports on geological baseline surveys 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; to guide the making of dossiers for recognition as "Geoheritage and national geopark", appraise such dossiers and recognize geoheritages and national geoparks;

e/ To appraise schemes, projects and tasks of geological baseline survey of minerals and schemes on mineral exploration in accordance with law; to guide and appraise reports on mineral exploration results and exploration to upgrade mineral deposits; to manage deposits and certify deposits to be mobilized for mining projects in accordance with law; to guide the handling of affairs relating to the assessment of national mineral deposits;

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

h/ To organize auctions for mining rights under its competence; to determine money amounts for grant of mining rights under the Ministry's licensing competence in accordance with the mineral law;

i/ To grant, extend and 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;

k/ To examine the observance of mineral exploration licenses and mining licenses granted by the Ministry; to control mineral activities and geological baseline surveys of minerals nationwide; to monitor the observance of sustainable development policies in geological baseline surveys of minerals and mineral activities and policies on protection of interests of localities and people in areas where mining activities are carried out; to examine and supervise the implementation of mineral exploration schemes which are approved by the Minister of Natural Resources and Environment; to examine the determination of money amounts for grant of mining rights and mining rights auctions in localities:

l/ To act as the focal point to join the Coordinating Committee for Geoscience Programs in East and Southeast Asia (CCOP) and the Vietnamese National Committee for International Geoscience Program (IGCP); and to assist the coordination and implementation of activities related to the development and management of the UNESCO Global Geoparks Network.

9. 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 protection and security and cross-border environmental issues after they are decided and approved by competent authorities;

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

c/ To guide and examine the elaboration and appraisal of environmental protection master plans; to elaborate and appraise national environmental protection master plans in accordance with law;

d/ To guide and examine the appraisal of strategic environmental assessment reports, appraise and approve environmental impact assessment reports and certify environmental protection plans; to provide technical instructions on strategic environmental impact assessment and elaboration of specialized environmental impact assessment reports; to organize according to its competence the appraisal of strategic environmental assessment reports, appraise and approve environmental protection schemes, environmental impact assessment reports, grant certificates of completion of environmental protection facilities to and certify the satisfaction of environmental protection requirements for household solid waste and ordinary industrial waste disposal establishments in accordance with law;

dd/ To guide, examine and organize control of polluting sources from production, business and service activities of economic zones, industrial parks, export processing zones, hi-tech parks, industrial clusters and craft villages in accordance with law; to guide environmental protection regarding chemicals, pesticides, veterinary drugs, import of discarded materials to be used as production materials and dismantlement of used seagoing ships; to elaborate a list of bioproducts used for pollution prevention and mitigation and waste treatment; the list of polluting bioproducts banned from import, the list of scraps permitted for import; to prevent and respond to environmental incidents in accordance with law;

e/ To guide, examine and organize according to its competence the elaboration of a list of seriously polluting establishments and the thorough handling of these establishments and certify the thorough handling of seriously polluting establishments; to provide targeted financial supports from the budget for public establishments in accordance with law;

g/ To guide, examine and organize waste management in accordance with law; to appraise solid waste master plans elaborated by the Ministry of Construction; to provide technical and management process instructions on the classification, storage, gathering, transportation, semi-processing, reuse, recycling, joint disposal, disposal and recovery of energy from ordinary solid wastes and hazardous wastes; to recover and dispose of discarded products;

h/ To guide, examine and organize the management of environmental quality of water, soil, air, river basins, sea and islands, urban centers, rural areas, residential areas and public areas in accordance with law;

i/ To guide, examine and organize according to its competence the survey, assessment, classification and environmental improvement and rehabilitation of polluted areas and environmental improvement and rehabilitation in mining activities; to appraise and approve environmental improvement and rehabilitation schemes for mining activities in accordance with law;

k/ To guide, examine and organize the implementation of environment monitoring nationwide in accordance with law; to organize the implementation of the national environmental monitoring program; to build and manage the national environmental monitoring system; to manage the quality of and inspect, calibrate and test environmental monitoring devices in accordance with law; to manage environmental monitoring data and develop a national environmental monitoring database; to publicize national environmental observation results, to provide professional guidance and technical assistance for the management of environmental monitoring data;

l/ To guide and examine the making and announcement of environmental status reports; to make and publicize environmental status reports, national environmental topical reports, publicize and provide environmental information and data in accordance with law;

m/ To guide and appraise, examine and assess environmental pollution treatment and waste disposal works, equipment, models and technologies; to guide and examine environmental verification in accordance with law; to conduct researches 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;

n/ To guide, examine and organize the registration, certification, grant, re-grant, modification and revocation of environmental licenses, certificates and practice certificates in accordance with law;

o/ To guide ministries, sectors and localities in environmental protection profession and key tasks; to sum up and estimate annual non-business funds needed for environmental activities of ministries, sectors and localities; to coordinate with the Ministry of Planning and Investment and the Ministry of Finance in building economic and financial mechanisms for environmental protection, sum up annual, three-year and five-year state budget estimates and central budget allocation schemes for the environmental field; to monitor and supervise the use of environmental budgets by ministries, sectors and localities;

p/ To guide, examine and organize the determination of environmental damage and identification of responsibilities to pay compensation for environmental damage, payment of deposits for environmental improvement and rehabilitation and environment insurance 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 point of the Global Environment Facility;

q/ To assume the prime responsibility for organizing the negotiation, signing and implementation of treaties and participating in international environmental organizations; to mobilize international resources; to coordinate and implement international schemes, projects and tasks on environmental cooperation as assigned by the Government;

r/ To assume the prime responsibility for, and coordinate with ministries, sectors and localities in, organizing the research into and remediation of consequences of chemical toxins used by the US during the Vietnam war; to treat, improve and rehabilitate other existing polluted areas in accordance with law.

10. Regarding nature and biodiversity conservation

a/ To guide, examine and organize the implementation of policies, laws, inter-sectoral, inter-provincial, inter-regional, national and international strategies, master plans, plans, programs, schemes, projects and tasks on biodiversity after they are decided and approved by competent authorities;

b/ To formulate and submit to competent agencies for promulgation national biodiversity indicators in accordance with law;

c/ To guide baseline surveys, inventory, provision, exchange and management of biodiversity information;

d/ To formulate, and organize the implementation of, the national biodiversity conservation master plan; to guide and examine the formulation and appraisal of biodiversity conservation master plans of provinces and centrally run cities; to appraise the conformity between ministerial and ministerial-level biodiversity conservation master plans and the national biodiversity conservation master plan; to guide the incorporation of biodiversity in socio-economic development, sectoral and territorial masterplans and strategies;

dd/ To organize inter-sectoral councils for appraising projects on establishment of nature reserves located in 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 nature reserves and the world natural heritage sites as assigned by the Government; to direct and guide the establishment and management of biodiversity corridors and provincial nature reserves in accordance with law;

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

g/ To guide and examine the permanent preservation of genetic resources and samples of species prioritized for protection; to guide the management and supervision of access to genetic resources and traditional knowledge about genetic resources and sharing of benefits brought about by the access to 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 related to biodiversity; to make a list of genetically modified organisms for which bio-safety certificates have been granted;

h/ To elaborate and submit to competent authorities for promulgation or promulgate according to its competence the lists, and programs on conservation of rare, precious and endangered species prioritized for protection, excluding rare, precious and endangered plant varieties and animal breeds prioritized for protection; the list of invasive alien species; to organize the compilation of the Vietnam Red Book; to guide biodiversity conservation in nature areas where there are insufficient conditions for establishing nature reserves; to guide the assessment of alien species' invasion of the environment and biodiversity;

i/ To guide, develop and implement monitoring programs, collect statistics on and manage biodiversity monitoring data and database; to direct the elaboration of and uniformly manage biodiversity monitoring data and database; to assume the prime responsibility for elaborating and publicizing national biodiversity reports; and to guide ministries, sectors and localities in biodiversity survey and reporting;

k/ To guide, examine and organize the registration, certification, grant and revocation of biodiversity licenses and certificates according to its competence in accordance with law;

l/ To guide and examine the payment for environmental services related to biodiversity;

m/ To act as the national focal point in implementing nature and biodiversity conservation treaties as assigned by the Government; to direct and guide the compilation of nomination dossiers for recognition as and manage wetlands of international importance under the Ramsar Convention, ASEAN heritage parks and world biosphere reserves;

n/ To assume the prime responsibility for organizing the negotiation, conclusion and implementation of treaties and participating in international nature and biodiversity conservation organizations; to mobilize international resources, coordinate and implement schemes, projects and tasks on international cooperation in nature and biodiversity conservation as assigned by the Government.

11. Regarding hydrometeorology

a/ To guide, examine and organize the implementation of hydrometeorology policies, laws, strategies, master plans, plans, programs, schemes, projects and tasks after they are decided and approved by competent authorities;

b/ To manage and organize hydrometeorological monitoring, survey and investigation; to monitor the operation of hydrometeorological stations of works subject to monitoring and required to provide hydrometeorological information and data; to build, manage and use the national network of hydrometeorological monitoring stations, and lightning monitoring and positioning stations;

c/ To organize the protection of technical corridors of hydrometeorological works of the national network of hydrometeorological stations;

d/ To manage and issue hydrometeorological forecasts and warnings; to publish hydrometeorological forecast and warning bulletins; to build, manage and use the national hydrometeorological forecast and warning system; to publish official bulletins on natural disaster warning and natural disaster risk levels;

dd/ To manage and organize the archive, exploitation and use of hydrometeorological information and data; to develop and manage the national hydrometeorological database;

e/ 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;

g/ To grant, extend, suspend and revoke licenses for hydrometeorological forecast and warning in accordance with law;

h/ To manage the quality of hydrometeorological measuring instruments in accordance with law;

i/ To manage, guide and organize the implementation of activities in support of hydrometeorology in accordance with law;

k/ To approve and oversee the implementation of weather impact plans under its competence;

l/ To act as the national focal point in participating in the World Meteorological Organization (WMO), the Hurricane Committee and the ASEAN Sub-Committee on Meteorology and Geophysics (SCMG) and at international forums and implementing hydrometeorological treaties as assigned by the Government.

12. Regarding survey, cartography and geographic information

a/ To guide, examine and organize the implementation of policies, laws, strategies, master plans, plans, schemes and national key projects on baseline and specialized survey and mapping after they are decided and 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 system of topographic maps, the system of sea bed topographic maps and the national geographic information database; and to promulgate a list of place-names to be displayed on maps;

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

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

dd/ To appraise the necessity, scope and scientific and technological solutions of survey and mapping-related contents of state budget-funded programs, schemes, projects and tasks, excluding defense and security projects and tasks prescribed by law;

e/ To grant, supplement, extend, re-grant and revoke licenses for survey and mapping operations; to examine licensed organizations and individuals in conducting 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 survey, and draw and update maps and dossiers of, administrative boundaries to serve the demarcation, division, separation, merger and adjustment of administrative boundaries in accordance with law; to appraise the presentation of administrative boundaries on maps of different kinds before publishing;

i/ To conduct survey and draw maps and prepare dossiers to serve the negotiation, planning, demarcation, landmark installation and management of national borderlines on the mainland, at sea, and of the exclusive economic zone and continental shelf of Vietnam; to develop the national border database; to print and distribute maps of different kinds and documents related to national borderlines on the mainland, of maritime zones, islands, exclusive economic zone and continental shelf of Vietnam;

k/ To act as the national focal point in coordinating international cooperation and exchange in survey, cartography and geographic information and participating in international organizations and forums on survey, cartography and geographical information as assigned by the Government.

13. Regarding integrated management of marine and island resources and environmental protection

a/ To guide, examine and organize the implementation of strategies on sustainable exploitation and use of marine and island resources and environment protection; policies and laws on integrated management of marine and island resources after they are decided and 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 plans on the use of the country's sea areas, master plans on sustainable exploitation and use of coastal resources and organize the implementation, examination and supervision of the implementation after they are approved by competent state agencies; to elaborate and submit to the Prime Minister for approval key programs on baseline surveys of marine and island resources and environment, and inter-provincial programs on integrated management of coastal resources, the list of classification of islands and organize the implementation after they are approved in accordance with law;

c/ To assume the prime responsibility for, and coordinate with ministries, sectors and provincial-level People's Committees of coastal localities in, elaborating and submitting to competent authorities for approval, and implementing, programs, plans, schemes, projects and tasks on integrated management of marine and island resources in accordance with law;

d/ To participate in the appraisal of master plans and schemes on the establishment of marine reserves; to participate in the appraisal of projects and works involving the exploitation and use of marine and island resources; to give opinions schemes and projects involving the use of land areas reclaimed from the sea falling under the approving competence of ministries, sectors and coastal localities in accordance with law;

dd/ To monitor and summarize baseline surveys of sea and islands nationwide; to give opinions on ministerial, sectoral and local programs, plans, schemes and projects on marine and island baseline surveys in accordance with law; to assume the prime responsibility for elaborating and implementing key programs, schemes, projects and tasks on baseline surveys of marine resources and environment as assigned by the Government;

e/ To survey, compile statistics on, classify and manage island resources; to manage island resource dossiers; to prescribe in detail island resource dossiers and guide the making and management of island resource dossiers;

g/ To allocate, extend, recover, permit the return of part or the entire of sea areas, modify and supplement decisions on allocation of sea areas according to its competence; to settle petitions and problems in the use of sea areas according to its competence under law; to manage and guide the allocation of sea areas for exploitation and use of marine resources;

h/ To grant, re-grant, extend, modify, supplement, suspend and revoke licenses for foreign organizations and individuals to conduct scientific research within Vietnam's maritime zones in accordance with law; to appraise, monitor and summarize the implementation of ministerial, sectoral and local programs and projects on marine and ocean scientific research in accordance with law;

i/ To grant, re-grant, extend, modify, supplement, permit the return of, and revoke dumping permits within its competence; to supervise dumping activities and handle violations in accordance with law;

k/ To guide and direct provincial-level People's Committees in establishing and protecting coast protection corridors;

l/ To summarize and evaluate Vietnam's marine-related socio-economic potential; to make statistics of, classify and assess the potential of Vietnam's sea areas and islands; to assume the prime responsibility for, and coordinate with ministries and sectors in, assess changes in resources; to analyze, evaluate and forecast domestic and international developments and moves concerning the management, exploitation and use of resources, scientific research and international cooperation on Vietnam's sea areas and islands;

m/ To elaborate master plans and plans on the development, use and management of the system of integrated monitoring and surveillance of marine and island resources and environment; special-use works and equipment for warning of marine environmental incidents, sea and ocean research and survey under its management in accordance with law; to assume the prime responsibility for developing and managing the national system of information and database on marine and island resources and environment;

n/ To monitor marine resources and environment; to investigate, make statistics of, classify and assess waste sources from activities carried out at sea and on islands under its competence; to investigate and assess the environmental load-bearing capacity of sea areas and islands prone to high or very high pollution risk; to announce sea areas and islands that are no longer capable of

receiving wastes; to assess the current state of marine and island environment pollution; to zone off areas prone to marine and island environment pollution risk and draw maps of these areas; to implement measures to prevent, detect, handle and remedy pollution and degradation of marine and island environment and ecosystems; to improve and rehabilitate the polluted and degraded marine and island environment and ecosystems;

o/ 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 sea areas, coastal zones and islands; to supervise and assess risks and remedy and settle consequences of oil and toxic chemical spills at sea;

p/ To guide and provide public information about sea areas and islands in accordance with law.

14. Regarding climate change:

a/ To guide, examine and organize the implementation of climate change policies, laws, strategies, master plans, plans, programs, schemes and projects after they are decided and approved by competent state agencies;

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

c/ To assess national climate; to develop, update and submit climate change scenarios to competent authorities for approval and organize the implementation thereof; to guide, supervise and assess climate change impacts and work out adaptation measures, incorporate results of climate change surveillance in strategies, master plans and plans;

d/ To build and operate the system for measurement, reporting and verification (MRV) of greenhouse gas emission mitigation activities and climate change adaptation activities and contents related to losses and damages within the framework of the Paris Agreement;

dd/ To implement, guide and assess nationally determined contributions (NDCs); to update NDCs to meet the requirements of the Paris Agreement; to elaborate national climate change reports and conduct national periodic greenhouse gas inventory; to propose Vietnam's policies and measures for mitigating greenhouse gas emissions suitable to socio-economic development in each period;

To guide and organize the implementation of measures to manage carbon credit trading activities in accordance with law and treaties to which Vietnam is a contracting party, to grant certificates for investment projects implemented by businesses of different economic sectors under the clean development mechanism or other international mechanisms on greenhouse gas mitigation;

e/ To manage, build and update the national database on climate change; to guide the use of information on climate change;

g/ To assume the prime responsibility for negotiating, concluding and implementing treaties and joining 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;

h/ To elaborate and organize, manage and supervise the implementation of Vietnam's Support Program to Respond to Climate Change (SP-RCC); to build priority criteria, review and make the list of climate change priority projects; to give opinions on ministerial, sectoral and local programs, schemes, projects and tasks related to climate change;

i/ To act as the national focal point in implementing the United Nations Framework Convention on Climate Change, the Kyoto Protocol, the Paris Agreement, the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances that Deplete the Ozone Layer and other treaties concerning climate change and the protection of the ozone layer; the competent national authority of the clean development mechanism (CDM), the specialized agency of the Climate Technology Center and Network (CTCN); the national focal point in nationally appropriate mitigation action (NAMA) and the Adaptation Fund;

k/ 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;

l/ To assist the National Climate Change Committee in urging and summarizing results of the implementation of ministerial, sectoral and local strategies, master plans, plans, programs, schemes, projects and other tasks related to climate change and green growth.

15. Regarding remote sensing:

a/ To guide, examine and organize the implementation of remote sensing strategies, master plans, plans, schemes and projects after they are approved by competent authorities;

b/ To guide and organize the application of remote sensing in the monitoring and surveillance of natural resources, the environment, natural disasters, climate change and in other sectors to serve state management, socio-economic development and security and national defense in accordance with law;

c/ To elaborate and make public periodic and irregular reports on monitoring and surveillance of mining and use of natural resources, environmental pollution and climate change by using remote sensing;

d/ To build, manage and operate remote sensing receiving stations, remote sensing data archive and processing systems, remote sensing database and data transmitting network; to guide the protection of technical safety corridors of remote sensing image receiving stations;

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

e/ To guide, examine and develop, update, and manage the receipt and provision of remote sensing data; to operate the national remote sensing database; to summarize and publicize national remote sensing mega data;

g/ To appraise the contents of remote sensing infrastructure, receiving national remote sensing data, the application and development of remote sensing technology in ministerial, sectoral and local programs, schemes and projects in accordance with law;

h/ To guide and examine remote sensing activities in accordance with law;

i/ To act as the national focal point in international organizations and forums on remote sensing.

16. To organize the compilation of statistics, inventory and archive of materials and data on the fields under the Ministry's management in accordance with law.
17. To direct and organize research, application and development of scientific and technological advances in the fields under its management; to organize the editing and publishing of publications on natural resources and environment in accordance with law.
18. To undertake international cooperation in the fields under its state management in accordance with law; to organize the negotiation and conclusion of treaties as authorized by competent state agencies; to sign international agreements in its own capacity; and to join international organizations as assigned by the Government.
19. To manage and organize the application of information technology in natural resources and environment; to provide online public services under its state management; to develop, manage, operate and ensure security and safety for natural resources and environment information and database system; to publicize and provide natural resources and environment data and information in accordance with law.
20. To organize and direct the implementation of the Ministry's administrative reform program in line with the objectives and contents of the state administrative reform program after it is approved by the Prime Minister.
21. 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 the Ministry's management.
22. To manage associations and non-governmental organizations operating in the fields under its state management in accordance with law.
23. To represent the owner of state capital in enterprises under its management in accordance with law.
24. To manage its organizational apparatus, state payroll and the number of public employees, working positions and structure of ranks and structure of public employees based on their professional titles; to decide on the rotation, transfer, appointment, relief of duty, resignation, secondment, commendation, disciplining, job discontinuation, retirement, salary regimes and policies to well treat cadres, civil servants, public employees and laborers under its management; to organize training and retraining for cadres, civil servants, public employees and laborers in the fields and sectors under the Ministry's management.
25. To conduct examinations and inspections; to settle complaints, denunciations and petitions of organizations and citizens; to prevent and combat corruption, negative practices and handle violations of law in the fields under its state management;
26. To manage its assigned finance and assets and manage and organize the use of allocated state budget funds in accordance with law.
27. To perform other tasks and exercise other powers as assigned by the Government and Prime Minister or as prescribed by law.

Article 3. Organizational structure

1. The Department of International Cooperation.

2. The Department of Planning-Finance.
3. The Department of Science and Technology.
4. The Department of Legal Affairs
5. The Department of Emulation, Commendation and Public Information.
6. The Department of Organization and Personnel.
7. The Inspectorate.
8. The Office.
9. The Vietnam Administration of Sea and Islands.
10. The Vietnam General Department of Geology and Minerals.
11. The General Department for Land Administration.
12. The Vietnam Environment Administration.
13. The Department of Hydrometeorology.
14. The Department of Information Technology and Natural Resources and Environment Data.
15. The Department of Survey, Cartography and Geographic Information of Vietnam.
16. The Department of Climate Change.
17. The Department of Water Resources Management.
18. The Department of National Remote Sensing.
19. The Institute for Natural Resources and Environment Strategies and Policies.
20. The Natural Resources and Environment newspaper.
21. The Natural Resources and Environment journal.
22. The Center for Water Resources Survey and Planning.
23. The Training and Re-training School for Natural Resources and Environment Cadres.

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

The Minister of Natural Resources and Environment shall propose the Prime Minister to define the functions, tasks, powers and organizational structures of the Vietnam Administration of Sea and Islands, the Vietnam General Department of Geology and Minerals, the General Department for Land Administration, the Vietnam Environment Administration and the Department of Hydrometeorology; and to promulgate a list of other non-business units of the Ministry.

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 9 thru 13 of this Article.

The Department of Planning-Finance may organize 4 divisions; the Department of Legal Affairs, 3; the Department of Organization and Personnel, 3; the Inspectorate, 7; and the Office, 8.

The Department of Information Technology and Natural Resources and Environment Data may organize 6 divisions and 1 sub-department; the Department of Survey, Cartography and Geographic Information of Vietnam, 7 divisions and 1 sub-department; the Department of Climate Change, 7 divisions; the Department of Water Resources Management, 9 divisions and 3 sub-departments; the Department of National Remote Sensing, 6 divisions.

Article 4. Effect

1. This Decree takes effect on the date of its signing.
2. This Decree replaces the Government's 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; and annuls all previous regulations which are contrary to this Decree.

Article 5. Transitional provisions

The National Hydrometeorology Center, the Vietnam Administration of Sea and Islands, the Vietnam General Department of Geology and Minerals, the Vietnam Environment Administration, and the General Department for Land Administration shall continue performing the functions, tasks and powers defined in current regulations until the Prime Minister decides on their new functions, tasks, powers and organizational structure.

Article 6. Implementation responsibility

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 Xuan Phuc