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THE SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

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DECREE

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

Pursuant to the Law on Government Organization dated June 19, 2015; Law dated November 22, 2019 on Amendments to some Articles of the Law on Government Organization and Law on Local Government Organization;

Pursuant to the Government's Decree No. 123/2016/ND-CP dated September 01, 2016 defining functions, tasks, powers and organizational structures of Ministries and ministerial agencies; Government's Decree No. 101/2020/ND-CP dated August 28, 2020 on amendments to some Articles of the Government's Decree No. 123/2016/ND-CP dated September 01, 2016 defining functions, tasks, powers and organizational structures of Ministries and ministerial agencies;

At the request of the Minister of Natural Resources and Environment;

The Government hereby promulgates a Decree defining 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 which exercises the function of state management of land; water resources; minerals and geology; environment; hydrometeorology; climate change; survey and cartography; integrated resource management and protection of 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 exercise its tasks and powers defined in the Government's Decree No. 123/2016/ND-CP dated September 01, 2016 defining functions, tasks, powers and organizational structures of Ministries and ministerial agencies and Government's Decree No. 101/2020/ND-CP dated August 28, 2020 on amendments to some Articles of the Government's Decree No. 123/2016/ND-CP

dated September 01, 2016 defining functions, tasks, powers and organizational structures of Ministries and ministerial agencies, and the following specific tasks and powers:

1. Submit to the Government bills and draft resolutions of the National Assembly; ordinance projects and draft resolutions of the Standing Committee of the National Assembly; draft decrees of the Government under the Ministry's approved annual law-making programs and plans, and resolutions, mechanisms, policies, projects, schemes and legislative documents under the Ministry's state management as assigned by the Government or Prime Minister.
2. Submit to the Government and Prime Minister for approval, and organize the implementation of, strategies, planning and long-term, medium-term and annual development plans and important national programs, projects and works in the industries under its management.
3. Submit to the Prime Minister draft decisions, directives and other documents to be promulgated by the Prime Minister.
4. Approve strategies, planning and programs for development of industries under its state management and investment projects as decentralized and authorized by the Government or Prime Minister.
5. Promulgate circulars, decisions, directives and other documents on the state management in the industries under its management; direct, provide guidance on, organize, inspect and assess the implementation of strategies, policies, planning, plans, programs, schemes, projects, tasks, legislative documents under its management after their approval and promulgation; publicize and provide education about the law on natural resources and environment; develop national standards; formulate and promulgate national indicators, national technical regulations, national technical regulations, technical regulations, statistical indicators and econo-technical norms in the industries under its state management.
6. Regarding land:
 - a) Be responsible to the Government for land management nationwide as prescribed by law;
 - b) Provide guidance on and inspect the survey and measurement and making of cadastral maps, current land use maps and land use planning maps; formulation, modification and implementation of land use planning and plans; land allocation, lease, appropriation and repurposing; registration of land use rights and ownership of houses and other land-attached assets; compilation and management of cadastral dossiers; issuance of certificates of land use rights and ownership of house and land-attached assets; and land users' exercise of rights and obligations in accordance with law;

c) Preside over formulating, adjusting and publicizing national land use plans and planning; request the Prime Minister to allocate national land use quotas after the National Assembly makes its decision; request the Prime Minister to establish a council for appraisal of national land use planning and planning for use of land for national defense and security purpose; appraise provincial land use plans and plans for use of land for national defense and security purpose;

d) Appraise the repurposing of paddy land, protection and special-use forest land in accordance with regulations of law on land;

dd) Provide guidance on allocation of land for real estate market development under land use planning and plans;

e) Preside over and cooperate with related ministries in formulating and submitting principles and methods of land pricing to the Government or competent agencies for promulgation; provide guidance on formulation and modification land price tables and determination of specific land prices in accordance with the land law; make land price maps;

g) Provide guidance on and inspect land appropriation, land development and land management; auction of land use rights and management of land use in auctions for land-occupying projects in accordance with law;

h) Provide guidance on, inspect and organize the implementation of regulations of law on compensation, assistance and relocation upon land appropriation by the State; provide instructions for identifying land users eligible or ineligible for compensation and assistance; appraise the policy framework for compensation, assistance and relocation upon land appropriation by the State for investment projects whose investment guidelines are decided by the National Assembly or approved by the Prime Minister requiring relocation of the whole community, affecting all the livelihood, socio-economic activities, and cultural traditions of the community, land expropriation projects involving multiple provinces and central-affiliated cities;

i) Issue and manage the use of templates for the certificate of land use rights and ownership of house and land-attached assets;

k) Formulate regular, thematic or irregular land statistics and inventory plans and submit them to competent authorities for approval and organize the implementation thereof after approval; provide guidance on and inspect the production of land statistics and land inventory in localities;

l) Formulate a master plan and organize the periodic and thematic land survey and assessment on a regional and national basis; publish survey and assessment results; build and uniformly manage land resource monitoring and surveillance system nationwide; provide guidance on and inspect the land survey and assessment by provinces;

m) Build a system for monitoring and assessment of land management and use; manage and operate the system for monitoring and assessment of land management and use at central level; provide guidance on and inspect the management and operation of the system for monitoring and assessment of land management and use at local level.

7. Regarding water resources:

a) Perform state management of water resources and manage river basins nationwide to ensure water security;

b) Formulate and adjust comprehensive planning for baseline survey of water resources, water resource planning, water resource planning for inter-provincial river basins and inter-provincial water sources and submit them to the Prime Minister for approval and organize the implementation thereof after approval; organize the regulation and distribution of water resources on inter-provincial river basins; give written opinions on the exploitation, use and protection of water resources in the regional, provincial and central-affiliated city planning; approve the issues concerning the extraction and use of water for the irrigation and water supply planning and technical and specialized planning involving the extraction and use of water resources which are formulated by Ministries and ministerial agencies and activities related to the extraction, use and protection of water resources within its power; appraise projects on water transfer between river basins;

c) Classify inter-provincial water sources by degree of pollution and depletion; formulate plans for regulation and distribution of water resources to restore inter-provincial polluted, deteriorated or depleted water sources and organize the implementation thereof after their approval by competent authorities; provide guidance on and inspect the implementation of plans for regulation and distribution of water resources and plans for prevention and control of water source deterioration and depletion during construction, production, business operation and service provision in accordance with regulations of law;

d) Make a list of inter-provincial river basins and submit it to the Prime Minister for promulgation; make and promulgate a list of intra-provincial river basins and lists of inter-provincial and transnational water sources; lists of lagoons, ponds and lakes that must not be leveled in two or more provinces or central-affiliated cities; organize the implementation of measures to prevent and control erosion occurring on river beds, banks and terraces and within safety perimeter of water resources with respect to inter-provincial rivers; organize the investigation, assessment and monitoring of flow, river bed, bank and terrace sedimentation and erosion changes on inter-provincial rivers; organize researches to determine river bed changes and laws of nature that affect river bed, bank and terrace stability;

dd) Provide directions and guidelines for delineating areas where groundwater extraction is restricted; comment on lists and maps of areas where groundwater extraction is restricted, plans for imposing restriction upon groundwater extraction, areas where

groundwater extraction is registered, areas where groundwater needs to be artificially recharged, minimum flow and groundwater exploitation limits in accordance with law; provide guidance on observance of regulations on formation and management of safety perimeter of water resources in accordance with law; provide guidance on determination and announcement of domestic water safeguard zones in accordance with law;

e) Develop water conservation models; publicize information about water-saving models, technologies and equipment; provide guidelines for implementation of regulations on incentives for water conservation activities;

g) Formulate and adjust procedures for operation of inter-reservoirs on river basins according to the list of reservoirs for which inter-reservoir operation procedures are required and submit them to the Prime Minister for promulgation, and provide guidelines for and inspect the implementation of such procedures after they are promulgated; provide guidelines for implementation of regulations on monitoring and surveillance of exploitation and use of water resources on river basins; appraise reservoir construction projects to consider whether they satisfy the requirements for integrated and multi-objective protection, exploitation and use of water resources and conform to water resource planning and comprehensive planning for inter-provincial river basins and watercourses;

h) Provide guidelines for, inspect the implementation of and implement measures to maintain minimum flows of rivers and lower courses of reservoirs and spillways to facilitate integrated and efficient extraction and use of water sources on river basins; compliance with standards and technical regulations on safety, prevention and control of land subsidence in the course of water exploration and extraction in accordance with law; direct the implementation of measures to restrict land subsidence (excluding irrigation works, dikes and works serving natural disaster management) in the course of water exploration and extraction in accordance with law;

i) Conduct baseline surveys of national water resources; consolidate results of baseline surveys of water resources and water resource exploitation, use and protection by ministries and local authorities; conduct water resource inventory, assessment and forecasts; develop and manage a system for surveillance and monitoring of water resources, and extraction and use of water with regard to inter-provincial river basins and inter-provincial and transnational water sources; declare the state of water scarcity and shortage on river basins and measures to regulate, distribute and economically use water; make a national water resource report;

k) Provide guidance on, inspect and organize the issuance, extension, adjustment, invalidation, revocation and re-issuance of licenses to explore, extract and use water resources and practice groundwater drilling; approve the transfer of the water resource exploitation right in accordance with law;

l) Settle issues and disputes arising from the exploitation and use of water resources or discharge of wastewater into water falling under its licensing competence and other water resource-related issues among provinces and central-affiliated cities;

m) Act as a national conduit to exchange information relating to transnational water sources and participate in international river basin organizations and river basin forums; provide guidelines for and inspect the implementation of international conventions, treaties and agreements on water resources to which the Socialist Republic of Vietnam is a signatory;

n) Monitor, supervise and review developments of transnational water sources and promptly report to and request the Government or the Prime Minister to handle issues so as to ensure Vietnam's rights and interests;

o) Act as a standing body of the Vietnam Mekong River Commission, the National Council of Water Resources and other river basin committees.

p) Provide guidance on, inspect and organize the implementation of policies and laws on methods for calculation and amount of fee for grant of water resource extraction right; decide to approve, adjust and notify the collection and refund of the fee for grant of water resource extraction right in the case of extraction and use of water resources within its power.

8. Regarding geology and minerals:

a) Formulate and organize the implementation of geology and minerals-related strategies; direct and organize researches into and baseline survey of geology, minerals, engineering geology - hydrogeology, geological hazards, geoheritages and geoparks; carry out geological hazard monitoring and mineral exploration nationwide; give written opinions on planning for exploration, mining, processing and use of minerals formulated by ministries and local authorities; provide guidance on preparation of applications for recognition, appraisal thereof and recognition of the Geoheritage or National Geopark title;

b) Delineate and announce scattered and small mineral areas, areas with hazardous minerals and radioactive substances, geoheritages, geoparks; to delineate and request competent authorities to approve national mineral reserves and areas not subject to mining rights auction; review delineation of areas not subject to mining rights auction and areas banned or temporarily banned from mineral activities by local authorities; inspect and review documents and applications for approval of areas banned or temporarily banned from mineral activities established by provincial People's Committees;

c) Preside over and cooperate with related ministries and central authorities and People's Committee of provinces where works are located in deciding whether to mine minerals in areas where there are projects and works of national significance within the National

Assembly's power to decide investment guidelines or projects and works of national significance within the Government's or Prime Minister's power to decide investment guidelines for which mineral survey and assessment have been conducted or mineral survey and assessment have not yet been conducted but minerals have been discovered;

d) Appraise schemes, projects and tasks related to baseline survey of geology, minerals, engineering geology - hydrogeology, geological hazards, geoheritage and geoparks; carry out geological hazard monitoring and mineral exploration as prescribed by law; appraise reports on mineral exploration and mineral exploration for reserve upgrade; manage reserves and certify reserves intended for mining projects in accordance with law; provide guidance on handling of affairs relating to the assessment of national mineral reserves;

dd) Register baseline survey of geology, minerals, engineering geology - hydrogeology, geological hazards, geoheritages and geoparks; carry out geological hazard monitoring and mineral exploration; consolidate results of baseline survey of geology and minerals; make statistics on and inventory of geological resources and mineral reserves;

e) Conduct mining right auctions within its power; determine the fee for grant of mining rights within the licensing competence of the Ministry of Natural Resources and Environment; determine the reimbursement for the use of geological data and information, quantification and accounting of the value of geological resources and minerals in accordance with law;

g) Issue, extend, adjust, revoke, approve the return of mineral exploration licenses and mining licenses; permit the transfer of the mineral exploration right and mining right; approve the partial return of mineral exploration and mining areas; approve mine closure schemes and decisions in accordance with law;

h) Inspect the compliance with mineral exploration licenses and mining licenses granted by the Ministry of Natural Resources and Environment; control mineral activities and geological baseline survey of geology and minerals nationwide; monitor the observance of sustainable development policies on baseline surveys of geology, minerals and mineral activities and policies on assurance of interests of local authorities and people in areas where mining activities are carried out; carry out inspection and supervision during construction regarding mineral exploration schemes approved by the Minister of Natural Resources and Environment; inspect the determination of the fee for grant of rights to exploit geological resources and mining rights and mining rights auctions in localities:

i) Act as a national conduit 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 in the coordination and implementation of activities related to the development and management of the UNESCO Global Geoparks Network.

9. Regarding the environment:

- a) Provide guidance on including environmental protection contents in provincial planning; develop and include environmental protection contents in regional planning; organize the formulation, submission, announcement and implementation of national environmental protection planning in accordance with law;
- b) Provide guidance on appraisal and approval of results of appraisal of environmental impact assessment reports, plans for environmental improvement and remediation during in mineral mining; develop technical guidelines for carrying out strategic environmental assessment and environmental impact assessment; comment on strategic environmental assessment contents; organize the appraisal and approval of results of appraisal of environmental impact assessment reports and plans for environmental improvement and remediation during mineral mining in accordance with law;
- c) Direct, provide guidance on, inspect and organize the control of pollution sources at businesses, dedicated areas for production, business operation and service provision and industrial clusters in accordance with regulations of law;
- d) Perform state management of hazardous waste under regulations of law; direct, provide guidance on and inspect the management of normal industrial solid waste, domestic waste and hazardous waste, and waste recycling, collection and treatment by producers and importers as prescribed by law; provide instructions to and carry out inspection at establishments using scrap imported as raw materials for production as prescribed by law;
- dd) Provide technical guidance on waste-related emergency prevention and response;
- e) Direct, provide guidance on, inspect and organize: environmental quality management, environmental improvement and remediation, environmental protection during management of persistent pollutants and raw materials, fuels, materials, products, goods and equipment containing persistent pollutants; rural environmental protection contents and criteria as prescribed by law; formulate and submit to competent authorities for approval national plans for air environment quality management, surface water quality management, treatment, improvement and remediation in areas where particularly serious soil pollution occurs; assess environmental quality, carrying capacity of surface water with regard to inter-provincial rivers and lakes in accordance with law;
- g) Provide guidance, inspect and organize environmental monitoring, information and warning about environmental pollution nationwide in accordance with law, including: organizing the establishment and management of the national environmental monitoring network; approve and organize the execution of the national environmental monitoring program; quality management, inspection, calibration and testing of environmental monitoring equipment according to the provisions of law; manage environmental monitoring data, transmission, receipt and publishing of environmental monitoring results as prescribed by law; publicizing the national environmental monitoring results; provide professional guidance and technical support for environmental monitoring data management;

h) Provide guidance on and organize the preparation and publishing of state of environment reports and thematic reports on national environment; provide guidance on and organize the preparation of environmental protection reports;

i) Provide guidance on production of environmental statistics;

k) Provide guidance on and organize the issuance, renewal, adjustment, re-issuance and revocation of environmental licenses; issuance, renewal and re-issuance of environmental certificates as prescribed by law; provide guidance on receipt of environmental registration under regulations of law;

l) Instruct ministries and local authorities in environmental protection; consolidate requests for allocation of state budget for environmental protection activities by ministries, central agencies and provincial People's Committees and provide guidance on the implementation of regulations of law on state budget; provide guidance on production of statistics on, monitoring and publishing of expenditures on environmental protection;

m) Propose policies on taxes, environmental protection fees, issuance of green bonds and other economic instruments to mobilize and use resources for environmental protection in accordance with regulations of law;

n) Organize management of Vietnam Environment Protection Fund; act as a national conduit: the Global Environment Fund; implementation of the Stockholm Convention on Persistent Organic Pollutants, Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their disposal; other treaties and agreements on the environment as assigned by the Government.

10. Regarding nature and biodiversity conservation:

a) Organize the formulation, submission for approval, announcement, organization and assessment of implementation of the national biodiversity conservation planning in accordance with law;

b) Perform uniform state management of conservation and sustainable use of important wetlands, nationwide management and environmental protection of natural heritage sites in accordance with law; organize an cross-sectoral council for appraisal of projects to establish protected area located in two or more provinces or central-affiliated cities; preside over and cooperate with People's Committees of provinces and central-affiliated cities concerned in setting up projects and organizing management after national wildlife sanctuaries or natural heritage sites are approved by competent authorities as assigned by the Government; direct and provide guidance on the establishment and management of biodiversity corridors, provincial natural heritage sites, high biodiversity areas and important ecological landscapes in accordance with law;

c) Provide guidance on and inspect the management of biodiversity conservation facilities and conservation of species on the list of endangered, precious and rare species

whose protection is prioritized exclusive of plant varieties and livestock breeds as prescribed by law;

d) Provide guidance on and inspect long-term preservation of genetic resources and genetic specimens of species whose protection is prioritized; provide guidance on management and supervision of access to genetic resources and traditional knowledge associated with genetic resources, use of shared benefits arising from access to genetic resources under state management, traditional knowledge of genetic resources; make a list of genetically modified organisms granted biosafety certificates;

dd) Compile and submit to competent authorities for promulgation or promulgate within its power a list of endangered, precious and rare species whose protection is prioritized, excluding endangered, precious and rare plant varieties and livestock breeds whose protection is prioritized; organize the compilation of the Vietnam's Red Data Book; provide guidelines for conserving biodiversity in areas which are yet to satisfy conditions for establishment of protected areas; make a list of invasive alien species; provide guidelines for and assess effects of alien species on the environment and biodiversity;

e) Provide guidance on, design and execute programs on baseline survey, monitoring, production of statistics and inventory of biodiversity; direct the creation and uniform management of monitoring data on biodiversity; preside over the preparation and publishing of national biodiversity reports; instruct ministries and local authorities to conduct biodiversity surveys and make biodiversity reports;

g) Provide guidelines, inspect and organize the registration, recognition, issuance and revocation of biodiversity licenses and certificates within its power as prescribed by law;

h) Provide guidelines for making payments for environmental services related to biodiversity and ecosystem services exclusive of payments for forest environment services;

i) Act as a national conduit to implement treaties on nature and biodiversity conservation as assigned by the Government; provide directions and guidelines for preparation of applications for recognition and management of wetlands of international importance under the Ramsar Convention, ASEAN Heritage Parks, world biosphere reserves and other natural heritage sites recognized by international organizations under regulations of law.

11. Regarding hydrometeorology:

a) Manage and organize hydrometeorological monitoring and survey activities; manage and provide guidelines for hydro-meteorological monitoring activities by works and other specialized hydro-meteorological activities under regulations of law; build, manage and exploit the network of national hydro-meteorological monitoring stations, lightning monitoring and detection stations and climate change monitoring stations;

- b) Organize the protection of hydro-meteorological works belonging to the network of national hydro-meteorological stations;
- c) Manage and carry out hydro-meteorological forecasting and warning; broadcast hydro-meteorological forecasts and warnings; issue disaster forecasts and warnings, and broadcast disaster news and level of disaster risks; build, manage and exploit the national hydrometeorological forecasting and warning system; develop a set of national climate standards; promulgate, provide and broadcast official information on disaster forecasts and warnings and disaster risk levels as prescribed;
- d) Organize the collection and processing of information, identify and assess disaster risks, disaster risk zoning, disaster monitoring and surveillance;
- dd) Receive ministries, local authorities, organizations and individuals' feedback on the news broadcasting, quality and reliability of hydro-meteorology and disaster forecasts and warnings, the use of disaster risk levels in disaster management and socio-economic development; annually monitor, evaluate and review the state management of hydrometeorology nationwide according to regulations;
- e) Organize the appraisal of tsunami warning scenarios for Vietnam under regulations of law;
- g) Appraise hydrometeorology-related issues included planning and design of national key construction works and projects and in planning and design of construction works and projects according to regulations of law;
- h) Issue, extend, suspend and revoke hydro-meteorological forecasting and warning licenses according to regulations of law;
- i) Manage quality of hydrometeorological instruments according to regulations of law;
- k) Manage, provide guidance on and organize the provision of hydrometeorological services according to regulations of law;
- l) Approve and monitor the implementation of weather impact plans within its power;
- m) Act as a national conduit to participate in the World Meteorological Organization (WMO), the Hurricane Committee and the ASEAN Sub-Committee on Meteorology and Geophysics (ASCMG); act as a national conduit to participate in international forums and implement hydrometeorological treaties as assigned by the Government.

12. Regarding survey, mapping and geographic information:

- a) Build, update, manage, operate and use the national geological spatial data infrastructure as prescribed by law, the national baseline data system, the national survey network data system, the baseline survey infrastructure and the Vietnam Geospatial

Portal; build, operate and update the national fundamental geographic database, and establish and update the system of national topographic maps; promulgate a list of place names to be displayed on maps; provide topographic and cartographic products;

b) Provide guidance on, inspect and organize the inspection, calibration and testing of measuring instruments used for survey and mapping in accordance with regulations of law on metrology and quality of products and goods;

c) Appraise the necessity, scope and technical solutions of survey and mapping-related contents under state-funded programs, schemes, projects and tasks whose implementation is organized by Ministries, ministerial agencies and Governmental agencies, appraise baseline survey and mapping projects and tasks whose implementation is organized by provincial People's Committees;

d) Issue, extend, supplement, re-issue, renew and revoke survey and mapping licenses; issue, extend, re-issue, renew and revoke survey and mapping practicing certificates; inspect the implementation of the survey and mapping activities by licensed organizations and individuals; inspect the publication and release of maps; suspend the issuance and direct the recall of cartographic publications in contravention of regulations of law; issue, revoke and invalidate the Certificate of Free Sale (CFS) of imports and imported and exported survey and mapping goods and products;

dd) Design, update, publish and release mapping products in accordance with regulations of law;

e) Organize survey, correction and supplementation of maps of administrative boundaries to serve the establishment, dissolution, merging, full division and adjustment of administrative boundaries at provincial level, settlement of disputes related to administrative boundaries at provincial level in accordance regulations of law;

g) Organize survey, establish topographical maps for planning, demarcation and marking of national boundaries and in service of national border management; survey, establish and update the set of standard maps of national boundaries; provide guidelines for marking national boundary lines and territorial sovereignty on topographic and cartographic products and map publications;

h) Act as a national conduit to coordinate international cooperation in survey, mapping and geographic information; participate in international organizations and forums on survey, mapping and geographical information as assigned by the Government.

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

a) Formulate and submit to competent authorities for approval or adjustment, and provide guidelines for implementation of national marine spatial planning, comprehensive planning for sustainable exploitation and use of coastal resources and organize the

implementation, inspection and supervision of the implementation thereof after they are approved by competent authorities; formulate and submit to the Prime Minister for approval key programs for baseline survey of marine and island resources and environment, inter-provincial programs for integrated coastal resources management and classification of islands and organize the implementation thereof after they are approved in accordance with law; request the Prime Minister to establish a national marine spatial planning appraisal council; manage land reclamation activities as prescribed by law;

b) Supervise and review baseline survey of sea and islands nationwide; preside over formulating and organizing the implementation of programs, schemes, projects and tasks of baseline survey of key marine resources and environment as assigned by the Government;

c) Carry out survey of, produce statistics on, classify and manage island resources; manage island resource documentation; elaborate on island resource documentation and provide guidelines for preparing and managing island resource documentation;

d) Assign, recognize, extend, expropriate and permit partial or total return of sea areas, amend decisions on sea area assignment; handle recommendations and issues about the use of sea areas under its assignment authority in accordance with regulations of law; manage and provide guidelines for assigning sea areas for exploitation and use of marine resources; consider, under its authority, granting written approval for locations, boundaries, size, coordinates, depth and duration of sea areas so as for Vietnamese organizations and individuals to carry out scientific research activities; measurement, monitoring, investigation, survey and assessment of marine resources;

dd) Issue, re-issue, extend, amend, supplement, suspend and revoke scientific research permits issued to foreign organizations and individuals conducting scientific research in Vietnamese territorial waters in accordance with regulations of law; monitor and review the implementation of marine and ocean scientific research programs and projects by ministries and local authorities in accordance with regulations of law;

e) Issue, re-issue, extend, modify, supplement, permit return of and revoke ocean dumping permits within its power; supervise ocean dumping activities and impose penalties for violations in accordance with regulations of law;

g) Instruct and direct provincial People's Committees to establish and protect coastal setbacks;

k) Exploit and evaluate Vietnam's marine-related socio-economic potentials; produce statistics on, classify and evaluate potentials of Vietnam's territorial waters and islands; preside over and cooperate with ministries and central authorities in evaluating changes in resources; analyze, evaluate and forecast domestic and international developments and moves concerning the management, exploitation and use of resources, scientific research and international cooperation in Vietnam's seas and islands;

i) Establish, manage and organize the exploitation and use of a system for integrated monitoring and surveillance of marine and island resources and environment; formulate and organize the implementation of programs and plans for investment in, exploitation, use and management of specialized facilities in service of maritime environmental emergencies warning, marine and ocean research and survey within the scope of management as prescribed by law;

k) Organize the monitoring of marine resources and environment; investigate, produce statistics on, classify and evaluate waste sources from activities at sea and on islands within its power; investigate and evaluate environmental carrying capacity of sea areas and islands in zones at high or very high risk of pollution; announce sea areas and islands that are no longer capable of receiving waste; assess sea and island environment pollution; carry out sea and island environment pollution risk zoning and sea and island environment pollution risk zones mapping; organize the implementation of measures to prevent, detect and remediate pollution and degradation of the environment and marine and island ecosystems; improve and restore the environment and marine and island ecosystems that are polluted and degraded;

l) Preside over and cooperate with ministries and local authorities in inspecting and supervising the exploitation and use of natural resources and protection of the environment in sea areas, coastal areas and islands; carry out monitoring, assess risks and remedy consequences of oil and toxic chemical spills at sea; manage ocean plastic waste in accordance with regulations of law;

m) Provide guidance on and organize the publication of information about seas and islands according to regulations of law;

n) Perform the tasks of the standing body of the National Steering Committee on Implementation of the Strategy for Sustainable Development of Vietnam's Marine Economy by 2030, with a vision to 2045; coordinate and organize the implementation of the Strategy for Sustainable Development of Vietnam's Marine Economy by 2030, with a vision to 2045.

14. Regarding climate change:

a) 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 protecting national interests; 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;

b) Assess national climate; develop, update and publicize climate change scenarios and organize the implementation thereof; provide guidelines for, supervise and assess climate change impacts; provide guidelines for incorporating climate change contents into strategies, planning and plans;

c) Organize monitoring of greenhouse gas emission and greenhouse gas mitigation; operate the system for measurement, reporting and verification (MRV) of greenhouse gas mitigation and system for monitoring and evaluation of climate change adaptation;

d) Formulate, update, implement, manage and monitor nationally determined contributions; prepare national climate change and ozone layer protection reports under regulations of law and treaties to which the Socialist Republic of Vietnam is signatory; organize the national GHG inventory and implementation of national climate change adaptation plan;

dd) Formulate and organize the implementation of domestic and international carbon credit exchange and offsetting mechanisms; organize operation of domestic carbon market and participate in international carbon market; manage and organize the allocation of greenhouse gas emission quotas; organize the assessment and decide to approve carbon credit exchange and offsetting programs and projects within the United Nations Framework Convention on Climate Change, treaties and international agreements to which the Socialist Republic of Vietnam is a signatory;

e) Preside over negotiating, signing and implementing treaties and participate in international climate change organizations; mobilize international resources, organize the coordination and implementation of projects and tasks in international cooperation in climate change within its power;

g) Establish priority criteria, review and make a list of projects to give priority to climate change adaptation; comment on ministries and local authorities' programs, schemes, projects and tasks related to climate change;

h) Act as a conduit to implement international agreements on climate change and ozone layer protection under treaties to which the Socialist Republic of Vietnam is signatory; a national conduit for the Climate Change Adaptation Fund; a national conduit to implement the United Nations Framework Convention on Climate Change, the Kyoto Protocol, the Intergovernmental Panel on Climate Change (IPCC); a national competent agency to implement mechanisms under the Paris Agreement on climate change; a national specialize agency of the Climate Technology Center and Network; a national conduit for greenhouse gas mitigation actions t in conformity with national conditions;

i) Organize, inspect and provide guidelines for management, sale and elimination of ozone-depleting substances and greenhouse gas in accordance with the Montreal Protocol on Substances that Deplete the Ozone Layer;

k) Assist the National Climate Change Committee in expediting and consolidating results of implementation of strategies, planning, plans, programs, schemes, projects and tasks related to climate change and green growth by ministries and local authorities.

15. Regarding remote sensing:

a) Provide guidelines for and organize the application of remote sensing to monitoring and surveillance of natural resources, environment, natural disasters, climate change and other fields in service of state management and socio-economic development and security - national defense according to regulations of law;

b) Prepare and publish periodic and ad hoc monitoring and surveillance reports on exploitation and use of natural resources, environmental pollution and climate change using remote sensing technology;

c) Build, manage and operate remote sensing image receiving infrastructure under the Ministry's management; build and update national remote sensing image database; aggregate and publicize remote sensing metadata of the national remote sensing image database; manage remote sensing product quality;

d) Determine demands for use of remote sensing images among ministries, ministerial agencies, Governmental agencies, provincial People's Committees and according to assigned occasional tasks to develop a plan to receive remote sensing images;

dd) Appraise the contents related to remote sensing image receiving system; the receipt, storage, processing, provision, exploitation and use of remote sensing images; the application and development of remote sensing technology with regard to ministries and local authorities' programs, schemes and projects;

e) Provide guidance on and inspect the remote sensing by organizations and individuals according to regulations of law;

g) Act as a national conduit to participate in international remote sensing organizations and forums.

16. Collect, receive, aggregate, processing, build, manage, preserve, store, update, operate, exploit and use information systems and national databases in natural resources and environment fields; publicize, publish, provide information and data on natural resources and environment; provide guidelines for and inspect the collection, management, provision, exploitation and use of information and data on natural resources and environment in accordance with regulations of law.

17. Organize the production of statistics on, inventory and archiving of materials and data on the fields under the Ministry's management in accordance regulations of law.

18. Direct and organize research into and application of scientific and technological advances; develop science and technology, encourage innovation and technology transfer; manage measurement and quality of products and goods in the fields under the Ministry's management in accordance with regulations of law.

19. Promote international cooperation in the fields under its state management in accordance with regulations of law; organize the conclusion of treaties as authorized by

competent agencies; sign international agreements in its own capacity; join international organizations as assigned by the Government.

20. Manage and organize the application of information technology; carry out digital transformation, build information systems and large databases in the field of natural resources and environment; apply digital technology solutions to monitoring, supervision, management and handling of natural resources and environment-related emergencies and early warning of natural disasters; develop e-Government towards digital government, digital economy, digital society in natural resources and environment; build, manage, operate and ensure information security of digital infrastructure, digital platform, data platform, digital services with regard to natural resources and environment; integrate, connect, analyze, process, publish, provide and share information and data on natural resources and environment according to regulations.

21. Organize and direct the implementation of the Ministry's administrative reform program according to the objectives and contents of the state administrative reform program and master plan approved by the Prime Minister.

22. Formulate and submit to competent authorities the planning for network of public service providers, public services, mechanisms and policies on the provision of public services and private sector involvement in public services in the fields under the Ministry's management; provide guidelines for and organize the implementation thereof after its approval; render public services in the fields under the Ministry's management.

23. Manage associations and non-governmental organizations operating in the fields under its state management in accordance with law.

24. Represent the ownership of state capital in enterprises affiliated to the Ministry in accordance with regulations of law.

25. Manage its organizational apparatus, payroll and the number of public employees, job positions and title-based structure of public officials' ranks and public employee structure; decide on the secondment, appointment, dismissal, resignation, commendation, discipline, job discontinuation, retirement, salary and benefits for cadres, public officials, public employees and workers under its management; provide training and refresher training for cadres, public officials, public employees and workers in the industries under the Ministry's management.

26. Carry out inspections; receive citizens, settle complaints of organizations and citizens; settle denunciations of individuals; to prevent and combat corruption, negative practices and handle violations of law in the fields under its state management; organize judicial expertise and valuation activities in the fields under the ministry's state management in accordance with law; prevent and combat corruption and misconduct and impose penalties for violations of law in the fields under the Ministry's state management.

27. Manage assigned finance and assets, and manage and use state budget allocated as prescribed by law.

28. 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 and Finance.
3. The Department of Science and Technology.
4. The Department of Legal Affairs.
5. The Department of Organization and Personnel.
6. The Department of Land.
7. The Department of Environment.
8. The Ministry Inspectorate.
9. The Ministry Office.
10. The General Department of Meteorology and Hydrology.
11. The Nature and Biodiversity Conservation Agency.
12. The Vietnam Department of Seas and Islands.
13. The Department of Climate Change.
14. Department of Digital Transformation, Natural Resource and Environment Data.
15. The Department of Land Registration and Data.
16. The Department of Geology of Vietnam.
17. The Department of Survey, Mapping and Geographic Information of Vietnam.
18. The Department of Minerals of Vietnam
19. The Department of Environmental Pollution Control.

20. The Department of Water Resources Management.
21. The Department of Land Resources Planning and Development.
22. The Department of National Remote Sensing.
23. Institute of Strategy and Policy on Natural Resources and Environment.
24. Natural Resources and Environment Newspaper.
25. Natural Resources and Environment Review.
26. The Center for Water Resources Survey and Planning.
27. The Institute of Natural Resources and Environment Training.

In this Article, the units specified in clause 1 through 22 are administrative organizations assisting the Minister in exercising the functions of state management; the units specified in Clause 23 through 27 are public service providers in support of the Ministry's functions of state management.

The Minister of Natural Resources and Environment shall submit to the Prime Minister Regulations on functions, tasks, powers and organizational structure of the General Department of Meteorology and Hydrology; introduce the list of other public service providers affiliated to the Ministry.

The Minister of Natural Resources and Environment shall define functions, tasks, powers and organizational structures of units affiliated to the Ministry, excluding the unit specified in clause 10 of this Article.

The Department of Planning and Finance has 03 divisions; the Department of Personnel and Organization has 03 divisions.

Article 4. Effect

1. This Decree comes into force from November 01, 2022.
2. This Decree supersedes the Government's Decree No. 36/2017/ND-CP dated April 04, 2017 defining functions, tasks, powers and organizational structure of the Ministry of Natural Resources and Environment.

Article 5. Transitional clauses

1. The Department of Information Technology and Natural Resource and Environment Data; Vietnam Department of Seas and Islands, General Department of Geology and Minerals of Vietnam, Vietnam Environment Administration, General Department of

Land Administration shall continue their operation in accordance with prevailing regulations until the effective date of the Decision on defining the functions, tasks, powers and organizational structures of the units specified in clauses 6, 7, 8, 11, 12, 14, 15, 16, 18, 19 and 21 of Article 3 promulgated by the Minister of Natural Resources and Environment.

2. The Minister of Natural Resources and Environment shall define functions, tasks, powers and organizational structures of the Ministry Inspectorate, Department of Geology of Vietnam and Department of Minerals of Vietnam ensuring that they have all the tasks and powers of the General Department of Geology and Minerals of Vietnam; the Department of Environment, Nature and Biodiversity Conservation Agency and Department of Environmental Pollution Control ensuring that they have all the tasks and powers of the Vietnam Environment Administration; the Department of Land, Department of Land Registration and Data and Department of Land Resources Planning and Development ensuring that they have all the tasks and powers of the General Department of Land Administration; the Vietnam Department of Seas and Islands ensuring that they have all the tasks and powers of Vietnam Administration of Seas and Islands under regulations of law and treaties to which the Socialist Republic of Vietnam is a signatory until a competent authority promulgates or amends relevant regulations of law.

3. The public service providers affiliated to the Vietnam Administration of Seas and Islands, General Department of Geology and Minerals of Vietnam, Vietnam Environment Administration and General Department of Land Administration shall continue their operation in accordance with prevailing regulations until the competent authority issues a decision on consolidation and re-organization.

Article 6. Responsibility for implementation

Ministers, heads of ministerial agencies, heads of Governmental agencies, Chairpersons of People's Committees of provinces and central-affiliated cities are responsible for the implementation of this Decree.

**ON BEHALF OF THE GOVERNMENT
PP. PRIME MINISTER
DEPUTY PRIME MINISTER**

Pham Binh Minh

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