

**GOVERNMENT**

**SOCIALIST REPUBLIC OF VIETNAM**

**Independence - Freedom - Happiness**

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No.: 86/2003/ND - CP

*Hanoi, 18<sup>th</sup> July 2003*

## **Government Decree**

on

### **Functions, tasks, authorities and organizational structure of Ministry of Agriculture and Rural Development**

#### **Government of Vietnam**

- Pursuant on the Law on Government's Organization dated 30 September 1992;
- Pursuant on the Resolution 02/2002/QH11 dated 5<sup>th</sup> August, 2002 of the Eleventh National Assembly of the Socialist Republic of Vietnam, session 1 on regulating list of Ministries and Equivalent Ministries of Government;
- Pursuant on the Decree 86/2002/ND-CP dated 5<sup>th</sup> November, 2002 of Government regulated functions, tasks, authorities and organizational structure of Ministries, Equivalent ministry;
- In considering of requests by the Minister of Agriculture and Rural Development, and the Minister of Home Affairs;

#### **Decrees:**

#### **Article 1. Position and Function**

The Ministry of Agriculture and Rural Development (MARD) is a governmental agency that performs the state management functions over agriculture, forestry, salt industry, irrigation/water services and rural development nationwide; state management over public services and acts as representative of state ownership in enterprises under the management of the ministry that have state share of capital.

#### **Article 2. Tasks and authorities**

The MARD is responsible for executing its duties and authorities of state management as specified in the Governmental Decree No. 86/ND-CP dated 5<sup>th</sup> November 2002 which regulated function, tasks, authorities and organization structure of ministries and equivalent ministries and tasks and authorities as follows:

1. Submit to the Government, Prime Minister drafts of laws, ordinances and other legal documents of the Government, Prime Minister on such domains being put under its management.
2. Submit to the Government, Prime Minister strategies, master plans of development, long-term and five-year-term and annual plans and key programs, projects on the domains being put under its management.

3. Issue decision, directives, circulars on the domains being put under its management.
4. Organize implementation, deliver guideline, supervise and being responsible the implementation legal documents, strategies, master plans, plans, programs. projects, standards, techno-economic criterions on agriculture, forestry, salt industry, irrigation/ water services and rural development which have been approved; disseminate, raise awareness of regulations on the domains being put under its management.
5. On agriculture (cultivation, animal breeding)
  - a. Carry out state management over cultivation, harvesting and preservation agricultural products;
  - b. Manage on agricultural processing in a unified manner.
  - c. Carry out state management on agricultural seeding of plants and animal;
  - d. Manage agriculture inputs, fertilizers and food for animal in a unified manner.
  - e. Carry out state management over plant protection, veterinary, plant and animal quarantine; organize quarantined activities for agricultural animal, forestry animal and exported and imported flora in accordance with legal document and treaties that Government of SR Vietnam have signed or being member.
6. On forestry
  - a. Carry out state management on forestation, forestry resources development, exploitation and forestry product preservation
  - b. Manage on forestry product processing in a unified manner.
  - c. Carry out state management on forestry seeding, materials;
  - d. Carry out state management on forestry resources protection.
7. On salt production:
  - a. Carry out state management on production, salt preservation and other salt-related products;
  - b. Manage on salt processing and other salt-related products in a unified manner;
8. On irrigation and water services:
  - a. Manage construction, exploitation; usage and protection irrigation works, drainage works for rural area in a unified manner.
  - b. Manage river basin, exploitation, usage and river integrated development per approved plans in a unified manner.
  - c. Manage construction, dike protection, prevention flood and storm works, and tasks related to prevent and combat against flood, storm, drought, and landslide along the river and coastline in a unified manner.
9. On rural development

- a. Synthesize and submit to Government, Prime Minister to issue plans, programs, policies on rural development;
  - b. Manage on reallocation of population in agriculture and rural area in accordance with legal documents in a unified manner.
  - c. Manage construction and development economy of household, farms, co-operatives, development of agricultural co-operative and state farm of agriculture and forest in a unified manner.
  - d. Manage extension works of agriculture, forest, salt cultivation and the development of rural careers in a unified manner.
10. Carry out management on state reservation of inputs materials, equipments being assigned by Government.
11. On science and technology:
- a. Manage the development of programs, plans, developed researches, new technology application in the domain of agriculture, forest, salt cultivation, irrigation/water services and rural development in a unified manner and in accordance with legal documents.
  - b. Carry out state management over fauna and flora genes (including forestry animal and wide animal), microorganisms used in agriculture, forest, salt cultivation in accordance with legal documents.
  - c. Manage standards, quality of input materials and product of agriculture, forest, salt cultivation. Appraise quality of professional equipments and works under the domain of the ministry.
  - d. Manage information of science and technology, professional intellectual property rights in the domain of the ministry in accordance with legal documents.
12. On trade promotion.
- a. Coordinate with Trade Ministry in developing mechanisms, policy to develop market for agricultural, forestry and salt products to submit to Government, Prime Minister.
  - b. Coordinate with Trade Ministry in developing and forecasting the developed orientation of the market for agricultural, forestry and salt products.
  - c. Manage organizing exhibitions on agriculture, forest, salt cultivation in accordance with legal document in a unified manner.
13. Carry out international cooperation in the domain of agriculture, forest, salt cultivation, irrigation/ water services and rural development in accordance with legal document.
14. Carry out specific tasks, authorities that under the representative right of state ownership in enterprises that have share of state capital in the domain of the ministry in accordance with legal documents.
15. On the public service activities:

- a. Manage and direct activities carried out by public services agencies of the ministry.
  - b. Carry out state management over organizations that provide public services in agriculture, forest, salt cultivation, irrigation/ water services and rural development in accordance with legal documents.
16. Carry out state management over activities of associations and non-government organizations in the domain of the ministry in accordance with legal documents.
  17. Inspectorate, supervise and deal with complains, denunciations, anti-corruption and bureaucracy and violation in domain of agriculture, forest, salt cultivation, irrigation/ water services and rural development in accordance with legal documents.
  18. Provide decision and direction to implement the PAR program of the ministry toward objectives and contents set out by state PAR program that approved by the Prime Minister.
  19. Implement permanent tasks and duties of Central Standing Committee on Flood Control; tasks of protection and anti forest-fire, combating desertification, Standing office of the Viet Nam National Mekong Committee; authorities to control across-border trade of rare animal, National Program of Food Security in accordance with legal documents.
  20. Manage its organization, staffs; provide direction on implementing salary and other policies of treatment, reward, discipline to civil servants under management of the ministry; provide training, refreshing and development civil servant group in the domain of agriculture, forest, salt cultivation, irrigation/ water services and rural development.
  21. Manage finance, assigned assets and organize the implementation allocated budget in accordance with legal documents.

### **Article 3. The organizational structure of the ministry**

#### *a) Departments assisting Minister to carry out state management functions:*

1. Planning Department (Vu);
2. Finance Department (Vu);
3. Science, Technology Department (Vu);
4. International Co-operation Department (Vu);
5. Legislation Department (Vu);
6. Organization and Personnel Department (Vu);
7. Agriculture Department;
8. Plant Protection Department;
9. Veterinary Department;
10. Agro - forestry Products Processing and Salt Production Department;
11. Forestry Department;
12. Forest Protection Department;
13. Irrigation/ water services Department;
14. Dyke Management and Flood Control Department;
15. Construction Management Department;
16. Co-operative and Rural Development Department;
17. Ministry's Inspection.
18. Ministry's Office

#### *b) Public Service Agencies of the Ministry*

1. Informatics Center

2. National Extension Center
3. Centre for Rural Water Supply and Sanitation
4. Vietnam's Agriculture Newspaper;
5. Agriculture and Rural Development Magazine

The MARD Minister shall be chairperson, in coordinating with the MoHA Minister to develop restructure and management mechanism to institutes, schools and other public service agencies under the domain of the ministry to submit to the Prime Minister before 30th June, 2004 for approval. Until the new decision was released, current public service agencies under the domain of the ministry operate in accordance with present regulations.

#### **Article 4. Validation**

This Decree will come into effect 15 days after the issued date in Government Gazette. This will substitute the Decree No. 73/CP dated 1 November 1995 of the Government regulated functions, tasks, authorities and organizational structure of Agriculture and Rural Development Ministry. Abrogate Article 4 of Decree 13/CP dated 2 March, 1993 of Government of issuing Regulations on Extension, Article 4 of Decree 39/CP dated 18 May, 1994 of Government regulated organization, tasks, and power of Forest Protection, Decision No 346/TTg, No 347/TTg, No 348/TTg, No 349/TTg, No 350/TTg, No 352/TTg, No 353/TTg, No 354/TTg, No 355/TTg dated 28 May, 1996 of Prime Minister regulated functions, tasks, power scope and organization of Departments (Cuc) of MARD and other preceding regulations contrary to this Decree.

#### **Article 5. Responsibility of implementation**

The Minister of Agriculture and Rural Development, Ministers of other ministries, chiefs of agencies at ministerial level and agencies under the Government's control, Chairmen of People Committees from cities and provinces directly managed by the central government are all responsible for implementing this Decree./.

**On behalf of the Government of Vietnam**

**Prime Minister**

**Phan Van Khai**

(Signed and Stamped)

#### To whom it may concern:

- Standing Committee of Political Bureau under the Communist Party;
- Prime Minister and Vice Prime Ministers;
- Ministries, agencies at ministerial level and agencies under the Government's control;
- People Councils and Committees of cities and provinces directly managed by the central government;
- Central Office and Committees of the Communist Party;
- National Assembly's Office;
- President's Office;
- People's Supreme Court;
- People's Supreme Organ of Control;
- Central leveled organs of Unions;
- Official gazette;
- Government's Office: Minister - Chief, Deputy Chiefs, Departments; and
- For filing at Organization and Personnel Dept., and Archives.