

**MINISTRY OF AGRICULTURE  
AND RURAL DEVELOPMENT**

*No: 88/2003/QĐ-BNN*

**SOCIALIST REPUBLIC OF VIETNAM  
Independence – Freedom – Happiness**

*Hanoi, September 4<sup>th</sup> 2003*

**DECISION OF MINISTER OF MINISTRY OF AGRICULTURE AND RURAL  
DEVELOPMENT**

**Specifying the functions, responsibilities, authorities and apparatus organization of  
Plant Protection Department**

**MINISTER OF MARD**

Pursuant to the Ordinance on Plant Protection and Quarantine in 2001;  
Pursuant to Decree no 86/2003/ND-CP dated July 18, 2003 of the Government  
defining function, tasks, authorities and organizational structure of MARD;

Pursuant to the Article 19 of the Decree no 86/2002/ND-CP dated November 5<sup>th</sup>,  
2002 of the Government, specifying function, tasks, authorities and organizational structure  
of ministries and ministerial agencies;

Regarding the proposal made by the Director of Department of Organization and  
Personnel,

**DECIDES**

**Article 1: Position and functions**

The Plant Protection Department is MARD affiliated agency; performing the function  
of state management and inspection over the profession on plant protection and quarantine,  
plant protection substances in the whole nation.

The Department has its legal entity, own seal, operational funds and its account is  
opened in accordance with the legal regulations.

The Department is located in the capital city of Hanoi.

**Article 2: Tasks and authorities:**

The Plant Protection Department is assigned by the Minister to perform the following  
tasks:

1. To submit to the Minister the law project, ordinance project, legal normative  
document draft under the professional management of the Department.
2. To present to the Minister the strategies, development plan, policies, annual and five-  
year plan, programs, projects, and proposals under the professional state management  
of the Department as assigned by the Minister.
3. To issue documents on management professions; to give professional guidance as  
assigned by MARD Minister.
4. To organize to steer, guide, review and take responsibility for implementing legal  
normative documents, planning, plans, programs, projects, standards, processes,  
economic-technological norms approved and conduct legal dissemination,  
propaganda, education on the specialized management of the Department.
5. On professional management:
  - a) On Plant protection:
    - Perform state management over the investigation, discovery,  
estimation, projection and steering for implementing prevention of  
organism harmful to main plant resources;
    - Submit MARD Minister to publicize and abolish organism  
epidemic harmful to plant resources, in line with legal regulations.
  - b) On Plant quarantine:

- Manage, steer the work on domestic plant quarantine,
  - Submit Minister to publicize the list of groups of plant quarantine, list of object belonging to plant quarantine group in Vietnam in each period; publicize or abolish publicizing organism belonging to plant quarantine group and new harmful organisms but dangerous to plant resources of Vietnam, in accordance with legal regulations,
  - Conduct quarantine for plants that are imported, post-imported, exported, temporally imported, re-exported, temporally exported, re-imported, transited and handle objects of plant quarantine groups in accordance with legal regulations and international treaties on plant quarantine which Vietnam signed or accessed.
- c) On plant protection substances:
- Manage the registration of plant protection substances;
  - Manage the analysis and test on new plant protection substances;
  - Submit MARD Minister to publicize list of plant protection substances allowed to be used , substances restricted to be used and those banned for use in Vietnam; allocate quota for importing substances restricted for use.
  - Submit Minister to grant import licenses for substances restricted for use, substances unlisted in the substances allowed for use;
  - Manage and organize the implementation of quarantining material quality and finished products of plant protection substances in accordance with legal regulations;
  - Manage the use of plant protection substances in line with legal regulations;
  - Manage and organize analysis on substance residues in forestry, agricultural products and agricultural environment after the use of plant protection substances;
  - Unify the management of substances, substances packing destruction in accordance with legal regulations.
- d) Implement agricultural extension on plant protection as assigned by MARD Minister.
- e) Assigned by the Minister to grant, withdraw all kinds of licenses, certificates, practice licenses related to plant protection, plant quarantine, plant protection substances in accordance with legal regulations.
6. On science and technology:
- a) Develop and submit to Minister programs, plans, scientific research subjects, application of technical and technological advances; manage and organize to deploy results of scientific research, application of technical, technological advances in the professional management of the Department.
- b) Organize to collect and manage science-technology information under the professional management of the Department;
7. Take part in developing mechanisms, policies for production development, quality improvement and trade promotion of husbandry products.
8. Develop international cooperation programs, projects on plant protection, plant quarantine, plant protection substances; get accessed to sign, participate in international treaties, organizations on plant protection, plant quarantine and plant protection substances; organize to implement international treaties, international cooperation projects in accordance with the assignments of the Minister.
9. Manage some public service delivery and service delivery agencies of the Ministry involved in plant protection, plant quarantine and plant protection substances in accordance with Minister assignments.
10. Take part in managing activities of associations, NGOs in the management scope of the Department as assigned by the Minister.

11. Conduct professional inspection; review, handle accusations, complaints; fight against corruption, negative actions; deal with violations on plant protection, plant quarantine and plant protection substances in accordance with competence.
12. Develop and implement PAR program of the Department in accordance with objectives and contents of MARD PAR program.
13. On organization and personnel management:
  - a) On organization management:
    - Plan the network for plant protection and quarantine in the whole nation.
    - Manage, steer the development of the organization system for plant protection and quarantine in the whole nation in accordance with legal regulations and MARD decentralization;
    - Manage uniform, badge, stripe, plate, quarantine cards, inspection card, specialized tools, and infrastructure and distribution regulations of plant protection workers.
  - b) On the personnel management:
    - Take part in training, retraining professions, speciality for civil servant and cadres and mass participating in plant protection and quarantine;
    - Implement salary regulations and other schemes, policies for treatment, reward, disciplines for civil servants and cadres under the management scope of the Department.
14. Manage collection, use of charges and fees in accordance with the laws; manage financial sources, property and other resources funded; organize the implementation for allocated budget as regulated.
15. Undertake other tasks assigned by the Minister.

### **Article 3. Apparatus Organization.**

#### **1. The Department Leadership:**

The Department leadership includes the Director and Deputies appointed by MARD Minister as regulated,

The Director is responsible for steering all activities of the Department, responsible in front of MARD Minister and the Laws for the Department's activities and assigned tasks.

The Deputies are responsible for assisting the Director and responsible to the Director and the Law for the performance of assigned tasks. The numbers of Deputies do not exceed 3 and in case of exceeded numbers, it is necessary to report to the Minister.

#### **2. The Department's management machinery:**

- a. Administrative and Organizational Office;
- b. Finance Office;
- c. Planning Office (science and international cooperation);
- d. Inspection and Legal Office
- e. Plant Protection Office;
- f. Plant Quarantine Office;
- g. Plant Protection Substances Office;
- h. Standing Office in Hochiminh City.

#### **3. Affiliated Agencies**

The Director of Plant Protection Department develops the proposals for restructuring existing affiliated agencies and identifies staffing needs in order to submit to the Minister for decision prior to December 31<sup>st</sup>, 2003; specifies functions, tasks of offices, sections; develops Working Regulations of the Department to submit to the Minister of approval for implementation organization.

When the Minister has not made any new decisions, existing service delivery agencies of Plant Protection Department still operate in accordance with current regulations.

**Article 4: Operation effects**

This Decision comes into force after 15 days from the issuance on the Government Gazette, replacing Decision no 874/NN – TCCB/ QD dated June 24<sup>th</sup>, 1996 of MARD Minister specifying the functions, tasks and authorities and organizational apparatus of Plant Protection Department and other previous regulations the run counter to this Decision.

**Article 5: Operation responsibilities**

The Director of Plant Protection Department, Director of OMARD, Directors of Departments, Chief Inspector, Heads of Provincial and city People’s Committees and Heads of agencies, units under the management of MARD are responsible for putting this Decision into operation.

**MINISTER OF MINISTRY OF AGRICULTURE AND RURAL  
DEVELOPMENT.**

**Le Huy Ngo**