

**MINISTRY OF AGRICULTURE  
AND RURAL DEVELOPMENT**

*No: 94/2003/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 Dike  
Management and Flood, Storm Control Department**

**MINISTER OF MARD**

Pursuant to the Ordinance on Dike and Ordinance on Flood and Storm Control;  
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 Dike Management and Storm, Flood Control Department is MARD affiliated  
agencies, performing the function of state management over the profession on dike system  
and flood, storm control 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 Management and Storm, Flood Control 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 dike management:
    - Develop projects on basic investigation, dike management  
planning;
    - Lead the appraisal on projects on basic investigation, dike  
management planning in accordance with the assignment of  
Minister;

- Manage the implementation of projects on basic investigation and dike management planning after the approval
  - Lead the appraisal of projects on regular overhaul, maintenance, repair and upgrade of dike facilities;
  - Guide the technical treatment for dike problems;
  - Inspect, review, handle violations on dike, under competence;
  - Coordinate branches, organizations, Water Resources Department and localities to make timely proposals to control, deal with and manage effects of dike problems.
- b) On flood, storm control and prevention:
- Organize to monitor, update information on rain, storm, flood in the whole nation; coordinate with branches, organizations, Water Resources Department and localities to timely propose to the Central Steering Committee for flood and storm control to deal with breakdown of water resources facilities and give on-the-spot treatment, manage impacts of flood and storm;
  - Propose the Central Steering Committee for Flood and Storm Control on flood accommodation in Hoa Binh reservoir, Thac Ba reservoir, Day river flood divergence and flood accommodation in river basin in case of flood exceeding the designed level.
  - Organize to manage, operate focal facilities for flood divergence in Day river; carry out flood divergence when ordered by authorities;
  - Propose measures to mobilize sources of the Central level and local level in order to relief and secure dike system from the 3 grade to special grade in case of emergency;
  - Synthesize the damages, propose and submit Minister measures to mitigate impacts caused by floods and storms.
- c) On river and coast broke prevention:
- Organize basic investigation, review, synthesizing of the situation of broke and warn the risk of river and coastal broke.
  - Coordinate branches, organizations, Water resources and localities to make timely proposals to prevent, control, deal with and manage consequences of river and coastal broke.
- c) Submit Minister or be assigned by Minister the technical agreement for facilities related to dike, flood, storm control under the competence.
- d) Actively coordinate with branches, local governments in flood, storm prevention, control; dike and water resources facilities management. In case of emergency, authorized to request ministries, central agencies, local governments to mobilize forces, means in the areas to timely control flood, storms, support dike system, rescue in accordance with legal regulations.
- e) Assigned by the Minister to grant and withdraw licenses on some activities regarded to dike from level 3 to level special and drain river floods related to at least 2 provinces.
6. Monitor the management, use of materials available for flood and storm control.
7. 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 professional science-technology information ; propose the intellectual property rights in dike, flood and storm control;

8. Develop international cooperation programs, projects on dike, flood and storm control, natural disaster mitigation; 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 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 dike, flood and storm control 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:
    - Coordinate to steer the development of professional forces for dike management and flood, storm control in accordance with the assignments of the ministry;
    - Propose models for management organization of dike facilities system;
    - Manage, steer the development of professional management forces in accordance with legal regulations and decentralization of the Ministry;
  - b) On the personnel management:
    - Take part in training, retraining professions, speciality for civil servant and cadres and the masses participating in dike, flood and storm control;
    - 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 financial sources, property and other resources funded; organize the implementation for allocated budget as regulated.
15. Perform tasks and manage the Standing Office of the Steering Committee for Flood and Storm Control and other tasks as assigned by the National Committee for Search and Rescue.
16. 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 General Office;
- b. Planning Office ( science and international cooperation);
- c. Finance Office;
- d. Inspection and Legal Office
- e. Dike Planning and Dike Broke Management Office;

- f. Dike Management Office;
- g. Flood and Storm Control Office;
- h. Standing Office in Hochiminh City;
- i. Standing Office in Hochiminh City.

**3. Affiliated Agencies:**

- a) Center for Natural Disaster Management and Mitigation;
- b) Center for Dike technical Consultation;
- c) Management Board for Day river flood divergence facilities.

The Dike Management, Flood, Storm Control Department Director specifies function, tasks of offices, standing section, affiliated agencies; develops the Working Regulations of the Department to submit to MARD Minister for approval and implementation organization.

**Article 4: Operation effects**

This Decision comes into force after 15 days from the issuance on the Government Gazette, replacing Decision no 178/NN – TCCB/ QD dated January 20<sup>th</sup>, 1997 of MARD Minister on the establishment offices, professional inspection under the Flood, Storm Control and Dike Management Department and other previous regulations the run counter to this Decision.

**Article 5: Operation responsibilities:**

The Director of the Flood, Storm Control and Dike Management Department is responsible for handing over the status quos of his Department to the Director of Dike Management and Flood, Storm Control Department

The Director of Dike Management, Flood, Storm Control Department, Director of OMARD, Directors of Departments, Chief Inspector, Heads of Provincial and city People's Committees and Presidents of DARDs, 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.**

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