

**MINISTRY OF AGRICULTURE
AND RURAL DEVELOPMENT**

No: 91/2003/QĐ-BNN

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

Hanoi, September 4th, 2003

**DECISION OF MINISTER OF MINISTRY OF AGRICULTURE AND RURAL
DEVELOPMENT**
**Specifying the functions, responsibilities, authorities and apparatus organization of
Forestry Department**

MINISTER OF MARD

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 5th, 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 Forestry Department is MARD affiliated agencies, performing the function of state management over the forestry sector in the whole nation.

The Department has its legal entity, 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 Forestry Department is assigned by MARD Minister to perform the state management tasks specialized in forestry over the forestation, forestry resources development, forestry exploitation in the whole nation under the state management scope of MARD which are specified as follow:

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 with regards to forestry 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 the specialized management for forestry sector:
 - a. Forestry resources management:

- Manage the basic investigation on forestry: appraise and manage the implementation of projects on the forestry basic investigation, invest into material region in connection with the forestry product preservation and processing as planned; monitor, evaluate the situation of forest resources and forestry land; to make map for forests and forestry land;
 - State management for the planning of special use forests, protection forest, production forest; submit to Minister the establishment of special use forests and protection forests;
 - Management for monitoring the situation of forestry resources and forestry land,
 - Participate in the appraisal on the planning, plan of land use and changes in the forestry land use purposes.
- b. Forestation:
- State management on planning, plan and projects on forestation;
 - Preside the development of technological –economic processes and norms on forestation, mapping out recoverable forests and enriching forests;
- c. Forestry varieties:
- State management on forestry varieties in accordance with the legal regulations;
 - Investigate, and total up the forestry varieties; collect, preserve and use forestry varieties; processes, norms, technology and techniques on forestry varieties;
 - Manage the quality of forestry plant varieties and activities to quarantine, test the quality of forestry varieties; experiment and propose, recognize new forestry varieties; protect new forestry varieties; single out , recognize varieties gardens; encourage the use of new forestry varieties;
 - Grant and withdraw licenses on forestry varieties under competence;
 - Submit the Minister to issue categories of forestry varieties in accordance with the Laws;
 - Manage the system for collecting, creating, experimenting, analyzing, producing, trading forestry varieties.
 - Develop and manage the data base on forestry varieties,
 - Manage exports, import of forestry varieties.
- d. State management on forestry materials
- e. On forest exploitation and utilizations:
- Steer the development of and approve the plan for natural forests preparation;
 - Submit MARD the annual plan for timber exploitation and the exploitation of other forestry products;
 - Appraise the general dossier designed for natural timber exploitation; present the Minister to make decision on opening natural forests for exploitation in provinces and government affiliated cities;
 - Appraise the dossier designed for exploiting, making use of and gathering natural timber;
 - Approve the timber exploitation in forests planted under the State budget of MARD affiliated agencies;
 - Provide guidance for the use of timber and other forestry products;
 - Participate in managing the export and import of timber and other forestry products;
- f. Take part in managing preservation and processing of forestry products

- g. Take part in steering the forestry extension and socio-forestry development.
 - h. Collect information, synthesize reports, develop database to serve the forestry speciality management.
6. On science and technology:
 - a. Develop and submit the Minister programs, plans, scientific research subjects, application of technological advancements on forestry; manage and deploy the implementation of results in scientific research, application of technical, technological advancement under the forestry speciality management of the Department.
 - b. Unify the management on gene funds of forest plant, microorganism, forest animals;
 - c. Preside, take part in developing quality standard for forestry varieties, quality of forestry products and forestry materials;
 - d. Organize to collect and manage specialized science-technology information.
 7. Involve in training and retraining the speciality and specialized profession.
 8. Submit the Minister mechanisms, policies for the development of forestry market, take part in developing and projecting the direction on the market development for timber and other forestry products; organize, participate in trade fairs, exhibitions on forestry achievements.
 9. Develop programs, projects for international cooperation on forestry, take part in the negotiations to sign and get admission to international treaties and international organizations on forestry, deploy the implementation of programs and projects for international cooperation under the assignments of MARD Minister.
 10. Manage some forestry service delivery agencies as assigned by MARD Minister.
 11. Involve managing activities of associations, NGOs in the forestry field under the assignment of MARD Minister.
 12. Conduct the inspection, review; handle complaints, accusation; fight against corruption and negative actions and deal with violations in accordance with management scope of the Department.
 13. Develop and implement PAR program of the Department in line with new objectives and contents of the PAR Program of MARD.
 14. Manage the organization, apparatus and staffing of the Department following its regulations; carry out the salary regulations and other treatment policy schemes for awarding, taking disciplinary actions for carders and civil servants under the management scope of the Department as regulated.
 15. Manage finance, property and other resources as allocated and organize to implement the distributed budget as regulated.
 16. Perform tasks and organize the management of the Standing Office of the Steering Board for the 5-million-hectare reforestation Project ; carry out the tasks of the Standing Office of the Treaty for desertization control; implement the Protocol on forestry community development in Asia- Pacific region;
 17. Practise other assignments made by MARD Minister.

Article 3: Apparatus Organization

1. Department Leadership

The leadership includes the Director and Deputies appointed by MARD Minister in accordance with regulations.

The Director is responsible for steering activities of Department, takes responsibilities to MARD Minister and the Laws for activities of the Department and its assigned tasks.

The Deputies are responsible for assisting the Director; take responsibilities to the Director and the Laws for assigned tasks. The number of Deputies doesn't exceed 3; if there is exceeded number, it is essential to report to the Minister.

2. The Organizational apparatus of the Department

- a) Administrative and General Office (organization, inspection, finance)
- b) Planning Office (science, international cooperation);
- c) Forestry Baseline Investigation Office;
- d) Forestry Extension Office;
- e) Forest Utilization Management Office;
- f) Standing Section in Hochiminh City.

3. Affiliated agencies:

Assign the Department Director the development of proposal on establishing affiliated agencies then present to MARD Minister for decisions.

The Forestry Department Director specifies function, tasks of offices, standing section; develops the Working Regulations of the Department to submit to MARD Minister for approval and implementation organization.

4. Operational Effects

This Decision comes into effect within 15 days from the publication on the Government Gazette; replaces Decision no 1297/NN-TCCB/QD dated July 31st, 1996 of MARD Minister on the establishment of offices of Department of Forestry Development and previous decisions of MARD that run counter to this Decision.

5. Operational Duties

- a. The Director of Forestry Development Department is responsible for handing over all of its status qua to the newly-established Forestry Department's Director.
- b. Forestry Department's Director, Director of OMARD, Directors of Departments, Chief Inspector, Presidents of DARDs and Heads of relevant agencies under MARD are responsible for bringing this Decision into operation.

**MINISTER OF MINISTRY OF AGRICULTURE
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