

**MINISTRY OF AGRICULTURE  
AND RURAL DEVELOPMENT**

*No: 93/2003/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  
Water Resources 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 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 Water Resources Department is MARD affiliated agencies, performing the function of state management over the water resources profession 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 water resources Department is assigned by the Minister to perform the State management over the water resources profession on exploitation, utilization, protection of water resources facilities, rural water drainage and supply system; river basin management; tapping, use and general development of rivers; management of flood, drought control and prevention in the whole nation under the state management of the Ministry specified as follows:

1. To present to the Minister the law project, ordinance project and legal normative document draft in accordance with professional management of the Department.
2. To submit MARD Minister the strategy, planning, policies, annual and 5-year plan, programs, projects, proposals on water resources under the professional management of the Department in accordance with the Minister's assignment.
3. Issue documents on management profession; give guidance on profession, speciality in accordance with the decentralization of the Minister.
4. To organize to steer, direct, review and take responsibilities for practicing legal normative documents, plans, programs, projects, proposals, standards, processes, norms, professional technical-economic norms approved, and carry out legal dissemination, propaganda, and education on professional management of the Department.
5. On water resources management:

- a) Unify the management of river basins, exploitation, utilization and general development of rivers in accordance with approved plans;
    - Develop projects on river basins planning, water resources system planning and regional planning
    - Develop plans, steer the formulation of investment project, exploitation, utilization and general development of rivers;
    - Preside the appraisal of planning projects and plans after being approved,
    - Manage the implementation of planning projects and plans after being approved
  - b) On the management of water resources facilities exploitation and protection
    - Develop plans for synthesized exploitation of water resources facilities;
    - Develop plans, train in the formulation of investment project, preside the appraisal and implement investment in projects on repairing and upgrading water resources facilities in compliance with assignments of Minister;
    - Standing member of the council that checks, takes over and hand over water resources facilities invested from the budget managed by MARD.
    - Develop operation processes of inter-provincial water resources facilities and steers the safe operation of water resources facilities;
    - Develop system for management organization of water resources facilities;
    - Take part in the planning, plans, projects on developing dike facilities and facilities for flood and storm control and prevention.
  - c) Steer the prevention, control and management of drought, inundation, salty water invasion,
    - Organize to monitor, update information on weather changes, water flows, drought situation, inundation, brackish water, sea water invasion, water contamination in the system of water resources facilities so as to steer localities to build suitable production plans;
    - Steer localities to implement measures for damage control and repair
    - Develop appropriate irrigation models in order to decline difficulties for regions that often face drought, flood, brackish water and seawater invasion.
  - d) Unify the management of development, exploitation, and protection of water supply and drainage facilities:
    - Steer to make plans for development, exploitation, utilization and protection of water supply and drainage facilities in rural areas;
    - Preside the appraisal and steer the implementation of projects on water supply and drainage in rural areas;
    - Steer, review the development and implementation of management models on water supply and drainage facilities in rural areas.
6. On science and technology:
- a) Develop programs, plans, scientific research subjects, and application of technical advances to submit to MARD Minister in accordance with the management scope of the Department; manage and deploy the implementation of results of scientific research, application of technical advances in the management scope of the Department.
  - b) Develop and manage water quantity and quality standards in the water resources facilities system.
  - c) Organize to collect and manage information on science and technology with an aim to serve the professional management of the Department.

- d) On water resources basic investigation management.
  - Propose, develop projects on water resources basic investigation
  - Preside the appraisal on water resources basic investigation projects;
  - Manage results of water resources basic investigation projects;
- 7. Involve in training and retraining on water resources professions, speciality.
- 8. On business:
  - a) Participate in projecting, directing the market development for the water resources field so as to service the environmental and socioeconomic development;
  - b) To submit to the MARD Minister mechanisms, policies to exploit collectively water resources facilities, consume and use water in water resources facilities system to serve agricultural, forestry production, salt production, clean water and water supply and drainage in rural areas;
- 9. On international cooperation:
  - a) Develop international cooperation program, projects under the professional management of the Department and deploy the implementation after being approved;
  - b) Take part in negotiations to sign, access to international treaties and international organizations in accordance with the Departments' professional management; to organize the implementation of international cooperation activities as assigned by MARD Minister.
- 10. Manage MARD affiliated companies specialized in exploiting water resources facilities and some public service delivery agencies and service delivery agencies under the assignments of Minister.
- 11. Grant, withdraw licenses on license-required activities in the protection scale for water resources facilities; licenses on pouring waste water into water resources facilities system in accordance with legal regulations.
- 12. Inspect, review; handle complaints, accusations; fight against corruption, negative actions and deal with violations under the professional management scope as regulated by laws.
- 13. Develop and implement the PAR of the Department in accordance with MARD PAR contents and objectives.
- 14. Contribute to managing activities of associations, NGOs in the water resources field in line with legal regulations.
- 15. Play the role of standing and managing Office over the river basin planning and management Committee.
- 16. Manage organization, machinery, staffing of the Department as regulated; practise the salary regulations and other treatment policies on rewarding, taking disciplinary actions against cadres and civil servants who violate the Department regulations.
- 17. Manage finance, property and other resources allocated; organize to implement allocated budget in accordance with regulations.
- 18. Perform other tasks assigned by 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.

**1. The Organizational apparatus of the Department.**

- a) Administrative and General Office (organization)
- b) Planning Office – Finance
- c) Inspection and Laws Office;
- d) Planning Management Office;
- e) Rural Irrigation and Water Supply, Drainage Office;
- f) Facilities Management Office;
- g) Standing Section in Hochiminh City.

**2. Affiliated agencies:**

Center for Technology Transfer on water management and water facilities.

Other affiliated agencies are established, operated in accordance with Minister's Decisions.

The Water Resources 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.

**3. 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 31<sup>st</sup>, 1996 of MARD Minister on the establishment of offices of Department of Water Management and Water Resources Facilities and previous decisions of MARD that run counter to this Decision.

**4. Operational Duties**

- a. The Director of Department of Water Management and Water Resources Facilities is responsible for handing over all of its status qua to the newly established Water Resources Department's Director.
- b. Water Resources 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  
AND RURAL DEVELOPMENT**

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