

The Decree No. 89/2022/ND-CP dated October 28th, 2022 by the Government.

Article 1. Position and functions

Ministry of Planning and Investment is a Government agency, which performs state management functions on socio-economic development strategies, planning, development investment and statistics, including: Providing general advice on socio-economic development strategies and plans; planning; national public investment plan; economic management mechanisms and policies; domestic investment, foreign investment in Vietnam and Vietnamese overseas investment; economic areas; official development assistance (ODA), concessional loans and non-refundable aid that is not part of official development assistance, and Vietnam's aid to countries; bidding; statistics; corporate, collective economy and cooperative economy development; State management of public services in sectors and fields under the Ministry's state management according to the provisions of law.

Article 2. Tasks and powers

Ministry of Planning and Investment performs tasks and powers as prescribed in the Decree No. 123/2016/ND-CP dated September 01st, 2016 by the Government stipulating the functions, tasks, powers and organizational structure of ministries, ministerial-level agencies, the Decree No. 101/2020/ND-CP dated August 28th, 2020 by the Government amending and supplementing a number of articles of the Decree No. 123/2016/ND-CP, as well as the following specific tasks and powers:

1. Submitting to the Government draft laws, ordinance projects, draft resolutions of the National Assembly, draft resolutions of the National Assembly Standing Committee, draft resolutions and decrees of the Government according to the approved annual law-making programs and plans of the Ministry and programs, projects and schemes as assigned by the Government and the Prime Minister.
2. Submitting to the Government the 5-year and annual socio-economic development plan of the country, the main macroeconomic balances of the national economy; strategies and plans for mobilizing and using development resources; plans to build and amend macroeconomic management mechanisms and policies; national master plan; medium-term and annual public investment

plans; investment policy in national target programs and public investment programs; and other programs and projects as assigned by the Government.

3. Submitting to the Prime Minister draft decisions, directives and other documents.

4. Promulgating circulars, decisions, and directives within the scope of state management of the ministry.

5. Directing, guiding, inspecting and organizing the implementation of legal documents, strategies, planning and plans under the ministry's management; information, propaganda, dissemination, and legal education in sectors and fields under the ministry's management.

6. Regarding planning; socio-economic development strategies and plans:

a) Developing the Government's action program to implement the 5-year socio-economic development plan after being approved by the National Assembly; advising the Government and the Prime Minister on mechanisms and policies for socio-economic integration and coordination in macroeconomic management and administration; assisting the Government in managing and implementing plans on a number of sectors and fields assigned by the Government and the Prime Minister;

b) Developing socio-economic development strategies, 5-year and annual socio-economic development plans for the whole country; national master planning, regional planning; implementation plan and organization of announcement of national master plans and regional plans after approval;

c) Generally synthesizing main macroeconomic balances of the national economy; proposing solutions to maintain balance according to strategic goals and plans, ensuring the implementation of socio-economic development plan goals;

d) Guiding ministries, branches and localities to monitor and evaluate the implementation of plans of ministries, branches and localities; organizing the monitoring, evaluation and reports on the implementation of the country's socio-economic development plan on a monthly, quarterly, annual, mid-term and 5-year basis;

e) Presiding over the appraisal of provincial planning and provincial planning tasks; submitting to the Prime Minister to establish an Appraisal Council for national master plans and regional plans;

f) Guiding ministries, ministerial-level agencies and provincial-level people's committees in formulating and organizing the implementation of planning.

7. Providing general advice on mechanisms and policies to mobilize and use development resources to implement strategies and plans for socio-economic development, types and methods of investment and development, developing economic sectors, restructuring the economy associated with innovating growth models and coordinating regional and inter-regional development.

8. Regarding development investment:

a) Presiding over and coordinating with the Ministry of Finance to synthesize development investment. Developing medium-term and annual public investment plans; synthesizing the list of national target programs, public investment programs, important national projects, tasks and projects using central budget capital under the medium-term public investment plan;

b) Developing the total level and structure of investment capital for development of the entire society; presiding over and coordinating with Ministry of Finance to report to the Government to determine the state budget investment capital spent on national development investment according to each sector and field in the medium-term and annual public investment plan; synthesizing total capital for national target programs, public investment programs, important national projects, key, large-scale, regionally linked projects that are pervasive and meaningful in promoting regional and local socio-economic development;

c) Presiding over and coordinating with the Ministry of Finance: Synthesizing and submitting to the Government and Prime Minister the national annual and medium-term public investment plan; submitting to the Prime Minister to decide on the use of annual central budget provisions and additional public investment capital during the year to perform development investment tasks according to the provisions of law;

d) Coordinating with the Ministry of Finance to develop a plan to use revenue increases and expenditure savings of the central budget, including use for investment in important projects;

e) Synthesizing detailed plans of medium-term and annual state budget capital plans of each national target program and public investment programs;

f) Reporting on the implementation of medium-term and annual public investment plans, national target programs, public investment programs and projects whose investment is decided by the Prime Minister;

g) Presiding over and coordinating with the Ministry of Finance, relevant ministries, branches and localities to develop principles, criteria and norms for allocating public investment capital from the state budget; developing principles and criteria for capital allocation for key, large-scale, regionally linked projects, creating motivation for socio-economic development of the country and regions; Supervising and evaluating the effectiveness of using public investment capital and development investment capital from state budget sources;

h) Acting as the Standing member of the State Appraisal Council for national target programs and important national projects; acting as the Standing interdisciplinary appraisal council for investment projects under the public-private partnership method under the authority to decide investment policies of the Prime Minister; appraising investment policies of programs and projects under the Prime Minister's authority to decide and approve investment policies according to the provisions of the Law on Public Investment and Law on Investment.

9. Regarding domestic investment, foreign investment and Vietnamese overseas investment:

a) Managing domestic investment activities and foreign direct investment in Vietnam, Vietnamese direct overseas investment; investment in the public-private partnership method; organizing investment promotion activities and guiding investment procedures;

b) Carrying out procedures for granting, adjusting and terminating the validity of the Certificate of overseas investment registration;

c) Inspecting, monitoring and evaluating overall investment activities;

d) Guiding the procedures to handle, update information and report on problems and recommendations from investors related to the application and enforcement of laws in the process of investment and business activities.

10. Regarding the management of ODA capital, concessional loans and non-refundable aid that is not part of official development assistance, and Vietnam's aid to countries:

a) Acting as the focal agency in state management of ODA capital, concessional loans and non-refundable aid that is not part of official development assistance, and Vietnam's aid to countries; presiding over drafting strategies, policies, and orientations for attracting and using ODA and concessional loans;

b) Presiding over the preparation of content and organizing the mobilization of ODA capital sources, preferential loans, non-refundable aid that is not part of official development assistance, and Vietnam's aid to countries; submitting to the Government the signing of framework international treaties and specific international treaties on non-refundable ODA according to the provisions of law; submitting to the Prime Minister the signing of agreements on non-refundable ODA capital according to authority;

c) Synthesizing and submitting to competent authorities for decision on proposals and investment policies for programs and projects using ODA capital, concessional loans, non-refundable aid that is not part of official development assistance, and Vietnam's aid to countries according to the provisions of law; coordinating with the Ministry of Finance to determine domestic financial mechanisms applicable to programs and projects using ODA capital, concessional loans, non-refundable aid that is not part of official development assistance, and Vietnam's aid to countries;

d) Presiding over and coordinating with the Ministry of Finance to synthesize and make annual and medium-term public investment plans for programs and projects using ODA capital and preferential loans from foreign sponsors; balancing and allocating annual counterpart capital from the budget capital to prepare and implement programs and projects using ODA capital and preferential development investment loans subject to central budget allocation;

e) Monitoring and evaluating programs and projects using ODA capital, concessional loans, non-refundable aid that is not part of official development assistance, and Vietnam's aid to countries according to the provisions of law; handling according to authority or proposing to the Prime Minister for handling of arising issues related to many ministries and branches.

11. Regarding bidding management:

a) Appraising plans for selecting contractors and investors and plans for selecting contractors and investors in special cases falling under the deciding authority of the Prime Minister according to the provisions of law on bidding;

b) Guiding, monitoring, supervising, inspecting and examining the implementation of legal regulations on bidding; and international cooperation on bidding.

12. Regarding management of economic zones:

a) Acting as the focal agency implementing state management of economic zones, including: industrial zones, export processing zones, coastal economic zones, border gate economic zones, specialized economic zones and other types of economic zones nationwide;

b) Proposing models, mechanisms and policies on economic zone development;

c) Organizing appraisal of establishment, expansion, and adjustment of economic zone boundaries; appraising investment policies for investment projects on construction and business of infrastructure of industrial parks and export processing zones under authority.

13. Regarding enterprise development and business registration, and sole proprietors:

a) Presiding over and coordinating with relevant ministries and branches to develop strategies, programs and plans to arrange, innovate and develop state-owned enterprises; and mechanism for management, arrangement of state-owned enterprises and development of enterprises of all economic sectors. Developing policies to improve business investment environment;

b) Presiding over and coordinating with the Ministry of Finance and relevant agencies to monitor and synthesize the situation of arrangement, innovation and development of state-owned enterprises nationwide;

c) Managing business registration, cooperative economic organizations, and sole proprietors; guiding procedures for registering businesses, cooperative economic organizations, and sole proprietors; checking, monitoring and summarizing the situation of business registration, online business registration and post-business registration nationwide;

d) Developing mechanisms and policies to support the development of sole proprietors; guiding, inspecting, managing and summarizing the implementation of mechanisms and policies to support the development of sole proprietorship;

e) Supporting innovation and entrepreneurship; innovating growth models on the basis of scientific and technological development within the scope of state management of the ministry according to the provisions of law.

14. Regarding collective economy and cooperative economy:

a) Developing general strategies, programs and plans for collective and cooperative economic development; guiding, inspecting, managing and

summarizing the implementation of collective and cooperative economic development programs and plans;

b) Developing management mechanisms and policies to support the development of collective economy and cooperative economy.

15. Regarding statistics:

a) Developing and organizing the implementation of strategies, plans and policies to develop statistical activities; coordinating and organizing statistical activities and providing statistical information according to the provisions of law;

b) Developing and unifying the management of national, provincial and district-level statistical information systems; organizing and coordinating the connection and provision of data and information between state statistical information systems; developing standards and performing quality assessment of statistical information in state statistical activities;

c) Developing a system of statistical indicators, statistical reporting regime, statistical investigation program and statistical classification according to the provisions of law.

16. Organizing and directing the implementation of scientific research plans and application of scientific and technological advances in fields under the ministry's management.

17. Managing and organizing the application of information technology and digital transformation in sectors and fields under the ministry's state management. Developing, managing, operating and ensuring information security of information systems and databases; publishing and providing information and data in sectors and fields under the Ministry's state management according to the provisions of law.

18. Carrying out international cooperation in fields under the ministry's management according to the provisions of law.

19. Performing state management on public services in the areas under the ministry's management according to law; managing and directing activities of public service organizations under the ministry; managing the Small and Medium Enterprise Development Fund.

20. Managing activities of associations and non-governmental organizations in the fields under the ministry's management of according to the provisions of law.

21. Inspecting, examining and resolving complaints, denunciations; and anti-corruption; practicing savings, preventing waste in using assigned assets and funds; inspecting and monitoring the law enforcement situation according to the provisions of law; handling according to authority or propose competent authorities to handle according to the provisions of law for violations of the law within the scope of the ministry's management.

22. Deciding and directing the implementation of the ministry's administrative reform program according to the objectives and content and state administrative reform program after being approved by the Prime Minister.

23. Managing organizational structure and civil servant staffing; job positions, structure of public employees by professional title and number of people working in public non-business units; deciding on rotation, transfer, appointment, dismissal, termination, resignation, reward, and discipline; implementing salary regimes and policies; training and fostering cadres, civil servants, public employees and workers under the Ministry's state management according to the provisions of law.

24. Managing assigned finances and assets and organizing the implementation of allocated budget according to the provisions of law.

25. Performing other tasks and powers assigned by the Government and Prime Minister according to the provisions of law.

Article 3. Organizational structure

1. Department for National Economic Issues.
2. Department for Local and Regional Economy.
3. Financial and Monetary Department.
4. Department of Industrial and Service Economy.
5. Department of Agricultural Economy.
6. Department of Infrastructure and Urban Centers.
7. Department for Economic Zones Management.
8. Department of Investment Supervision and Appraisal.

9. Foreign Economic Relations Department.
10. Department for Labour, Culture and Social Affairs.
11. Department of Science, Education, Natural Resources and Environment.
12. Department of Planning Management.
13. Department of National Defense, Security.
14. Department of Legislation.
15. Department of Organization and Personnel.
16. Ministry Office.
17. Ministry Inspectorate.
18. Public Procurement Agency.
19. Enterprise Development Agency.
20. Foreign Investment Agency.
21. Agency for Business Registration.
22. Agency for Cooperative Development.
23. General Statistics Office.
24. Vietnam Institute for Development Strategies.
25. Central Institute for Economic Management.
26. Information Technology and Digital Transformation Center.
27. Vietnam Investment Review
28. Academy of Policy and Development.

The organizations specified in Clauses 1 to 23 of this Article are organizations that help the Minister perform state management functions; the organizations specified in Clauses 24 to 28 of this Article are public non-business units for the state management function of the Ministry.

Department for National Economic Issues has 03 divisions, Department for Local and Regional Economy has 04 divisions, and Foreign Economic Relations Department has 05 divisions.

The Minister of Planning and Investment submits to the Prime Minister regulations on the functions, tasks, powers and organizational structure of the

General Statistics Office; and submits to the Prime Minister for promulgation of the list of public non-business units under the Ministry.

The Minister of Planning and Investment regulates the functions, tasks, powers and organizational structures of organizations under the ministry, except for the General Statistics Office.

Article 4. Transitional provisions

National Center for Socio-Economic Information and Forecast, Economic and Planning Center for Training Cadres and the Economy & Forecast Review shall continue to operate according to current regulations until the competent authority completes the merger according to regulations.

Article 5. Governing provisions

1. This Decree has come into force since November 01st, 2022.
2. This Decree replaces the Decree No. 86/2017/ND-CP dated July 25th, 2017 by the Government promulgating the functions, tasks, powers and organizational structure of Ministry of Planning and Investment.

Article 6. Implementation responsibility

Ministers, Heads of ministerial-level agencies, Heads of Government agencies, and Chairmen of People's Committees of provinces and municipalities are responsible for implementing this Decree./.