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Agency: MINISTRY OF PLANNING AND INVESTMENT

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**MINISTRY OF PLANNING AND
INVESTMENT**

No. 826 /QD-BKHDT

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

Hanoi, May 15th, 2023

DECISION

on the functions, tasks, powers and organizational structure of the Public Procurement Agency

MINISTER OF PLANNING AND INVESTMENT

Pursuant to the Decree No. 89/2022/ND-CP dated October 28th, 2022 by the Government stipulating the functions, tasks, powers and organizational structure of the Ministry of Planning and Investment of Vietnam;

At the recommendation of Directors General of the Public Procurement Agency and Department of Organization and Personnel.

DECIDES:

Article 1. Position and functions

The Public Procurement Agency is an affiliated unit of the Ministry of Planning and Investment, representing the Minister to perform the state management functions on procurement and investment according to the Public-Private Partnership (PPP) method.

The Public Procurement Agency is a legal entity, has its own seal and level 2 account; Expenditure for operations is funded by the State budget and included in the annual estimate of the Ministry of Planning and Investment.

Article 2. Tasks and powers

1. Presiding over developing and submitting to competent agencies to promulgate mechanisms, policies, and legal documents on procurement, selection of contractors, investors and investment according to the Public-Private Partnership (PPP) method.

2. Popularizing, disseminating and guiding the implementation of legal regulations on selection of contractors, investors and investment according to the Public-Private Partnership (PPP) method and Vietnam's commitments on procurement as prescribed in the international treaties of which Vietnam is a member.

3. Appraising plans to select contractors and investors for projects and bidding packages under the Prime Minister's decision-making authority and other cases assigned by the Prime Minister according to the provisions of law.

4. Appraising contractor selection plans under the decision-making authority of the Minister of Planning and Investment.

5. Carrying out permanent duties to assist the Advisory Council in resolving central-level petitions according to the provisions of law on procurement and investment according to the Public-Private Partnership (PPP) method.

6. Inspecting of selection of contractors, investors according to the provisions of law on procurement and investment according to the Public-Private Partnership (PPP) method; Participating in inspection and supervision presided over by other agencies and units at the request of the Minister.

7. Summarizing and reporting on the implementation of procurement and investment according to the Public-Private Partnership (PPP) method of the Ministry, branches and localities.

8. International cooperation on procurement and investment according to the Public-Private Partnership (PPP) method; Presiding over or participating in negotiations and organizing the implementation of Vietnam's commitments on procurement as prescribed in the international treaties of which Vietnam is a member.

9. Managing, exploiting, and monitoring the operation and development of the National E-procurement System and E-bidding system.

10. Building and managing information systems and databases on procurement and investment according to the Public-Private Partnership (PPP) method.

11. Providing consulting services and bidding support for selecting contractors, investors, and investment according to the Public-Private Partnership (PPP) method.

12. Training and fostering professionals for organizations and individuals participating in procurement and other related organizations and individuals; and organizing the issuance of professional certificates in procurement according to the provisions of the procurement law.

13. Manage the activities of the Procurement Newspaper.

14. Presiding over the management tasks for associations and unions whose main fields of operation fall under the state management functions of the Agency according to the provisions of law.

15. Presiding over and coordinating with relevant units to codify and consolidate legal documents in the fields in charge by the Agency according to regulations.

16. Managing the organizational structure, staffing, civil servants, public employees, employees, assigned assets and finances according to the provisions of law and decentralization of the Ministry.

17. State management of public services within the Agency's scope and responsibility.

18. Carrying out other tasks as assigned by the Minister.

Article 3. Organizational structure

Administrative units include:

1. Division of Procurement Policy
2. Division of Procurement
3. Division of International Cooperation
4. Public-Private Partnership (PPP) Office
5. Agency's Office

Non-business units include:

1. Procurement Newspaper.
2. National E-procurement Center.
3. Procurement Support Center.

The Agency's payroll of civil servants, the number of contract employees and labours receiving salaries from state budget are decided by the Ministry.

Article 4. Leadership of the Public Procurement Agency

1. The Agency has one Director General and a number of Deputy Directors General.
2. The Director General and Deputy Directors General are appointed and dismissed by the Minister according to the provisions of law.
3. The Director General regulates functions and tasks of the Agency's affiliated administrative units; builds up the Agency's working regulations and internal spending regulations in accordance with the law; builds up functions, tasks and organizational structure the Agency's affiliated Non-business units including the Procurement Newspaper, National E-procurement Center and Procurement Support Center and submit to the Minister for consideration and decision.
4. The Director General of the Public Procurement Agency is responsible to the Ministry for the organization and management of all activities of the Agency; support the Ministry to manage all works of the Procurement Newspaper.
5. The Deputy Directors General are responsible to the Director General and to the law for the assigned field of works.

Article 5. Enforcement

This Decision comes into force since the date of signing and replaces the Decision No. 1858/QĐ-BKHDT dated December 21st, 2017 by Minister of the Ministry of Planning and Investment on functions, tasks, powers and organizational structure of the Public Procurement Agency.

Article 6. Implementation responsibility

Director General of Department of Organization and Personnel, Chief of the Ministry Office, Director General of the Public Procurement Agency and the heads of units and organizations under the Ministry are responsible for implementing this Decision./.

Attn:

- As in Article 6;
- Leaders of the Ministry;
- Public Procurement Agency (03 copies)
- Party Committee, Trade Union of the agency;
- - Web portal of the Ministry of Planning and Investment;
- Filed at Archives, Department of Organization and Personnel

MINISTER

(Signed and sealed)

Nguyen Chi Dung