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**MINISTRY OF PLANNING AND
INVESTMENT**

No. **969** /QD-BKHDT

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Hanoi, May 29th, 2023

DECISION

on the functions, tasks, powers and organizational structure of the Foreign Investment 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;

At the recommendation of the Directors General of Foreign Investment Agency and Department of Organization and Personnel,

DECIDES:

Article 1. Position and functions

Foreign Investment Agency is an affiliated unit under the Ministry of Planning and Investment which helps the Minister perform state management functions on foreign investment activities in Vietnam, Vietnam's overseas investment and investment promotion.

Foreign Investment Agency has its own legal status, seal and level 2 account; its operating funding is provided by the state budget and compiled in the annual estimate of the Ministry of Planning and Investment.

Article 2. Tasks and powers

1. Acting as a focal point to help the Minister in state management of foreign investment activities in Vietnam, Vietnam's overseas investment and investment promotion; presiding over and coordinating with units within the Ministry and ministries, branches and localities to draft strategies, plans and orientations to attract foreign investment into Vietnam, Vietnam's overseas investment and investment promotion.

2. Regarding the construction and implementation of laws and policies:

a) Presiding or participating in building and amending mechanisms and policies on foreign investment in Vietnam, Vietnam's overseas investment and investment promotion; synthesizing difficulties and problems and proposing solutions in the process of implementing laws, mechanisms and policies on foreign investment in Vietnam, Vietnam's overseas investment and investment promotion;

b) Presiding over and coordinating with relevant units to organize policy dialogue with the foreign investment business community;

c) Presiding over monitoring and guiding the implementation of procedures and legal regulations related to foreign investment in Vietnam, Vietnam's overseas investment and investment promotion as assigned by the Minister;

d) Synthesizing and proposing to handle issues related to foreign investment in Vietnam, Vietnam's overseas investment and investment promotion;

e) Participating in intergovernmental cooperation programs, working groups with other countries and international organizations in the field of construction and perfecting mechanisms and policies related to foreign investment in Vietnam, Vietnam's overseas investment and investment promotion as assigned by the Minister;

f) Presiding over or participating in negotiating international treaties related to foreign investment in Vietnam, Vietnam's overseas investment and investment promotion as assigned by the Minister.

3. Regarding synthesis and assessment of investment situation:

a) Synthesizing, evaluating and reporting on the situation of foreign investment in Vietnam, Vietnam's overseas investment and investment promotion nationwide;

b) Synthesizing and evaluating the effectiveness of foreign investment of localities;

c) Presiding over building a database system on foreign investment in Vietnam, Vietnam's overseas investment and investment promotion; providing information on foreign investment in Vietnam, Vietnam's overseas investment and investment promotion according to the provisions of law and the Ministry;

d) Carrying out international cooperation in the fields of statistics, synthesis and evaluation of foreign investment, overseas investment and investment promotion.

4. Regarding state management of foreign investment in Vietnam:

a) Presiding over and coordinating with relevant units to monitor, evaluate, inspect and supervise the implementation of regulations on foreign investment in Vietnam as assigned by the Ministry;

b) Presiding over appraisal and preparing appraisal reports to submit to the Prime Minister for projects in the field of Casino, horse racing, greyhound racing, betting, gambling and other projects as assigned by the Minister;

c) Presiding over and coordinating with relevant units to review, synthesize, and propose amendments and supplements to occupations that limit market access for foreign investors according to the provisions of law and international treaties on investment for publication on the National Information System on foreign investment;

d) Presiding over the appraisal of investment policies for foreign-invested projects under the investment policy approval authority of the Prime Minister (for projects outside economic zones and industrial parks);

e) Presiding over or coordinating with units within the Ministry in preventing and handling disputes between foreign investors and state management agencies;

f) Guiding to implement the regime of handling, updating information and reporting on problems and recommendations of investors related to the application and enforcement of laws in the investment and business process;

5. Regarding state management of Vietnam's overseas investment:

a) Presiding over the appraisal of investment policies for overseas investment projects falling under the Prime Minister's authority to approve overseas investment policies;

b) Presiding over the implementation of procedures for granting, adjusting and terminating the validity of the Certificate of overseas investment registration for overseas investment projects;

c) Checking the compliance with laws on overseas investment; supervising overseas investment projects; participating in supporting and resolving difficulties and obstacles for overseas investment projects, proposing solutions on mechanisms and policies related to overseas investment activities;

d) Training and guiding legal procedures and policies related to overseas investment activities;

e) Presiding over or participating in international cooperation activities related to overseas investment. Carrying out overseas investment promotion activities.

6. Regarding state management of investment promotion activities:

a) Carrying out state management of investment promotion activities nationwide, including: guiding the development and implementation of investment promotion programs of ministries, ministerial-level agencies and people's committees of provinces and municipalities; coordinating investment promotion activities;

b) Presiding over synthesizing, developing, deploying and coordinating the Investment Promotion Program using state budget allocated to the Ministry of Planning and Investment;

c) Presiding over synthesizing, developing, deploying, coordinating and monitoring the implementation of the National Investment Promotion Program;

d) Organizing and implementing promotional activities; promoting Vietnam's investment environment; organizing conferences, seminars and investment promotion programs; organizing training courses on investment promotion; guiding and supporting investors in understanding investment opportunities and implementing investment projects; making international cooperation related to investment promotion;

e) Presiding over monitoring, synthesizing and evaluating professional activities of overseas investment promotion focal points; coordinating with Department of Organization and Personnel and relevant units to implement contents related to the management and activities of overseas investment promotion officers.

7. Presiding over building and coordinating with the Information Technology and Digital Transformation Center to upgrade, manage and operate the National Information System on Foreign Investment in Vietnam, National Information System on Vietnam's Overseas Investment and National Information System on Investment Promotion.

8. Conducting State management of public non-business services within the scope and fields under the responsibility of Foreign Investment Agency.

9. Presiding over the implementation of management tasks for associations whose main fields of operation fall under the state management function of the Foreign Investment Agency.

10. Presiding over guiding the implementation of legal regulations on investment and business for the fields under the responsibility of Foreign Investment Agency. Presiding over and coordinating with relevant units to organize the implementation of codification and consolidation of legal documents in the fields under the responsibility of Foreign Investment Agency according to regulations.

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

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

Article 3. Organizational structure

Administrative units include:

1. Foreign Investment Division;
2. Overseas Investment Division;
3. Investment Promotion Division;
4. General Affairs and Information Division;
5. Agency Office.

Non-business units include:

1. Northern Investment Promotion Center;
2. Southern Investment Promotion Center.

Civil servant staffing, number of employees and number of contract workers receiving salaries from the State budget of Foreign Investment Agency are decided by the Minister of Planning and Investment.

Article 4. Leadership of Foreign Investment Agency

1. The Agency has one Director General and a number of Deputy Directors General.
2. The General Director and Deputy Directors General are appointed, dismissed and terminated by the Minister of Planning and Investment according to the provisions of law.
3. The Director General of the Agency regulates the functions and tasks of administrative units under the Agency; develops working regulations and internal spending regulations of the Agency according to the provisions of law; develops the functions, tasks and organizational structure of Investment Promotion Centers and submits them to the Minister for consideration and decision.

4. The Director General is responsible before the Minister for the organization and management of all activities of the Agency.

5. The Deputy Directors General are responsible before the Director General and the law for the assigned fields of work.

Article 5. Enforcement

This Decision has come into force since the date of signing. Previous regulations contrary to this Decision are all annulled.

Article 6. Implementation responsibility

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

Attn:

- Leaders of the Ministry;
- As in Article 6;
- Foreign Investment Agency (05 copies);
- Units under the Ministry;
- Party Committee, Trade Union of the agency;
- Web portal of the Ministry of Planning and Investment;
- Filed at Archives, Department of Organization and Personnel (03 copies).

MINISTER

(Signed and sealed)

Nguyen Chi Dung