

THE GOVERNMENT

SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

No: 43/NQ-CP

Hanoi, June 06, 2014

RESOLUTION

ON SOME PRIMARY TASKS IN REFORM OF ADMINISTRATIVE PROCEDURES FOR FORMULATION AND EXECUTION OF INVESTMENT PROJECTS USING LAND TO IMPROVE BUSINESS ENVIRONMENT

THE GOVERNMENT

Pursuant to the Law on Government organization dated December 25, 2001;

Pursuant to the Decree No. 01/NQ-CP dated January 07, 2013 of the Government on the managerial solutions for the implementation of the Plan for the economic development and the budget estimate in 2013;

Pursuant to the Decree No. 01/NQ-CP dated January 02, 2014 of the Government on the managerial solutions for the implementation of the Plan for the social-economic development and the budget estimate in 2014;

At the request of the Minister of Justice

RESOLVE

Article 1. The objectives of the reform of administrative procedures for the formulation and execution of the investment projects using land are to complete the law system of investment and ensure the effective implementation of the Law on Land; create a equitable, open and convenient business environment; reduce at least 40% on the time for the implementation and minimize the fees for the administrative procedures for the investors involved in every economic sectors; raise the rank of Vietnam of business advantage index and national competitive ability; attract investments, support anti-corruption and enhance the socio-economic development.

Article 2. Some primary tasks in the reform of administrative procedures for formulation and execution of investment projects using land include:

1. The regulations on the administrative procedures for the formulation and execution of investment projects using land are simplified as follows:

The components of the procedures for the appointment of the investors using land are standardized and regulated in 3 forms: land use right auction (hereinafter referred to as land

auction), bidding to choose the investors running the investment projects using land, land allocation and land lease without bidding or auctions

- With regard to the land auction: the components of the procedures for the land auction of which the appointment of the investors eligible to run the investment projects is integrated with the land auction procedure, are specifically regulated.

- With regard to the bidding to choose the investors running the investment projects using land:

The conditions of the bidding to choose the investors running the investment projects using land include: The projects in the list of the bidding to choose the investors which are approved and published by the competent authorities; Projects in an area of which the detailed planning on a scale of 1:500 has been approved; Projects in an area of which compensation plan has been approved; Projects of which the unit price of land levy and land rents has been approved.

The components of the procedures for the bidding to choose the investors running the investment projects using land are specifically regulated.

The result of these administrative procedures is the written approval for the appointment of the investors. A written approval for the appointment of the investor must include: The name of the project, name of the investor/owner, investment method, investment objectives, location for construction, investment scale, land use area, land use boundaries, planning and architectural targets such as: land coefficient, building density...; total investment in the project, unit price of land levy/ land rents; time and implement progress (divided according to stages), capital resources, management and operation methods, investment incentives (if any).

- With regard to land allocation and land lease in order to run the investments projects without bidding and auctions:

The procedures for the approval for the investment policies, recommendation of locations and provision of the investment information are integrated together into the procedures for the approval of the investment policies. The governing authorities are responsible for requesting the competent authorities to consider approving and decide the investment policies.

+Such result of the administrative procedures must include: The name of the project, the name of the investor, investment method, investment objectives, location for construction, project scale, land use area, scope, boundaries, land scale, population in the urban planning area (if any); requirements of planning(1- With regard to the construction projects of construction groups: The land use targets for the houses, commercial services; social infrastructure projects, trees, traffic; targets for the use of urban planning land for the whole planning area; requirements for the organization of the architectural area, landscape and environment; requirements for the targets and major constructions of the urban technical infrastructure which serve as a basis for the owners to outline the tasks and detail planning plan. 2- With regard to construction projects of individual constructions: The urban planning land use targets in terms of numbers of stories, land use coefficient, building density of the land; requirements for construction architecture and environment, requirements for the targets for urban technical infrastructure and other

requirements that the owners can use to formulate the investment projects of the constructions), total investment in the projects, time and implementation progress (divided according to stages); capital resources; management and operation methods, investment incentives and investment support.

With regard to procedures for the investment registration or assessment, issuance of the investment certificates:

- The procedures for the investment registration or assessment, issuance of the investment certificates for the project of investment using land that invest in the fields in which investment is subject to conditions are annulled.
- With regard to the investment projects using land involved in the fields in which investment is subject to conditions:

The procedures for the assessment, issuance of the investment certificates in case of the land auction, bidding to choose the investors running the investment projects using land and the investors running the investment projects using land within their rights are replaced by the simple procedures for the investment registration which include only the information about the investment projects.

The contents of the procedures for the investment registration and assessment, the issuance of the investment certificates are integrated with the contents of the procedures for the approval for the investment policies into one comprehensive procedure in case of land allocation and land lease to run the investment projects without bidding and auctions. Such result of the administrative procedures is the investment registration certificate.

With regard to the procedures related to the construction planning.

- The investors are not required to implement the procedures for the issuance of the planning permits; the contents of the planning permits must be included in the result of the procedures for the approval for the investment policies.
 - According to the result of the procedures for the approval for the investment policies, the investors shall outline and approve the specific planning tasks in order to set up the planning projects.
- d) The investors are not required to submit the copy of the cadastral map or carry out cadastral measurements during the implementation of the administrative procedures when implementing the investment projects. The governing authorities in charge of natural resources and environment shall take responsibility during the handling of the administrative procedures for the investors.

dd) The single-window system is applied to the implementation of the assessment procedures for the need to use land, the conditions for the land allocation and land lease; procedures for the land

allocation and land lease in case of the investment projects obliged for implementing the above assessment procedures.

The procedures for the bidding for the land valuation consultancy in order to provide the consultancy services in a specific period of time are considered and regulated to shorten the time to select the consultancy services and determine specific land prices.

g) The continuity mechanism between the governing authorities in charge of natural resources and environment and governing authorities in charge of tax is considered and applied to the handling of the administrative procedures for land. The governing authorities of natural resources and environment are the agency in charge of receipt and provision of the result for the investors.

h) The issuance of the construction permits are not required in case of projects in an area of which the detailed planning on a scale of 1:500 has been approved.

i) With regard to the investment projects of the constructions that related to the confirmation, and inspection of final assessment of the constructions before they are put into operation of different governing authorities, the governing authorities in charge of construction shall take charge and receive the requests of the investors and establish interdisciplinary task forces to confirm and assess the projects for the investors. It is not allowed to establish more than one inspectorate. The times of inspection depends on the scale and technical nature of the constructions. However, the special Class constructions are inspected at most 4 times, the Class I constructions are inspected at most 3 times and the others are at most 2 times except for the constructions confronting problems of quality during the execution or other cases that are requested by the investors.

k) The requirements, production and business conditions are considered and reviewed towards the reduction in the requirements of the practice certificates before the registration of enterprise establishment, certificates of eligibility or permits of operation. Providing that the procedures for the issuance of the operation permits or certificates of eligibility for operation must be implemented, the detailed and consistent policies, standards, regulations and social-economic norms must be considered and promulgated to serve as a basis for the implementation.

2. The procedures and regulations on the administrative procedures for the formulation and execution of investment projects using land are established, standardized and promulgated to ensure the nationwide consistency as follows:

a) During the time the regulations related to the laws and ordinances to perform the tasked prescribed in Clause 1 of this Article have not been amended, replaced and annulled completely, the administrative procedures for the formulation and execution of the investment projects using land shall be completed and standardized based on the Appendix 1 attached to this Resolution, ensuring these principles:

- The single-window system is utilized so that each investor shall come to one authority, submit one application once and receive several results from different authorities.

- Several administrative procedures can be implemented concurrently to reduce the implementation time of the investors.

- The results of the administrative procedures can be reused to reduce the cost for the application preparation for the consideration of the governing authorities.

a) After the regulations related to the laws and ordinances to perform the tasks prescribed in Clause 1 of this Article have been amended, replaced and annulled completely, the administrative procedures for the formulation and execution of the investment projects using land shall be completed and standardized based on the Appendix II attached to this Resolution.

a) Based on the administrative procedures for the formulation and execution of the investment projects using land promulgated together with the Appendix I and Appendix II, the administrative procedures for the investment projects shall be completed, standardized and specified in order to be published with regard to the peculiar projects of such majors and fields.

3. The administrative procedures for the investment projects must be implemented publicly as follows:

a) The administrative procedures must be seriously published, which serves as a basis for the implementation of the administrative procedures and elimination of the corruption and misconduct. The administrative procedures must be published on the National database of the administrative procedures and publicized in the head offices in the authorities or units directly dealing with the administrative procedures.

b) The application of the information technology to the receipt and handling of administrative procedures shall be enhanced. The information about the results of the administrative procedures of the investment projects, especially the reasons for the overdue implementation shall be published on the websites of the Ministries, ministerial agencies, Governmental agencies, the People's Committees of the provinces in order to be monitored by the individuals and organizations.

4. The inspections of the implementation of the administrative procedures in the authorities at all level shall be enhanced; the officials and civil servants who encumber or fail to discharge their duties on the implementation of the regulation on the administrative procedures, the organizations and agencies that do not seriously publish the administrative procedures or tardily amend the regulations on the administrative procedures for the implementation of the investment projects which are unnecessary, unreasonable, illegal and ineffective under the direction of the competent authorities or competent persons shall be strictly penalized in time.

Article 3. Implementation

1. 1. With regard to the legislative documents within the promulgation authority of the Government, Prime Minister, Ministries and Heads of ministerial-level agencies (prescribed in the attached Appendix III):

a) The Ministries and ministerial-level agencies shall propose amendments, replacement and annulment of the regulations on administrative procedure according to the approved tasks which is prescribed in Clause 2 this Decree to promulgate or request the Government and Prime Minister to consider promulgating before October 15, 2014. Amendments to multiple documents should be included in one document according to simplified procedures.

b) The Ministry of Planning and Investment shall take charge and cooperate with the Ministry of Justice, Ministry of Finance, Ministry of Natural Resources and Environment, Ministry of Construction and other relevant Ministries and regulatory authorities in issuing documents about continuity administrative procedures for the formulation and execution of the investment projects using land in order to promulgate or request the Government and Prime Minister to consider promulgating before October 15, 2014 according to the approved tasks prescribed in point a, Clause 2, Article 2 in this Decree. With regard to the tasks mentioned in Point b Clause 2 Article 2 in this Decree, the amendments to the continuity procedure shall be implemented after the promulgation of the law and ordinances.

2. 2. Ministry of Planning and Investment shall consider including the solutions to the reform of the administrative procedures which is adopted by the Government in the Law on Investment (amended) while the Law project is established and completed in order to be submitted to the National Assembly. With regard to the administrative procedures prescribed in the law and ordinance needing amending according to the approved tasks in this Decree but not included in the Formulation of law and ordinance programme, the Minister of Justice, authorized by the Prime Minister, on behalf of the Government is assigned to report the proposal of the Government for the permission to add the law and ordinance project to implement the solutions to the reform of the administrative procedures which is adopted by the Government to the formulation of law and ordinance programme in 2015 to the Standing Committee of the National Assembly before December 31, 2014

3. During the implementation, the Ministry of Planning and Investment, Ministry of Finance, Ministry of Natural Resources and Environment, Ministry of Construction and other relevant Ministries and regulatory agencies shall proactively detect, amend, replace or annul the relevant regulations in time within their authority or send a written request to the Ministry of Justice and Government Office for the laws, ordinances, Decrees of the Government, decision of the Prime Minister regulating the administrative procedures that need amending, replacing or annulling in order to perform the tasks in the reform of the administrative procedures approved by the Government in the Article 2 in this Resolution.

4. 4. The People's Committees of the provinces and centrally-run cities (hereinafter referred to as provinces) shall perform the tasks mentioned in the Article 2 this Decree, immediately amend, replace or annul the relevant regulations in the documents within their authority according to the legislative documents issued by the central agencies and ensure the implementation of those documents when they become effective.

5. 5. The ministries, ministerial-level agencies, government agencies, People's Committees of provinces shall perform the tasks related to the implementation of the administrative procedures for the formulation and execution of the investment projects using land which are approved by

the Government in this Decree according to their ambit of competence. The ministries, ministerial-level agencies shall perform the tasks prescribed in Point c Clause 2 of Article 2 in this Decree in order to publish and implement nationwide.

6. 6. The Ministry of Justice shall take charge and cooperate with other Ministries, regulatory agencies and local authorities in examining and supervising the implementation; report the difficulties that arises during the performance of the tasks approved by the Government in this Decree to the Prime Minister for consideration; send a partial report to the Government by the end of 2016 on the implementation result of such performance of the assigned tasks in this Resolution.

7. 7. The Consultancy Council of the administrative procedure reform shall take charge and cooperate with the Ministries, regulatory authorities and local authorities in evaluating the implementation of this Resolution.

Article 4. The ministries, ministerial-level agencies, government agencies, People's Committees of provinces preferably allocate the budget to ensure the completion of the assigned tasks in this Resolution. The Ministry of Finance shall balance and ensure sufficient budget for the performance of the tasks prescribed in this Resolution.

In addition to the regular funding resources, the ministries, ministerial-level agencies, government agencies, the People's Committees of provinces are allowed to mobilize other financial resources to facilitate the performance of the tasks in this Decree.

Article 5. This Decree takes effect as of the signing date.

Ministers, heads of ministerial-level agencies, heads of government-attached agencies, and presidents of the People's Committees of provinces shall implement this Resolution. /.

**ON BEHALF OF THE GOVERNMENT
PRIME MINISTER**

Nguyen Tan Dung

APPENDIX I

**ADMINISTRATIVE PROCEDURES FOR FORMULATION AND EXECUTION OF
INVESTMENT PROJECTS USING LAND**

(In case the relevant laws and ordinances have not been amended, replaced and annulled completely)

(Issued together with the Resolution No. 43/NQ-CP dated June 06, 2014 of the Government)

The administrative procedures for the formulation and execution of the standardized investment projects using land are implemented as follows:

1. With regard to the land auctions:

No	Names of the administrative procedures	Regulated objects	Agencies in charge	Processing duration	Note
1	Land auctions:	The investment projects using the land prescribed in the List of land auctions which are approved by the competent authorities	The appointed auctioneers	30 working days	Result - Approval for the successful bid - Certificates of the land right
2	Investment Registration	The investment projects using land which is up for auction	The governing authorities in charge of investment	05 working days	
3	Collection of opinions about fundamental design	With regard to the investment projects of the constructions within the urban scale which is approved by The governing authorities, the investors must collect the opinions about the fundamental design of The governing authorities before the projects are approved. With regard to other projects, the investors shall decide whether to collect opinions about the fundamental design if necessary.	Regulatory authorities	Group C: 10 working days Group B: 15 working days Group A: 20 working days	

4	Assessment of the fire safety design	The investment projects for the constructions as prescribed in the Appendix 3 attached to the Decree No. 46/2012/ND-CP	Fire departments	15 working days	
5	Commitment to environmental protection/ Approval for the report on the environmental impact assessment	<p>- The projects whose environmental impact assessment must be assessed and approved</p> <p>The projects within the authority over the investment policies of the National Assembly and the Prime Minister</p> <p>+ The projects using land of the wildlife sanctuaries, national parks, cultural-historic sites, world heritage sites, biosphere reserves, ranked scenic beauties</p> <p>+ The projects that have negative effects on the environmental and social factors.</p> <p>- The projects that are required to fulfill the commitment to environment protection: The production, business and service establishments whose scale is as households, run the projects of the industries and fields that are likely to cause environmental pollution.</p>	The authorities of Natural resources and Environment	<p>- Commitment to environment protection : 05 working days</p> <p>- Approval for the report on the environmental impact assessment: 45 working days.</p>	These administrative procedures may be implemented simultaneously
6	Design assessment	The investment projects for the constructions	The regulatory authorities	- Constructions of Class I or	

	<p>including:</p> <p>a) Apartment buildings of Class III or above; separate houses, each of which has at least 7 floors.</p> <p>b) Public works of Class III or above;</p> <p>c) Industrial constructions: Transmission lines, hydroelectric plants, thermal power plants, smelters, alumina manufacturing plants, cement plants of Class III or above; petrochemical plants, gas processing plants, storage buildings, gas, oil, liquefied petroleum pipelines, manufacturing plants and warehouses of hazardous chemicals, and industrial explosives regardless of Classes;</p> <p>d) Traffic constructions: Bridges, tunnels, roads of Class III or above which are funded from the State budget and of Class II or above which are funded from other capital; railways, airports, terminals, floating docks, inland ports, system of cable transport for people system, regardless of Classes;</p> <p>dd) Agricultural constructions: reservoirs,</p>	<p>in charge of construction.</p>	<p>above: 40 working days</p> <p>- Other constructions: 30 working days</p>	
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		<p>dams, drains, channels, closed water pipes, hydraulic tunnels, dikes, embankments, pumping stations and other Irrigational works regardless of Classes;</p> <p>e) Infrastructural constructions: Infrastructural constructions of Class III or above which are funded from the State budget and of Class II or above funded from other capital; hazardous solid waste treatment constructions regardless of Classes.</p>			
7	Announcement to begin construction	The investment projects for the constructions	The owners		
8	Inspection of final assessment of the constructions before they are put into operation	<p>The investment projects for the constructions including:</p> <p>a) Apartment buildings of Class III or above; separate houses, each of which has at least 7 floors.</p> <p>b) Public works of Class III or above;</p> <p>c) Industrial constructions: Transmission lines, hydroelectric plants, thermal power plants, smelters, alumina manufacturing plants, cement plants of Class III or above; petrochemical plants, gas processing</p>	The governing bodies in charge of construction	<p>- Class III and IV: 15 working days</p> <p>- Special Class, Class I and II: 30 working days</p>	The governing authorities in charge of construction shall take charge and receive the request applications of the investors and establish the interdisciplinary task forces to conduct inspections and inform each investor once for all.

		<p>plants, storage buildings, gas, oil, liquefied petroleum pipelines, manufacturing plants and warehouses of hazardous chemicals, and industrial explosives regardless of Classes;</p> <p>d) Traffic constructions: Bridges, tunnels, roads of Class III or above which are funded from the state budget and of Class II or above which are funded from other capital; railways, airports, terminals, floating docks, inland ports, system of cable transport for people system, regardless of Classes;</p> <p>dd) Agricultural constructions: reservoirs, dams, drains, channels, closed water pipes, hydraulic tunnels, dikes, embankments, pumping stations and other Irrigational works regardless of Classes;</p> <p>e) Infrastructural constructions: Infrastructural constructions of Class III or above which are funded from the State budget and of Class II or above funded from other capital; hazardous solid waste treatment constructions regardless of Classes.</p>		
9	Assessment and	The investment projects	- The	20 working

	confirmation of the implementation of the projects and environmental protective measures to facilitate the operation of the projects	that are required to file reports on the environmental impact assessment.	authorities in charge of receiving requests: The governing authorities in charge of construction - The competent authorities in charge of handling: The authorities of Natural resources and Environment	days	
10	Issuance of the permits for the operation, certificates of eligibility	Projects that invest in the fields in which investment is subject to conditions	The Regulatory authorities.	Depending on the form and scale of each project	The processing duration must be time-saving for the clients and suit the implementation ability of the authorities in charge of administrative procedures.

2. With regard to the bidding to choose the investors to run the investment projects using land.

No	Names of the administrative procedures	Regulated objects	Agencies in charge	Processing duration	Note
1	Bidding to choose the investors to run the investment projects using land.	The investment projects prescribed in the List of bidding to choose the investors to run the investment projects using land which are approved by the	The appointed authorities in charge of bidding	According to the regulations in Article 12, Law on Bidding	

		competent authorities			
2	Investment Registration	The investment projects which are put up for bidding in order to choose the investors to run the investment projects using land	The governing authorities in charge of investment	05 working days	
3	Announcement of land revocation	The investment projects using land which is revoked by the government	The authorities of Natural resources and Environment	According to the regulations of the Law on Land	
4	Collection of opinions about fundamental design	With regard to the investment projects of the constructions within the urban scale which is approved by the governing authorities, the investors must collect the opinions about the fundamental design of the governing authorities before the projects are approved. With regard to other projects, the investors shall decide whether to collect opinions about the fundamental design if necessary.	Regulatory authorities	Group C: 10 working days Group B: 15 working days Group A: 20 working days	
5	Assessment of the fire safety design	The investment projects for the constructions as prescribed in the Appendix III attached to the Decree No. 46/2012/ND-CP	Fire departments	15 working days	These administrative procedures may be implemented simultaneously
6	Information/ agreement on the water supply and drainage, electricity supply	The investment projects for the constructions	The regulatory authorities.	10 working days	
7	Design assessment	The investment projects for the constructions	The regulatory	- Constructions	These administrative

	<p>including:</p> <p>a) Apartment buildings of Class III or above; separate houses, each of which has at least 7 floors.</p> <p>b) Public works of Class III or above;</p> <p>c) Industrial constructions: Transmission lines, hydroelectric plants, thermal power plants, smelters, alumina manufacturing plants, cement plants of Class III or above; petrochemical plants, gas processing plants, storage buildings, gas, oil, liquefied petroleum pipelines, manufacturing plants and warehouses of hazardous chemicals, and industrial explosives regardless of Classes;</p> <p>d) Traffic constructions: Bridges, tunnels, roads of Class III or above which are funded from the state budget and of Class II or above which are funded from other capital; railways, airports, terminals, floating docks, inland ports, system of cable transport for people system, regardless of Classes;</p> <p>dd) Agricultural</p>	<p>authorities in charge of construction.</p>	<p>of Class I or above: 40 working days</p> <p>- Other constructions: 30 working days</p>	<p>procedures may be implemented simultaneously</p>
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		<p>constructions: reservoirs, dams, drains, channels, closed water pipes, hydraulic tunnels, dikes, embankments, pumping stations and other Irrigational works regardless of Classes;</p> <p>e) Infrastructural constructions: Infrastructural constructions of Class III or above which are funded from the State budget and of Class II or above funded from other capital; hazardous solid waste treatment constructions regardless of Classes.</p>		
8	<p>Commitment to environmental protection/ Approval for the report on the environmental impact assessment</p>	<p>- The projects whose environmental impact assessment must be assessed and approved</p> <p>The projects within the authority over the investment policies of the National Assembly and the Prime Minister</p> <p>+ The projects using land of the wildlife sanctuaries, national parks, cultural-historic sites, world heritage sites, biosphere reserves, ranked scenic beauties</p> <p>+ The projects that have negative effects on the environmental and social factors.</p> <p>- The projects that are</p>	<p>Authorities of Natural resources and Environment</p>	<p>- Commitment: 05 working days</p> <p>- Assessment and approval: 45 working days.</p>

		required to fulfill the commitment to environment protection: The production, business and service establishments whose scale is as households, run the projects of the industries and fields that are likely to cause environmental pollution.			
9	Decision on land allocation, land lease and transfer of land use purposes.	The investment projects using land	The authorities of Natural resources and Environment	30 working days	
10	Announcement and implementation of the compensation plan for the premises clearance	The projects using land which is revoked by the government	The organizations in charge of compensation, premises clearance, the People's Committees of districts and communes	90 working days	<p>Including:</p> <ul style="list-style-type: none"> - Announcement and receipt of the suggestions for the plan: 20 working days - Approval for the plan: 05 working days. - Announcement of the approved plan: at most 03 working days from the receipt of the plan - Provision of the compensation: 40 working days from the announcement of the approved

					plan - Land allocation: 20 working days from the complete provision of the compensation.
11	Land lease contract signing/ fulfillment of financial obligations to the State	The investment projects using land	Authorities of Natural resources and Environment; Tax authorities	10 working days	
12	Receipt of land on map and on site	The investment projects using land	The authorities of Natural resources and Environment	5 working days	
13	Issuance of the certificates of the land rights	The investment projects using land	The authorities of Natural resources and Environment	07 working days	
14	Announcement to begin construction	The investment projects for the constructions	The owners		
15	Inspection of final assessment of the constructions before they are put into operation	The investment projects for the constructions including: a) Apartment buildings of Class III or above; separate houses, each of which has at least 7 floors. b) Public works of Class III or above; c) Industrial constructions: Transmission lines, hydroelectric plants,	The governing authorities in charge of construction	- Class III and IV constructions: 15 working days - Special Class, Class I and II constructions: 30 working days	The governing authorities in charge of construction shall take charge and receive the request applications of the investors and establish the interdisciplinary task forces to conduct inspections and inform each

	<p>thermal power plants, smelters, alumina manufacturing plants, cement plants of Class III or above; petrochemical plants, gas processing plants, storage buildings, gas, oil, liquefied petroleum pipelines, manufacturing plants and warehouses of hazardous chemicals, and industrial explosives regardless of Classes;</p> <p>d) Traffic constructions: Bridges, tunnels, roads of Class III or above which are funded from the state budget and of Class II or above which are funded from other capital; railways, airports, terminals, floating docks, inland ports, system of cable transport for people system, regardless of Classes;</p> <p>dd) Agricultural constructions: reservoirs, dams, drains, channels, closed water pipes, hydraulic tunnels, dikes, embankments, pumping stations and other Irrigational works regardless of Classes;</p> <p>e) Infrastructural constructions: Infrastructural constructions of Class III or above which are funded from the State</p>		<p>investor once for all.</p>
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		budget and of Class II or above funded from other capital; hazardous solid waste treatment constructions regardless of Classes.			
16	Assessment and confirmation of the implementation of the projects and environmental protective measures to facilitate the operation of the projects	The investment projects that are required to file reports on the environmental impact assessment.	- The authorities in charge of receiving requests: The governing bodies in charge of construction - The competent authorities in charge of handling: Authorities of Natural resources and Environment	20 working days	
17	Issuance of the permits for the operation, certificates of eligibility	Projects that invest in the fields in which investment is subject to conditions	The Regulatory authorities.	Depending on the form and scale of each project	The processing duration must be time-saving for the clients and suit the implementation ability of the authorities in charge of administrative procedures.

3. With regard to the land allocation, land lease without bidding or auctions

No	Names of the administrative procedures	Regulated objects	Agencies in charge	Processing duration	Note
1.	Approval for the investment policies	The land allocation and land lease without bidding and	Provincial departments of Planning and	30-60 working days	Result - The written

	<i>(Enclosed with details of the administrative procedures)</i>	auctions as prescribed in the Law on Land and other cases other than the investment projects executed by the investors on their land.	Investment		approvals for the investment policies (their contents are prescribed in the investment permits, using the attached form) - Investment certificates (if any)
2.	Formulation, assessment and approval for the detail planning/ total premises planning	The investment projects of the urban construction, including: a) The projects whose boundaries or some targets for the use of urban planning land need adjusting in order to execute the investment projects to build b) The investment projects to build the construction groups in the urban areas having no detail planning c) The investment projects to build the individual constructions in the urban areas having no detail planning or urban design, except for housing.	The governing bodies in charge of planning, the People's Committee of provinces	30-40 working days (Assessment: 25, Approval: 15)	
3.	Collection of opinions about fundamental design	With regard to the investment projects of the constructions within the urban scale	The regulatory authorities	Group C: 10 working days Group B: 15	These administrative procedures may be implemented

		which is approved by the governing authorities, the investors must collect the opinions about the fundamental design of the governing authorities before the projects are approved. With regard to other projects, the investors shall decide whether to collect opinions about the fundamental design if necessary.		working days Group A: 20 working days	simultaneously
4.	Information/ agreement on the water supply and drainage, electricity supply	The investment projects for the constructions	The regulatory authorities.	10 working days	
5.	Assessment of the fire safety design	The investment projects for the constructions as prescribed in the Appendix 3 of the Decree No. 46/2012/ND-CP	Fire departments	15 working days	
6.	Approval for the investment in the housing development projects/ approval for the investment in the new urban area project assessments	The housing development projects and new urban area project investment projects	The Provincial departments of Construction	30 or 65 working days depending on the type of each project	
7.	Commitment to environmental protection/ Approval for the report on the environmental impact assessment	- The projects whose environmental impact assessment must be assessed and approved The projects within the authority over the	The authorities of Natural resources and Environment	- Commitment to environment protection : 05 working days	These administrative procedures may be implemented simultaneously

		<p>investment policies of the National Assembly and the Prime Minister</p> <p>+ The projects using land of the wildlife sanctuaries, national parks, cultural-historic sites, world heritage sites, biosphere reserves, ranked scenic beauties</p> <p>+ The projects that have negative effects on the environmental and social factors.</p> <p>- The projects that are required to fulfill the commitment to environment protection: The production, business and service establishments whose scale is as households, run the projects of the industries and fields that are likely to cause environmental pollution.</p>		<p>- Approval for the report on the environmental impact assessment: 45 working days.</p>
8.	Announcement of land revocation	The investment projects using land which is revoked by the government	The authorities of Natural resources and Environment	According to the regulations of the Law on Land
9.	Decision on land allocation, land lease and transfer of land use purposes.	The investment projects using land except for the investment projects using land subject to	The authorities of Natural resources and Environment	30 working days

		the legal rights of the investors and conformable with the approved planning			
10.	Data collection, formulation, approval and announcement of the compensation plan for the premises clearance, provision of compensation, receipt of premises	The investment projects using land which is revoked by the government	The organizations in charge of compensation, premises clearance, the People's Committees of districts and communes	90 working days	<p>Including:</p> <ul style="list-style-type: none"> - Announcement and receipt of the suggestions for the plan: 20 working days - Approval for the plan: 05 working days. - Announcement of the approved plan: at most 03 working days from the receipt of the plan - Provision of the compensation: 40 working days from the announcement of the approved plan - Land allocation: 20 working days from the complete provision of the compensation.
11.	Hire of the units to file the applications for the valuation of the land levy and land rents.	The investment projects using land except for the investment projects using land subject to the legal rights of the investors and conformable with the approved planning	The valuation units	10 working days	
12.	Assessment of the	The investment	The Provincial	10 working	

	valuation applications, determination of the unit price of the land levy, land rents	projects using land except for the investment projects using land subject to the legal rights of the investors and conformable with the approved planning	departments of Finance and other relevant regulatory authorities	days	
13.	Approval for the unit price of the land levy and land rents.	The investment projects using land except for the investment projects using land subject to the legal rights of the investors and conformable with the approved planning	The People's committees of provinces	10 working days	
14.	Land lease contract signing/ fulfillment of financial obligations to the State	The investment projects using land except for the investment projects using land subject to the legal rights of the investors and conformable with the approved planning	The provincial departments of Natural resources and Environment; Tax authorities	10 working days	
15.	Receipt of land on the map and on site	The investment projects using land except for the investment projects using land subject to the legal rights of the investors and conformable with the approved planning	The provincial departments of Natural resources and Environment	5 working days	
16.	Issuance of the certificates of the land rights	The investment projects using land except for the investment projects using land subject to the legal rights of the investors and conformable with the approved planning	The provincial departments of Natural resources and Environment	07 working days	

17.	Design assessment	<p>The investment projects for the constructions including:</p> <p>a) Apartment buildings of Class III or above; separate houses, each of which has at least 7 floors.</p> <p>b) Public works of Class III or above;</p> <p>c) Industrial constructions: Transmission lines, hydroelectric plants, thermal power plants, smelters, alumina manufacturing plants, cement plants of Class III or above; petrochemical plants, gas processing plants, storage buildings, gas, oil, liquefied petroleum pipelines, manufacturing plants and warehouses of hazardous chemicals, and industrial explosives regardless of Classes;</p> <p>d) Traffic constructions: Bridges, tunnels, roads of Class III or above which are funded from the state budget and of Class II or above which are funded from other capital; railways, airports, terminals,</p>	The regulatory authorities in charge of construction.	<p>- Constructions of Class I or above: 40 working days</p> <p>- Other constructions: 30 working days</p>	These administrative procedures for land may be implemented simultaneously
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		<p>floating docks, inland ports, system of cable transport for people system, regardless of Classes;</p> <p>dd) Agricultural constructions: reservoirs, dams, drains, channels, closed water pipes, hydraulic tunnels, dikes, embankments, pumping stations and other Irrigational works regardless of Classes;</p> <p>e) Infrastructural constructions: Infrastructural constructions of Class III or above which are funded from the State budget and of Class II or above funded from other capital; hazardous solid waste treatment constructions regardless of Classes.</p>			
18.	Announcement to begin construction	The investment projects for the constructions	The owners		
19.	Inspection of final assessment of the constructions before they are put into operation	<p>The investment projects for the constructions including:</p> <p>a) Apartment buildings of Class III or above; separate houses, each of which has at least 7 floors.</p>	The governing authorities in charge of construction	<p>- Class III and IV constructions: 15 working days</p> <p>- Special Class, Class I and II constructions: 30 working</p>	The governing authorities in charge of construction shall take charge and receive the request applications of the investors and establish the interdisciplinary

	<p>b) Public works of Class III or above;</p> <p>c) Industrial constructions: Transmission lines, hydroelectric plants, thermal power plants, smelters, alumina manufacturing plants, cement plants of Class III or above; petrochemical plants, gas processing plants, storage buildings, gas, oil, liquefied petroleum pipelines, manufacturing plants and warehouses of hazardous chemicals, and industrial explosives regardless of Classes;</p> <p>d) Traffic constructions: Bridges, tunnels, roads of Class III or above which are funded from the state budget and of Class II or above which are funded from other capital; railways, airports, terminals, floating docks, inland ports, system of cable transport for people system, regardless of Classes;</p> <p>dd) Agricultural constructions: reservoirs, dams, drains, channels, closed water pipes,</p>		days	task forces to conduct inspections and inform each investor once for all.
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		<p>hydraulic tunnels, dikes, embankments, pumping stations and other Irrigational works regardless of Classes;</p> <p>e) Infrastructural constructions: Infrastructural constructions of Class III or above which are funded from the State budget and Class II or above funded from other capital; hazardous solid waste treatment constructions regardless of Classes.</p>			
20.	Assessment and confirmation of the implementation of the projects and environmental protective measures to facilitate the operation of the projects	The investment projects whose environmental impact assessment has been reported.	<ul style="list-style-type: none"> - The authorities in charge of receiving requests: The governing bodies in charge of construction - The competent authorities in charge of handling: Authorities of Natural resources and Environment 	20 working days	
21.	Issuance of the permits for the operation, certificates of eligibility	Projects that invest in the fields in which investment is subject to conditions	The Regulatory authorities.	Depending on the form and scale of each project	The processing duration must be time-saving for the clients and suit the implementation

				ability of the authorities in charge of administrative procedures.
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CONTENTS OF PROCEDURES

APPROVAL FOR THE INVESTMENT POLICIES

(With regard to land allocation and lease in order to run the investments projects without bidding and auctions)

1. Implementation procedures

- The investors file and send the valid applications to the Provincial Departments of Planning and Investment based on the investment demands, public information about land planning, construction planning and specialist planning

- The provincial departments of Planning and Investment check, receive and provide the appointment notes of the return of the applications

- Within 05 days from the receipt of the applications, the provincial Departments of Planning and Investment shall examine and send written notifications that require the amendments to the applications (if any)

- After receiving the complete valid applications, the provincial Departments of Planning and Investment shall directly verify and send the written requests for the cooperation in verifying the applications to the relevant Ministries, Departments, regulatory authorities and the People's Committees of districts to verify the contents related to the ambit of competence of specific authorities:

+ The provincial Departments of Planning and Investment shall verify the information which is provided by the investors to issue the Investment certificates under the regulations of the Law on investment and guiding documents on the Law on investment.

+ The Provincial departments of Constructions (and the provincial Departments of Planning if any) shall verify the information about the construction locations, construction boundaries, conformability to the construction planning, regulations and standards of the construction planning, requirements to the owners during the formulation of planning, investment projects, and requirements for the infrastructure connection under the regulations of the law.

+ The provincial Departments of Natural Resources and Environment shall verify the information about the conformability to the planning, land use plan, need to use land, conditions for land allocation and land lease as prescribed in the Law on Land and guiding documents on

the implementation of the Law on Land; the requirements of the environment as prescribed in the Law on Environment protection and guiding documents on the implementation of the Law on Environment protection; the compliant with laws on land and environment of the investors.

+The management boards of the Economic Zones, Industrial Zones, Processing and Exporting Zones shall verify the information about locations, planning, areas and investment projects within their competence.

+ The provincial Departments, regulatory authorities or Ministries shall verify the information related to their specialities under the regulations of laws (if any)

+ The People's Committees of districts shall verify the information about the conformity with the planning, plan for the social-economic development, locations, boundaries, areas, current conditions of the land.

- In case of any the investment project whose location and boundaries have not been specified, the provincial Departments of Planning and Investment shall hold an interdisciplinary meeting to reach an agreement with the provincial departments, regulatory authorities and the People's Committees of districts on the locations, boundaries to formulate the investment project after 15 days from the delivery of the written request for the cooperation in verifying the application.

- The provincial departments, regulatory authorities and the People's Committees of districts shall file a written verification under the regulations and send it to the provincial Departments of Planning and Investment in order to send a report to the People's Committees of provinces after 7 days form the meeting or 20 days from the delivery of the written request of the provincial Departments of Planning and Investment. In case the cooperating authorities do not reply within the prescribed time, they shall be penalized and the competent authorities shall consider and decide the contents of the projects within their functions and tasks; the presiding authority is the cooperating authority approving and taking the next steps.

- After 7 days from the receipt of the written verifications of the provincial departments, regulatory authorities and the People's Committees of districts, the provincial Departments of Planning and Investment shall compile and submit them to the People's Committees or send a report to the Prime Minister for the approval for the investment policies.

- The People's Committees of districts shall approve the investment policies or send a report to the Prime Minister for the approval for the investment policies after 10 days from the receipt of the report of the provincial Departments of Planning and Investment.

- The investors shall receive the result of the procedures for the approval of the investment policies at the provincial Departments of Planning and Investment and the Certificates of Business registration, tax codes and seals in case of foreign investors requesting the formulation of the investment projects associating with the establishment of the enterprises.

In case the investors request of the investment projects associating with the establishment of the enterprises, according to the approval for the investment policies and requesting applications of

the investors, the provincial Departments of Planning and Investment shall issue the Business registration certificates, the Provincial Department of Taxation shall provide the tax codes and the Police departments shall provide the seals within 5 days from the date the results are available.

2. Components of an application:

- The written request for the approval for the investment policies

- Legal entity application

+ A certified true copy of the business registration Certificate whose the industry is conformable with the proposed investment project.

+ In case of an investment project associating with the establishment of an economic organization, the investors must attach:

(1) A business registration application in proportion to each type of enterprise as prescribed in the laws of enterprises and relevant law provisions.

(2) A joint-venture contract in case of the establishment of the joint-venture economic organization of the Vietnamese and foreign investors.

- The plan for the investment project including: the necessary of the investment, aims, scale, location, predicted boundaries, architectural planning targets, total investment capital, capital resources; project process; need to use land; technology and environment solutions.

- A report on the investors' financial capacity (which the investor compiles and takes responsibility for) and the documents showing the equity capital under the regulations.

- The diagram of the location, map of the current conditions of the land, the certificate of the land right (if any).

* The number of the applications: 10 (including the ones for the presiding authority to send to the relevant provincial Departments, regulatory authorities and authorities of districts).

3. Implementation Methods

Directly or by post.

4. Processing duration

- The projects within the authority of the People's Committees of districts: at most 39 working days, in case of associating with the establishment of the enterprises: at most 44 working days.

- The projects within the authority of the Prime Minister: at most 60 working days, in case of associating with the establishment of the enterprises: at most 65 working days.

5. Regulated objects

Individuals and organizations.

6. Agencies in charge

- The competent authorities in charge of giving decisions: the Prime Minister or the People's Committees of provinces.

- The authorities in charge of implementation: the provincial Departments of Planning and Investment (where the projects are expected to be launched).

- Cooperating authorities: Ministries, ministerial-level agencies; provincial Departments, regulatory authorities and the People's Committee of districts.

7. Fees

The fees are paid under the guidance of the Ministry of Finance.

8. Result

- The written approvals for the investment policies (using form).

- Investment certificates (if any).

- Certificates of Business registration (if any).

- Tax codes (if any).

- Seals (if any).

9. Requirements:

- The investors must have business registration conformable with the activities of the investment projects.

- The investors' investment capital for the investment projects are higher than 20% of the total investment of the projects using land whose area is less than 20 ha, and higher than 15% of the total investment of the projects using land whose area is more than 20 ha.

- Other requirements are prescribed in the regulations of the laws with regard to each investment field.

The written request form for the approval for the investment policies

Owner's name

**SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom – Happiness**

No.....

REQUEST

For the approval for the investment policies of the project.....

To: the Prime Minister or the People's Committee of province.

Investor/Owner (name of the investor/owner).....request the Prime Minister / the People's Committee of to consider approving the policies of the project (name of the project).....including these following main contents:

1. Name of the project.....
2. Name of the investor/owner:
3. Investment method:
4. Investment aims:
5. Location for construction:
6. Project scale:
7. Land use area:
8. Land use boundaries:
9. Land use coefficient:
10. Building density:
11. Total investment of the project:
12. Implementation time and progress (divided according to stages)

13. Capital resources;

14. Project management and operation plan:

15. Suggestions of owner:

16. Conclusion:

Investor/Owner (name of the investor/owner).....request the Prime Minister / the People's Committee offor consideration and approval./.

Name of the investor/owner:

(Sign, write name, title and seal if any)

The written approval form for the investment policies (using form).

**THE PRIME MINISTER/
THE PEOPLE'S
COMMITTEE OF.....**

**SOCIALIST REPUBLIC OF VIET NAM
Independence - Freedom – Happiness**

No.....

.....

DECISION

On the approval for the investment policies of the project.....

THE PRIME MINISTER/ THE PEOPLE'S COMMITTEE OF.....

Pursuant to the Law on investment;

Pursuant to the Laws on..... (having related regulations);

Pursuant to the Decree No.....;

In consideration of the Request for the approval for the investment policies of the project (name of the project).....No.....of (name of the owner).....and attached application;

In consideration of the Request No.....dated.....of (name of the assessment agency or the People’s Committee of the district).....and the suggestions of the relevant authorities (names the authorities that offer opinion and the number of the written suggestions).

DECIDE:

Article 1: On the approval for the investment policies of the project (name of the project).....

1. Name of the project.....

2. Name of the investor/owner:

3. Investment method:

4. Investment aims:

5. Location for construction:

6. Project scale:

7. Land use area:

8. Scope, boundaries, scale of the land, population of the area in the urban planning (if any):

9. Requirements for planning:

- With regard to the investment projects to build construction groups: The land use targets for the houses, commercial services; social infrastructure projects, trees, traffic; targets for the use of urban planning land for the whole planning area; requirements for the organization of the architectural area, landscape and environment; requirements for the targets and major constructions of the urban technical infrastructure which serve as a basis for the owners to outline the tasks and detail planning plan;

- With regard to the investment projects to build individual constructions: The urban planning land use targets, land use coefficient, building density of the land; requirements for construction architecture and environment, requirements for the targets for urban technical infrastructure and other requirements that the owners can use to formulate the investment projects of the constructions.

10. Total investment of the project:

11. Implementation time and progress (divided according to stages)

12. Capital resources;

13. Project management and operation plan:

14. Investment incentives.

Article 2. On the implementation.....

Article 3. This Decision takes effect as of the signing date.

Specify the responsibilities of the relevant authorities implementation the decision./.

THE PRIME MINISTER

**THE REPRESENTATIVE OF PEOPLE'S
COMMITTEE OF.....**

(Sign, write name, title and seal)

APPENDIX II

**THE ADMINISTRATIVE PROCEDURES FOR FORMULATION AND EXECUTION OF
INVESTMENT PROJECTS USING LAND**

**(In case of the relevant laws and ordinances have been completely amended, replaced and
annulled)**

(Issued together with the Resolution No. 43/NQ-CP dated June 06, 2014 of the Government)

The administrative procedures for the formulation and execution of the investment projects using land are standardized as follows:

1. With regard to land auctions:

No.	Names of the administrative procedures	Agencies in charge	Processing duration	Note
1	Land auction	The appointed autioneer	30 working days	Result: Approval for the successful bid, Certificates of the

				land use right
2	Investment Registration	The governing authorities in charge of construction	05 working days	
3	Collection of opinion about design basis	The regulatory authorities	Group C: 10 working days Group B: 15 working days Group A: 20 working days	These administrative procedures may be implemented simultaneously
4	Assessment of the fire safety design	The fire Departments	15 working days	
5	Commitment to environmental protection/ Approval for the report on the environmental impact assessment	The authorities of Natural Resources and Environment	- Commitment to environmental protection: 05 working days - Approval for the report on the environmental impact assessment	
6	Design assessment	The regulatory authorities in charge of construction	- Constructions of Class I or above: 40 working days - Other constructions: 30 working days	
7	Announcement to begin construction	The owners		
8	Inspection of final assessment of the constructions before they are	The governing authorities in charge of	- Class III and IV constructions:	The interdisciplinary task force shall be

	put into operation	construction	15 working days. - Special Class, Class I and II constructions: 30 working days	established to receive the applications, review and confirm the investors once and for all.
9	Assessment and confirmation of the implementation of the projects and environmental protective measures to facilitate the operation of the project	- The governing authorities in charge of construction shall receive the requests - The governing authorities in charge of environment shall handle them	20 working days	
10	Issuance of the permits for the operation, certificates of eligibility	The regulatory authorities	Depending on the form and scale of each project	

2. With regard to the bidding to choose the investors to run the investment projects using land:

No.	Names of the administrative procedures	Agencies in charge	Processing duration	Note
1.	Bidding to choose the investors to run the investment projects using land	The appointed autioneer	According to the regulations in Article 12, Law on Bidding	Result: The written approval for the appointed investor; The contract for the investment in the project.
2.	Investment Registration	The governing authorities in charge of investment	05 working days	
3.	Announcement of land revocation	The authorities of Natural Resources and Environment	According to the regulations of the Law on	

			Land	
4.	Collection of opinion about design basis	The regulatory authorities	Group C:10 working days Group B:15 working days Group A: 20 working days	These administrative procedures may be implemented simultaneously
5.	Information/ agreement on the water supply and drainage, electricity supply	The regulatory bodies	10 working days	
6.	Assessment of the fire safety design	The fire Departments	15 working days	
7.	Design assessment	The regulatory bodies in charge of construction	- Constructions of Class I or above: 40 working days - Other constructions: 30 working days	These administrative procedures may be implemented simultaneously
8.	Commitment to environmental protection/ Approval for the report on the environmental impact assessment	The people's Committee of districts, authorities of Natural Resources and Environment	- Commitment: 05 working days - Approval: 45 working days	
9.	Decision on land allocation, land lease and transfer of land use purposes	Authorities of Natural Resources and Environment	30 working days	
10.	Announcement and implementation of the compensation plan for the premises clearance	The organizations in charge of compensation, premises clearance, the People's	90 working days	

		Committees of districts and communes		
11.	Land lease contract signing/ fulfillment of financial obligations to the State	The provincial Departments of Natural Resources and Environment; Tax authorities	10 working days	
12.	Receipt of land on map and on site	The provincial Departments of Natural Resources and Environment	05 working days	
13.	Issuance of the certificates of the land rights	The provincial Departments of Natural Resources and Environment	07 working days	
14.	Announcement to begin construction	The owners		
15.	Inspection of final assessment of the construction before it is put into operation	The governing authorities in charge of construction	- Class III and IV constructions: 15 working days. - Special Class, Class I and II constructions: 30 working days	The interdisciplinary task force shall be established to receive the applications, check and confirm
16.	Assessment and confirmation of the implementation of the projects and environmental protective measures to facilitate the operation of the projects	The authorities of Natural Resources and Environment	20 working days	
17.	Issuance of the permits for the operation, certificates of eligibility	The regulatory authorities	Depending on the form and scale of each project	

3. With regard to the land allocation, land lease without bidding or auctions:

No.	Names of the administrative procedures	Agencies in charge	Processing duration	Note
1.	Approval for the investment policies	The provincial Departments of Planning and Investment	30-60 working days	Result: Investment registration certificates
2.	Formulation, assessment and approval for the detail planning/ total premises planning	The governing bodies in charge of planning, the People's Committee of provinces	30-40 working days (Assessment: 25, Approval: 15)	
3.	Collection of opinions about fundamental design	Regulatory authorities	Group C: 10 working days Group B: 15 working days Group A: 20 working days	These administrative procedures may be implemented simultaneously
4.	Information/ agreement on the water supply and drainage, electricity supply	Regulatory bodies	10 working days	
5.	Assessment of the fire safety design	The fire Departments	15 working days	
6.	Approval for the investment in the housing development projects/ approval for the investment in the new urban area project assessment	The Provincial departments of Construction	30 or 65 working days depending on the type of each project	
7.	Commitment to environmental protection/ Approval for the report on the environmental impact assessment	The authorities of Natural Resources and Environment	- Commitment: 05 working days - Approval: 45 working days	These administrative procedures may be implemented simultaneously

8.	Announcement of land revocation	The People's Committees of districts	According to the regulations of the Law on Land	
9.	Decision on land allocation, land lease and transfer of land use purposes	The authorities of Natural Resources and Environment	30 working days	
10.	Data collection, formulation, approval and announcement of the compensation plan for the premises clearance, provision of compensation, receipt of premises	The organizations in charge of compensation, premises clearance	90 working days	
11.	Hire of the units to file the applications for the valuation of the land levy and land rents	The valuation units	10 working days	
12.	Assessment of the valuation applications, determination of the unit price of the land levy, land rents	The provincial departments of Finance and other relevant regulatory authorities	10 working days	
13.	Approval for the unit price of the land levy and land rents	The People's Committees of districts	10 working days	
14.	Land lease contract signing/ fulfillment of financial obligations to the State	The provincial Departments of Natural Resources and Environment; Tax authorities	10 working days	
15.	Receipt of land on map and on site	The provincial Departments of Natural Resources and Environment	5 working days	
16.	Issuance of the certificates of the	The provincial	07 working	

	land rights	Departments of Natural Resources and Environment	days	
17.	Design assessment	The regulatory bodies in charge of construction	- Constructions of Class I or above: 40 working days - Other constructions: 30 working days	Design assessment and the administrative procedures for land shall be implemented simultaneously
18.	Announcement to begin construction	The owners		
19.	Inspection of final assessment of the construction before it is put into operation	The governing authorities in charge of construction	- Class III and IV constructions: 15 working days. - Special Class, Class I and II constructions: 30 working days	The interdisciplinary task force shall be established to receive the applications, check and confirm the investors once
20.	Assessment and confirmation of the implementation of the projects and environmental protective measures to facilitate the operation of the project	Authorities of Natural Resources and Environment	20 working days	
21.	Issuance of the permits for the operation, certificates of eligibility	Regulatory authorities	Depending on the form and scale of each project	

APPENDIX III

LIST OF LEGISLATIVE DOCUMENTS REQUIRING AMENDING, REPLACING

I. LIST OF LAWS AND ORDINANCES

1. Law on Investment;
2. Law on Urban planning
3. Law on Construction

II. LIST OF LEGISLATIVE DOCUMENTS WITHIN PROMULGATION AUTHORITY OF THE GOVERNMENT, PRIME MINISTER, MINISTRIES, HEADS OF MINISTERIAL-LEVEL AGENCIES

1. In the field of Planning and Investment

- Decree No. 108/2006/Decree-CP dated September 22, 2006 of the Government detailing and providing instructions on some Articles of the Law on Investment
- Decree No. 113/2009/Decree-CP dated December 15, 2009 of the Government on the investment supervision and evaluation.
- Circular No. 03/2009/TT- BKH dated April 16, 2009 of the Ministry of Planning and Investment on the instructions on the appointment of the investors investing in the projects using land.

2. In the field of Construction

- Decree No. 71/2010/ND-CP dated June 23, 2010 of the Government detailing and providing instructions on the implementation of the Law on Housing.
- Decree No. 37/2010/ND-CP dated April 07, 2010 of the Government on the formulation, assessment, approval and administration of the urban planning.
- Decree No. 64/2012/ND-CP dated September 04, 2012 of the Government on the issuance of the construction permits.
- Decree No. 15/2013/ND-CP dated February 06, 2013 of the Government on the construction quality control.
- Circular No. 07/2008/TT- BKH dated April 07, 2008 of the Ministry of construction providing instructions on the formulation, assessment, approval and administration of the urban planning.
- Circular No. 16/2010/TT-BXD dated September 01, 2010 of the Ministry of Construction detailing and providing instructions on the implementation of some Articles of the Decree No. 71/2010/ND-CP dated June 23, 2010 of the Government detailing and providing instructions on the implementation of the Law on Housing.

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Circular No. 23/2012/TT-BTC dated February 16, 2012 of the Ministry of Finance providing instructions on the collection, payment and administration of the use of the fees for the issuance of the planning permits.

- Circular No. 10/2012/TT-BXD dated December 20, 2012 of the Ministry of Construction detailing some Articles of the Decree No. 64/2012/ND-CP dated September 04, 2012 of the Government on the issuance of the construction permits.

3. In the field of Natural resources and Environment: - Decree No. 29/2011/ND-CP dated April 18, 2011 of the Government regulating strategic environment assessment, environmental impact assessment and commitment to environment protection.

- Decision No. 216/2005/QD-TTg dated August 31, 2005 of the Prime Minister on the promulgation of the Regulation on the land auction to allocate levied land or lease land.

- Circular No. 26/2011/TT-BTNMT dated July 18, 2011 of the Ministry of Natural Resources and Environment detailing some Articles of the Decree No. 29/2011/ND-CP dated April 18, 2011 of the Government imposing regulations on the strategic environment assessment, environmental impact assessment and commitment to environment protection.

The processing duration is the period of time from the submission of the applications of the investors to the receipt of the result of the administrative procedures. The progressing time is specified as the maximum period of time. With regard to the land auctions and bidding to choose the investors executing the investment projects using land, the processing time is specified from the deadline for the auction applications or bid packages to the receipt of the administrative procedures.