

**GOVERNMENT OF  
VIETNAM**

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No. 10/2024/ND-CP

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

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*Hanoi, February 1, 2024*

**DECREE**

**HI-TECH PARKS**

*Pursuant to the Law on Organization of the Government of Vietnam dated June 19, 2015; the Law on Amendments to the Law on Organization of the Government of Vietnam and the Law on Organization of the Local Government of Vietnam dated November 22, 2019;*

*Pursuant to the Law on High Technologies dated November 13, 2008;*

*Pursuant to the Law on Science and Technology dated June 18, 2013;*

*Pursuant to the Law on Investment dated June 17, 2020;*

*Pursuant to the Law on Public Investment dated June 13, 2019;*

*Pursuant to the Law on State Budget dated June 25, 2015;*

*Pursuant to the Law on Enterprises dated June 17, 2020;*

*Pursuant to the Law on Planning dated November 24, 2017;*

*Pursuant to the Law on Amendments to 11 Laws on Planning dated June 15, 2018;*

*Pursuant to the Law on Amendments to 37 Laws on Planning dated November 20, 2018;*

*Pursuant to the Law on Urban Planning dated June 17, 2009;*

*Pursuant to the Law on Land dated November 29, 2013;*

*Pursuant to the Law on Construction dated June 18, 2014; the Law on Amendments to the Law on Construction dated June 17, 2020;*

*Pursuant to the Law on Environmental Protection dated November 17, 2020;*

*Pursuant to the Residence Law dated November 13, 2020;*

*Pursuant to the Labor Code dated November 20, 2019;*

*Pursuant to the Law on Management and Use of Public Property dated June 21, 2017;*

*Pursuant to Resolution No. 61/2022/QH15 dated June 16, 2022 of the National Assembly of Vietnam on continuing to intensify the effectiveness and efficiency of the implementation of policies and laws on planning and several measures to resolve difficulties, accelerate the progress, and improve the quality of planning during 2021-2030;*

*At the request of the Minister of Science and Technology of Vietnam;*

*The Government of Vietnam hereby promulgates a Decree on Hi-Tech Parks.*

## **Chapter I**

### **GENERAL PROVISIONS**

#### **Article 1. Scope and regulated entities**

1. This Decree provides for directions for construction of and schemes to develop hi-tech parks; establishment and expansion of hi-tech parks; operations at hi-tech parks; regulations, policies, and state management of hi-tech parks (including hi-tech parks prescribed in Article 31 of the Law on High Technologies and hi-tech application agricultural parks prescribed in Article 32 of the Law on High Technologies).
2. Regulated entities of this Decree include state management authorities, organizations, and individuals involved in the planning, establishment, construction investment, management, and operations of hi-tech parks.

#### **Article 2. Interpretation of terms**

For the purpose of this Decree, the following terms shall be construed as follows:

1. Expansion of a hi-tech park means the increase in the scale of the area of the hi-tech park, in which the expanded area has neighboring or adjacent boundaries that may be connected and used together with the technical infrastructure system of the hi-tech park established previously.
2. Occupancy rate of a hi-tech park means the percentage (%) of the assigned or leased land area (including land with water surfaces) that the investor has used to implement an investment project in the hi-tech park on the total land area planned for assignment or lease according to the approved planning for subdivisions.
3. Technical infrastructure system of a hi-tech park means technical infrastructure works for environmental protection, firefighting and fire prevention, assurance of traffic safety and order and security in the hi-tech park, and information infrastructure facilities. The technical infrastructure system of the hi-tech park shall be planned, designed, and

constructed in a modern, consistent, and environmentally friendly manner, providing smart management utilities.

Regarding hi-tech parks prescribed in Article 31 of the Law on High Technologies, the planning, design, and construction of technical infrastructure systems shall be oriented toward the standards of smart urban areas.

4. Social infrastructure work system for operations of a hi-tech park means the system of social infrastructure works according to construction laws, including works of education, health care, sports, culture, green trees, parks, trading, services, accommodation services, and housing areas (located outside of the boundaries of the hi-tech park) directly serving employees working in the hi-tech park.

5. Investment projects at a hi-tech park mean investment projects according to the Law on Investment and public investment projects according to the Law on Public Investment; investors shall be organizations and individuals implementing investment projects at the hi-tech park.

## **Chapter II**

### **DIRECTIONS FOR CONSTRUCTION OF AND SCHEMES TO DEVELOP HI-TECH PARKS; ESTABLISHMENT AND EXPANSION OF HI-TECH PARKS**

#### **Section 1. DIRECTIONS FOR CONSTRUCTION OF AND SCHEMES TO DEVELOP HI-TECH PARKS**

##### **Article 3. Directions for construction of hi-tech parks**

1. Direction for the construction of hi-tech parks is a content of the regional planning according to Point d Clause 2 Article 26 of the Law on Planning, which determines the objective, orientation, solution, and implementation regarding the development of regional hi-tech parks.

2. Content of the direction for the construction of hi-tech parks includes:

a) Objective, orientation, direction of space allocation, and solution to the development of hi-tech parks in a specific region during a planning period;

b) Expected quantity and scale of the area of hi-tech parks in provinces and centrally affiliated cities of the region; orientation of hi-tech parks, whose role is to lead the development of science and technology and motivate the socio-economic development of the related region.

3. The direction of the construction of hi-tech parks shall be established and adjusted together with the process of establishing, appraising, approving, and adjusting the regional planning according to planning laws.

#### **Article 4. Schemes to develop hi-tech parks**

1. Scheme to develop high-tech parks is a content of the provincial planning according to Point d Clause 2 Article 27 of the Law on Planning, which determines the objective, orientation, solution, implementation, and list of hi-tech parks in a specific province or centrally affiliated city.

2. Content of the scheme to develop hi-tech parks includes:

a) Objective, orientation, and solution to the development of hi-tech parks during a planning period;

b) List of hi-tech parks in the province or centrally affiliated city, which determines the expected name, scale of area, and location of each hi-tech park;

c) Scheme to develop hi-tech parks on the planning map (determining expected location and scale of area of each hi-tech park).

3. The establishment of the list of hi-tech parks in the province or centrally affiliated city shall meet the following conditions:

a) The area with the expected establishment of hi-tech parks shall have favorable elements and conditions regarding geographical location, natural conditions, technical infrastructures, social infrastructures, science and technology, education-training, and socio-economy (capable of mobilizing resources for investment in the development and construction of hi-tech parks);

b) Have planning for housing areas and public works adjacent to or surrounding hi-tech parks to serve the life of specialists and employees working in such hi-tech parks;

c) The expected area for the construction of hi-tech parks shall be appropriate to the implementation of hi-tech park tasks prescribed in Clause 2 Article 31 of the Law on High Technologies (regarding hi-tech parks prescribed in Article 31 of the Law on High Technologies) or Clause 2 Article 32 of the Law on High Technologies (regarding hi-tech application agricultural parks prescribed in Article 32 of the Law on High Technologies);

d) Have the potential to attract investment in large-scale hi-tech projects with great impact on the development of science and technology and the socio-economy of the province and the region;

dd) Satisfy the regulations on assurance of national defense and security, environmental protection, responses to climate change, and protection of natural resources and historical, cultural, and natural relics and heritage.

e) Conform with the direction of the construction of hi-tech parks.

4. The scheme to develop hi-tech parks shall be established and adjusted together with the process of establishing, appraising, approving, and adjusting the provincial planning according to planning laws.

5. The scheme to develop hi-tech parks in the provincial planning approved by a competent authority shall be used as grounds to establish and expand hi-tech parks; establish and adjust planning for the construction of hi-tech parks; establish and adjust planning and plans for investment in the development of the system of technical and social infrastructures for the development of hi-tech parks according to relevant laws.

## **Section 2. ESTABLISHMENT OF EXPANSION OF HI-TECH PARKS**

### **Article 5. Conditions for establishing hi-tech parks**

1. General conditions:

- a) Conforming with the regional or provincial planning approved by a competent authority;
- b) Having appropriate scale of area, land use feasibility, and compatible natural conditions;
- c) Having infrastructure conditions and favorable traffic locations;
- d) Being capable of linking with highly qualified research and training facilities;
- dd) Having feasible schemes for personnel and professional managers for hi-tech parks;
- e) Having feasible schemes to mobilize resources for investment in the development of the system of technical and social infrastructures of hi-tech parks, ensuring the capacity for balancing the state budget (if any);
- g) Having feasible schemes to construct housing areas and public works adjacent to or surrounding hi-tech parks to serve the life of specialists and employees working in such hi-tech parks according to their needs and construction progress of hi-tech parks;
- h) Satisfying environmental protection conditions according to environmental protection laws;
- i) Ensuring national defense and security.

2. Conditions for establishing hi-tech parks prescribed in Article 31 of the Law on High Technologies:

- a) Satisfying the conditions prescribed in Clause 1 of this Article;

b) Conforming with policies of the State on the development of high technologies and hi-tech industries;

c) Satisfying the conditions for implementing tasks prescribed in Clause 2 Article 31 of the Law on High Technologies;

d) Having feasible schemes to provide favorable technical infrastructures and services meeting the requirements for research, application, and development of high technologies; incubate high technologies and hi-tech enterprises; experimentally produce hi-tech products; provide hi-tech services.

3. Conditions for establishing hi-tech application agricultural parks prescribed in Article 32 of the Law on High Technologies:

a) Satisfying the conditions prescribed in Clause 1 of this Article;

b) Conforming with agricultural development strategies and plans;

c) Satisfying the conditions for implementing tasks prescribed in Clause 2 Article 32 of the Law on High Technologies;

d) Having feasible schemes to provide favorable technical infrastructures and services meeting the requirements for research, training, experiment, and showcase of hi-tech applications concerning agriculture.

#### **Article 6. Conditions for expanding hi-tech parks**

1. The area suggested for expansion shall satisfy the conditions prescribed in Clause 2 Article 5 in case of expanding hi-tech parks prescribed in Article 31 of the Law on High Technologies or Clause 3 Article 5 of this Decree in case of expanding hi-tech application agricultural parks prescribed in Article 32 of the Law on High Technologies.

2. The system of social infrastructures of implemented hi-tech parks shall complete the construction investment according to the approved master planning for construction (if any) and planning for subdivision construction.

3. The occupancy rate of implemented hi-tech parks shall reach at least 60%.

4. The area suggested for expansion shall have a location, scale, and conditions for ensuring favorable connections to the system of technical and social infrastructures of implemented hi-tech parks.

#### **Section 7. Applications for establishing and expanding hi-tech parks**

1. An application for establishing or expanding a hi-tech park formulated by the People's Committee of a province includes:

a) Statement on the request for the establishment or expansion of the hi-tech park for presentation to the Prime Minister of Vietnam;

b) Scheme to establish or expand the hi-tech park.

2. The scheme to establish the hi-tech park includes:

a) Legal grounds and necessity for the establishment of the hi-tech park;

b) Assessment of the status, geographical and natural elements and conditions, natural resources, science and technology, socio-economy, limitations, and comparative advantages of the area suggested for the establishment of the hi-tech park compared to other areas in the province or centrally affiliated city;

c) Assessment and presentation of the capacity for satisfying conditions for establishing hi-tech parks as prescribed in Article 5 of this decree (enclosed with relevant documents);

d) Expected direction for the development of the hi-tech park: development objectives, nature, functions, and tasks of the hi-tech park; direction for the development of prioritized sectors and fields in the hi-tech park; orientation of the organization of functional areas for the implementation of tasks according to the Law on High Technologies, preliminary direction for space development and land use planning; direction for the development of personnel and managers;

dd) Expected total investment capital, measures to mobilize sources, and assignment of responsibilities for investment in the technical infrastructure system of the hi-tech park; plans and road maps for investment in the construction and development of the hi-tech park;

e) Suggestions on solutions and their implementation;

g) Display of the scheme to establish the hi-tech park on the 1:10.000 - 1:25.000 map.

3. The scheme to expand the hi-tech park includes:

a) Legal grounds and necessity for the expansion of the hi-tech park;

b) Assessment of the construction, development, and operations of the existing hi-tech park according to the approved master planning for construction (if any) and planning for subdivision construction; clarification of the occupancy rate of the hi-tech park;

c) Assessment of the status, geographical and natural elements and conditions, natural resources, science and technology, socio-economy, limitations, and comparative advantages of the area suggested for the expansion of the hi-tech park;

d) Assessment and presentation of the capacity for satisfying conditions for expanding hi-tech parks as prescribed in Article 6 of this Decree (enclosed with relevant documents);

dd) Expected direction for the development of the area suggested for expansion: development objectives, nature, functions, and tasks of the expanded area; direction for the development of prioritized sectors and fields in the expanded area; orientation of the organization of functional areas for the implementation of tasks according to the Law on High Technologies, preliminary direction for space development and land use planning; direction for the development of personnel, meeting the expansion needs;

e) Expected total investment capital, measures to mobilize sources, and assignment of responsibilities for investment in the technical infrastructure system of the hi-tech park; plans and road maps for investment in the construction and development of the hi-tech park;

g) Suggestions on solutions and their implementation;

h) Display of the scheme to expand the hi-tech park on the 1:10.000 - 1:25.000 map.

4. The statement of the People's Committee of the province on the request for the establishment or expansion of the hi-tech park for presentation to the Prime Minister of Vietnam includes: legal grounds; necessity and process of formulating the scheme to establish or expand the hi-tech park; summary of the scheme to establish or expand the hi-tech park; assessment of compliance with the criteria for the establishment or expansion of the hi-tech park; suggestions on the establishment or expansion of the hi-tech park.

5. The application for the establishment or expansion of the hi-tech park of the People's Committee of the province according to Clauses 1, 2, 3, and 4 of this Article shall be made into 10 copies (with 2 of them as the original) and submitted to the authority in charge for presentation to the Prime Minister of Vietnam for the establishment or expansion of the hi-tech park according to Article 8 of this Decree.

#### **Article 8. Competence and procedure for requesting the Prime Minister of Vietnam to establish or expand hi-tech parks**

1. Authorities taking charge of the presentation to the Prime Minister of Vietnam for the establishment or expansion of hi-tech parks (hereinafter referred to as "authorities in charge"):

a) The Ministry of Science and Technology of Vietnam shall take charge and cooperate with relevant state authorities in assessing applications for the establishment or expansion of hi-tech parks according to Article 31 of the Law on High Technologies before presenting them to the Prime Minister of Vietnam for decisions;

b) The Ministry of Agriculture and Rural Development of Vietnam shall take charge and cooperate with relevant state authorities in assessing applications for the establishment or expansion of hi-tech application agricultural parks according to Article 32 of the Law on High Technologies before presenting them to the Prime Minister of Vietnam for decisions.

## 2. Procedure for establishing or expanding a hi-tech park:

a) The People's Committee of a province shall formulate an application according to Article 7 of this Decree and submit it to an authority in charge prescribed in Clause 1 of this Article;

b) Within 5 working days after receiving the adequate application for the establishment or expansion of the hi-tech park according to regulations, the authority in charge prescribed in Clause 1 of this Article shall send the application and suggestion collection documents to relevant state authorities;

c) Within 20 working days after receiving the suggestion collection documents with the enclosed application, authorities subject to the suggestion collection shall send written suggestions on the contents within their scope of state management to the collecting authority;

d) Within 5 working days after receiving the adequate suggestion documents, the authority in charge shall assess the application according to Clause 3 of this Article.

In case of necessity, the authority in charge shall hold a meeting with relevant ministries, central authorities, and People's Committees of provinces or establish a Advisory Council to clarify relevant issues;

dd) While assessing the application, if amendments to the application are needed, the authority in charge shall notify the People's Committee of the province of the implementation in writing. The time for amending the application shall not be included in the time for assessing the application;

e) Within 5 working days after receiving the amended application for the establishment or expansion of the hi-tech park as requested (if any), the authority in charge shall formulate an application according to Clause 1 Article 9 of this Decree and present it to the Prime Minister of Vietnam for consideration and decision on the establishment or expansion of the hi-tech park.

## 3. Assessment contents of an application for the establishment or expansion of a hi-tech park include:

a) Legal grounds and necessity for the establishment or expansion of the hi-tech park;

b) Assessment of compliance with conditions for establishing or expanding hi-tech parks prescribed in Article 6 of this Decree;

c) Assessment of the feasibility of the direction for the development of the hi-tech park; scheme to mobilize sources for investment in the construction of the technical infrastructure system of the hi-tech park or the expanded area of the hi-tech park and the connection with the infrastructure system of an invested hi-tech park; capacity for balancing the state budget;

d) Preliminary assessment of the effective contributions to science and technology and socio-economy of the establishment or expansion of the hi-tech park;

dd) Feasibility of measures to establish or expand the hi-tech park.

### **Article 9. Applications for presentation of establishment or expansion of hi-tech parks and competence in deciding on hi-tech park establishment or expansion**

1. An application formulated by an authority in charge prescribed in Clause 1 of Article 8 of this Decree for presentation to the Prime Minister of Vietnam for consideration and decision on the establishment or expansion of a hi-tech park includes:

a) Statement of the authority in charge for presentation to the Prime Minister of Vietnam based on the application assessment results (enclosed with a draft decision on the establishment or expansion and operational regulations of the hi-tech park);

b) Statement on the request for the establishment or expansion of the hi-tech park of the People's Committee of a province for presentation to the Prime Minister of Vietnam (that has been amended in case amendments are requested);

c) Scheme to establish or expand the hi-tech park of the People's Committee of the province mentioned above (that has been amended in case amendments are requested);

d) Enclosed proof documents (if any).

2. The Prime Minister of Vietnam shall consider issuing a decision on the establishment or expansion the hi-tech park.

The decision mentioned above shall be the ground to implement the planning for the construction of the hi-tech park and the plan for investment in the development of the hi-tech park.

## **Chapter III**

### **HI-TECH PARK DEVELOPMENT POLICIES**

## **Section 1. INVESTMENT IN CONSTRUCTION AND DEVELOPMENT OF HI-TECH PARKS**

### **Article 10. Capital sources for investment in construction and development of hi-tech parks**

1. Hi-tech park development and construction investment capital sources include: the state budget, investment capital of organizations and individuals, and other legal capital sources.
2. The State prioritizes development and investment capital support from the state budget, Official Development Assistance (ODA), credit support, subsidies to offset costs incurred from the application of preferential lending interest rates, and other support types as prescribed by laws for preparation for investment, site clearance, construction of the system of technical infrastructures, social infrastructures, and scientific-technological development infrastructures in hi-tech parks.
3. The State encourages investors, organizations, and individuals to invest in the construction of the system of technical infrastructures, social infrastructures, and scientific-technological development infrastructures in hi-tech parks in forms of projects on business investment, public-private partnership investment, private investment, and other investment forms as prescribed by laws; voluntarily advance capital for compensation, support, and resettlement regarding site clearance in hi-tech parks.
4. Projects on compensation, support, and resettlement and projects on investment in the construction of the system of large-scale technical and social infrastructures with key roles may mobilize capital from the issuance of government bonds or local government bonds as prescribed by laws.
5. Regarding the budget for the formulation and adjustment to the hi-tech park construction planning, Management Boards of hi-tech parks may mobilize and directly receive and use sponsorships from organizations and individuals operating in hi-tech parks as prescribed by laws.
6. The mobilization and use of capital sources prescribed in this Article shall comply with laws on state budget, public investment, public debt management, investment, public-private partnership investment, land, construction, and other relevant laws.

### **Article 11. Investment support from state budget**

1. The People's Committee of a province shall formulate a plan for hi-tech park development investment and suggest the use of capital from the state budget to implement tasks of hi-tech park development investment, including:
  - a) Investment preparation;

- b) Formulation of the master planning for construction and planning for subdivision construction;
- c) Compensation, support, and resettlement;
- d) Bomb, mine, and explosive clearance;
- dd) Ground fill-up and leveling;
- e) Construction of the system of technical infrastructures in the hi-tech park according to the approved master planning and planning for subdivision construction of the hi-tech park;
- g) Construction of the administrative-executive center and public works of the Management Board of the hi-tech park; hi-tech technical infrastructures, scientific-technological development infrastructures, and technologies in the hi-tech park;
- h) Construction of the system of social infrastructure works according to the approved master planning and planning for subdivision construction of the hi-tech park;
- i) Construction of the system of technical and social infrastructure works outside of the fences of the hi-tech park, ensuring consistent connection and serving the operations of the hi-tech park and employees working in the hi-tech park;
- k) Prioritization of investment in all of the items prescribed in Points a, b, c, d, dd, and e of this Clause for subdivisions in the hi-tech park with functions of researching, developing, incubating, and training hi-tech personnel.

2. The People's Committee of the province shall formulate plans and recurrent expenditure estimates from the state budget to ensure the operations of the Management Board of the hi-tech park; manage, maintain, and operate the system of technical and social infrastructures of the hi-tech park (during the stage when the hi-tech park has not been filled up and collected the sufficient offset for expenditures) and ensure other public operations concerning science and technology of the Management Board of the hi-tech park.

3. The use of state budget capital prescribed in this Article shall comply with laws on state budget, public investment, and other relevant laws.

## **Section 2. POLICIES ON INVESTMENT INCENTIVES AND SUPPORT**

### **Article 12. Policies on investment incentives and support for projects on investment in hi-tech parks**

1. A hi-tech park is an area eligible for investment incentives and may receive investment incentives applicable to extremely disadvantaged socio-economic areas according to investment laws.
2. Specific incentive and support rates for investment projects and operations in the hi-tech park shall be applied according to laws on investment, corporate income tax, import tariff, export tariff, land, credit, and relevant laws.
3. The Management Board of the hi-tech park and competent authorities shall carry out administrative procedures for investment, enterprises, land, construction, environment, employee, taxation, customs, and relevant laws according to single-window and inter-connected single-window regulations as prescribed by laws; provide support for the recruitment of employees and other relevant issues during the operations of investors in the hi-tech park.
4. Investment projects and operations at the hi-tech park shall be prioritized for participation in programs on support for employee training and recruitment; programs on support for hi-tech application and research and transfer of technologies; programs on support for the development of hi-tech industries and high technologies in agriculture; support for innovative enterprises and innovative entrepreneurship medium and small-sized enterprises; support for capital loans and other support programs of the Government of Vietnam, ministries, and central and local authorities.
5. The People's Council and People's Committee of the province shall promulgate policies and allocate sources for investment support in conformity with their jurisdiction and laws to attract investment projects and hi-tech personnel to the hi-tech park.

**Article 13. Regulations on encouragement to invest in technical infrastructure construction and business**

1. The State encourages organizations and individuals with adequate experience and capacity to invest in hi-tech park infrastructure construction and business, including investment in the construction and business of the whole system of technical infrastructures of hi-tech parks or parts of the system of technical infrastructures of hi-tech parks according to Article 23 of this Decree (hereinafter referred to as “infrastructure investors”).
2. Projects on investment in infrastructure construction and business are eligible for exemption from land use levies and refund of compensation or site clearance according to regulations on land use levy collection in hi-tech parks.
3. Projects on investment in hi-tech park infrastructure construction and business are prioritized for taking out investment credit capital loans of the State and implementing legal capital mobilization forms according to laws on enterprises, credit, and relevant laws.

4. Management Boards of hi-tech parks and relevant authorities shall prioritize the settlement of administrative procedures concerning infrastructure investors and investment projects in areas of investment in infrastructure business to ensure the investment attraction and other operations of projects on investment in hi-tech park infrastructure construction and business.

5. Aside from the incentives prescribed in Clause 2 of this Article, projects on investment in hi-tech infrastructure construction and business are eligible for other incentives according to laws on investment, taxation, land, and relevant laws and prioritized for participation in pilot schemes, programs, and projects on the development of smart urban areas and other support policies as prescribed by laws.

6. People's Councils and People's Committees of provinces shall promulgate policies and allocate sources for investment support to attract projects on investment in hi-tech park infrastructure construction and business.

#### **Article 14. Policies on development of social infrastructures serving employees in hi-tech parks**

1. The People's Committee of a province shall formulate planning for housing areas and the system of social infrastructures adjacent to or surrounding a specific hi-tech park, ensuring convenient traffic connection to directly serve employees working in the hi-tech park while ensuring that the determination of scheme to develop the hi-tech park when formulating the provincial planning and the construction investment conform with the needs and construction progress of the hi-tech park.

2. The State encourages organizations and individuals with adequate experience and capacity to invest in the construction and business of social infrastructure works.

Social infrastructure works include cultural works, parks, flower gardens, green trees, and recreation areas used for public purposes (excluding thematic recreation areas and parks with a construction density of combined architectural works of more than 5%) and invested in under public-private partnership investment or by private investment capital sources or voluntary capital contributions from organizations and individuals.

3. The People's Council and People's Committee of the province shall promulgate policies and allocate sources for investment support in conformity with their jurisdiction and laws to attract projects on investment in the construction of social infrastructures for the operations of the hi-tech park.

4. Projects on investment in the construction of housing, service works, and public utilities directly serving employees working in the hi-tech park are eligible for policies on incentives and support according to social housing construction laws and relevant laws.

5. Entities eligible to rent, purchase, or lease-purchase housing and accommodation facilities for employees in the hi-tech park (purchase and lease purchase of housing shall

only be implemented for housing areas constructed outside of the boundaries of the hi-tech park) include:

- a) Organizations that are investors and individuals who are specialists or employees working in the hi-tech park may lease housing while operating or working in the hi-tech park;
- b) Employees working for the Management Board of the hi-tech park, specialists, and employees with indefinite labor contracts with investors of the hi-tech park may be prioritized for housing purchase assessment.

**Article 15. Policies on hi-tech development research, hi-tech incubation, hi-tech enterprise incubation, and hi-tech personnel training**

1. Regarding a hi-tech park with state budget-invested construction of the system of technical infrastructures, investment in the site clearance, ground fill-up and leveling, and consistent construction of the system of technical infrastructures of subdivisions with functions of development research, hi-tech incubation, hi-tech enterprise incubation, and hi-tech personnel training shall be covered by the state budget.

2. The state budget support shall be prioritized for the construction of hi-tech development and research facilities and large-scale laboratories meeting international standards of research, analysis, testing, and standardization; facilities of hi-tech incubation and hi-tech enterprise incubation; hi-tech personnel training facilities; hi-tech information infrastructure facilities to create favorable conditions for organizations and individuals to access, use, and exchange hi-tech information in the hi-tech park.

3. The State shall prioritize the use of ODA, preferential credit capital, and technical support according to relevant laws, sources from national programs on the development of science and technology, high technologies, support capital sources, and other legal sources for investment in the construction of hi-tech development and research facilities, facilities of hi-tech incubation and hi-tech enterprise incubation, and hi-tech personnel training facilities and support for projects and operations concerning hi-tech development and research, hi-tech incubation, hi-tech enterprise incubation, and hi-tech personnel training.

4. Projects on investment in the construction of hi-tech development and research facilities and facilities of hi-tech incubation and hi-tech enterprise incubation are eligible for exemption from land use levies and refund of compensation or site clearance according to regulations on land use levy collection in hi-tech parks.

5. Facilities of hi-tech incubation and hi-tech enterprise incubation and projects on hi-tech incubation and hi-tech enterprise incubation approved for incubation at the mentioned facilities in the hi-tech park, and projects on technological innovation shall receive sponsorships, support, capital loans, and loan guarantees from the National Technological Innovation Fund, Fund for the Development of Small and Medium-Sized

Enterprises, and other legal funds and sponsorship sources for operations as prescribed by laws.

6. It is encouraged to organize national and international technology fairs and exhibitions at the hi-tech park; promote demand-supply connection, partner search, link, and cooperation among domestic and foreign development and research facilities, incubation facilities, innovative entrepreneurship enterprises, and facilities producing hi-tech products and applying high technologies; and prioritize the popularization of hi-tech products on the media of the Ministry of Science and Technology of Vietnam, Ministry of Agriculture and Rural Development of Vietnam, and national and local technology exchange platforms.

7. It is encouraged to create favorable conditions for organizations and individuals providing services of hi-tech assessment, pricing, and appraisal, counseling for technology transfer and intellectual property, legal services, brokerage, investment, finance, insurance, scientific and technological services, and other services; investment in the development of hi-tech exchange platforms and equipment-technology markets at the hi-tech park to promote the commercialization of results of research, development, and technology transfer.

8. It is encouraged to implement programs, conventions, and agreements on bilateral and multilateral cooperation and schemes for international integration of high technologies at hi-tech parks.

#### **Article 16. Policies on export processing enterprises in hi-tech parks**

1. Aside from the investment incentives and support prescribed in this Decree, export processing enterprises in hi-tech parks prescribed in Clause 2 Article 32 of this Decree, when satisfying the conditions for inspection, customs supervision, and regulations applicable to non-tariff zones according to import and export tariff laws, may apply particular regulations on export processing enterprises operating in industrial and economic zones according to industrial and economic zone laws.

If enterprises in hi-tech parks satisfy the conditions for inspection, customs supervision, regulations applicable to non-traffic zones, and import and export tariff laws before the effective date of this Decree, they may apply regulations on export processing enterprises operating in industrial and economic zones according to industrial and economic zone laws from the date they satisfy such conditions.

2. Investment procedures for export processing enterprises in hi-tech parks

a) The investment registration for projects on investment in the establishment of export processing enterprises shall comply with investment laws and this Decree;

b) Documentation of an investment project includes document prescribed for hi-tech application investment projects for the production of hi-tech products and a declaration

on the capacity for satisfying the conditions for inspection and customs supervision applicable to non-tariff zones according to import and export tariff laws;

c) Export processing enterprise investment objectives shall be written in the decision on approval of investment guidelines/certificate of investment registration or document confirming that the investment project satisfies the hi-tech operation principle prescribed in this Decree.

### **Section 3. OTHER POLICIES**

#### **Article 17. Construction and planning management**

1. Planning for hi-tech park construction shall be formulated based on the scheme to develop a hi-tech park in the provincial planning and the decision on hi-tech park establishment promulgated by the Prime Minister of Vietnam. The formulation, appraisal, and approval of the planning for hi-tech park construction shall comply with the law on planning for functional area construction.

2. Approved master planning for construction and planning for subdivision construction of a hi-tech park shall be the ground for the formulation of detailed construction planning, pre-feasibility research reports, suggestions on investment guidelines and feasibility research, and decisions on guidelines on investment in hi-tech park infrastructure projects using public investment capital according to public investment laws; formulation of documentation and approval of guidelines on investment in projects on investment in hi-tech park infrastructure construction and business and investment projects at the hi-tech park according to laws.

3. When formulating the planning for subdivision construction in a hi-tech park of an area with master construction planning or master urban planning approved by a competent authority, it is unnecessary to establish planning tasks. When formulating detailed construction planning in a hi-tech park of an area included in the master construction planning (if any) and planning for subdivision construction approved by a competent authority, it is unnecessary to establish tasks.

4. Investment in the construction of works in hi-tech parks shall comply with laws on construction, land, investment, and relevant laws.

5. Management Boards of hi-tech parks shall cooperate with planning and construction authorities and People's Committees at all levels in managing activities concerning planning, construction investment, quality management of construction works, and inspecting and handling violations against regulations on planning and construction in hi-tech parks as prescribed by laws.

#### **Article 18. Land management**

1. People's Committees of provinces shall, based on master construction planning (regarding hi-tech parks with a scale of area from 500 hectares or more) or planning for subdivision construction (regarding hi-tech parks with a scale of area below hectares) approved by competent authorities, decide to allocate land to Management Boards of hi-tech parks for hi-tech park management, construction, and development.

2. Management Boards of hi-tech parks shall decide to re-allocate land exempted from land use levies for cases prescribed in Clause 2 and Clause 3 Article 54 of the Land Law, lease land for cases prescribed in Article 56 of the Land Law, renew the land use term when the time limit for land re-allocation or lease expires in conformity with the term of investment projects or time limit for expropriating leased or re-allocated land according to land laws; cooperate with authorities in managing and using land, and inspection and handling land violations in hi-tech parks according to laws.

Regarding investment projects that must satisfy the conditions, principles, and criteria prescribed in Articles 24, 28, and 35 of this Decree, details of contents declared for implementation of investors written in decisions on the allocation of land exempted from land use levies/decisions on land lease/land lease contracts (land sublease) shall be the grounds to handle violations of land users' obligations.

3. Regulations on land use for projects on investment in hi-tech park infrastructure construction and business shall comply with Article 23 of this Decree.

#### **Article 19. Investment management**

1. A Management Board of a hi-tech park is the investment registration authority performing tasks of state management of investment in the hi-tech park according to its tasks, entitlements, and relevant laws.

2. Projects on investment in hi-tech parks shall comply with investment laws and relevant laws and conditions, principles, and criteria prescribed in Articles 24, 28, and 35 of this Decree for each corresponding type of investment project.

3. In case of an investment project subject to the procedure for approval of investment guidelines or issuance of the certificate of investment registration, the investor shall present and declare the assurance of conditions, principles, and criteria prescribed in Articles 24, 28, and 35 of this Decree according to each corresponding type of investment project in the application for approval of investment guidelines/issuance of the certificate of investment registration. The authority competent to approve investment guidelines/issue certificates of investment registration according to investment laws shall appraise the mentioned contents in the procedure for appraising the request for approval of investment guidelines/issuance of the certificate of investment registration. Details of contents of the declaration on the implementation of conditions, principles, and criteria prescribed in Articles 24, 28, and 35 of this Decree of the investor shall be recorded in the decision on approval of investment guidelines/certificate of investment registration as

the ground for supervision, investment assessment, inspection, and handling of violations according to the Law on Investment and relevant laws.

4. In case of an investment project on hi-tech operations not subject to the procedure for approval of investment guidelines or issuance of the certificate of investment registration, the investor shall present and declare the assurance of principles and criteria prescribed in Articles 28 and 35 of this Decree according to each corresponding type of investment project in the procedure for requesting the confirmation that the investment project satisfies the hi-tech operation principle prescribed in Article 26 of this Decree.

5. Management Boards of hi-tech parks shall annually or irregularly review and assess the implementation of conditions, principles, and criteria prescribed in Articles 24, 28, and 35 prescribed in this Decree for investment projects.

6. Management Boards of hi-tech parks shall supervise and assess the investment, construction, and development of hi-tech parks; supervise, assess, and cooperate with relevant authorities and infrastructure investors in inspection contents prescribed in decisions on approval of investment guidelines/certificates of investment registration or documents confirming that investment projects satisfy the hi-tech operation principle according to this Decree, implementation of requirements for planning, investment, land, environmental protection, science and technology, and relevant laws; provide guidelines on and resolve difficulties during the implementation of investment projects at hi-tech parks; cooperate in handling administrative violations according to laws, decide to suspend, partly suspend, terminate, or partly terminate operations of investment projects at hi-tech parks according to investment laws.

7. Management Boards of hi-tech parks shall, based on the development strategies and plans of each period, develop and request People's Committees of provinces to promulgate lists of projects on investment attraction at hi-tech parks after collecting suggestions from the Ministry of Science and Technology of Vietnam regarding hi-tech parks as prescribed in Article 31 of the Law on High Technologies and the Ministry of Agriculture and Rural Development of Vietnam regarding hi-tech application agricultural parks as prescribed in Article 32 of the Law on High Technologies.

#### **Article 20. Management of environmental protection, labor, occupational safety and hygiene, firefighting and fire prevention, order and security, and other operations**

1. The system of technical infrastructure works for environmental protection, firefighting and fire prevention, assurance of traffic safety and order, and other necessary operations in a hi-tech park shall be planned, designed, invested in, constructed, and operated in consistent and conformity with the scale and investment progress of projects, ensuring operations in the hi-tech park and compliance with laws.

2. The Management Board of the hi-tech park shall cooperate with state management authorities, People's Committees at all levels, and relevant authorities in implementing tasks of environmental protection, labor, firefighting and fire prevention, occupational

safety and hygiene, order and security, and other operations in the hi-tech park according to laws.

### **Article 21. Management and operation of technical infrastructure system**

1. The Management Board of a hi-tech park shall manage, utilize, operate, and maintain the system of technical infrastructures of the hi-tech park invested in by the State and works handed over by the investor as prescribed in Clause 2 of this Article, excluding works prescribed in Clause 3 of this Article.
2. The infrastructure investor shall manage, utilize, operate, and maintain invested technical infrastructure works or hand them over to the Management Board of the hi-tech park or state-owned enterprises engaging in electricity supply, water supply, or telecommunications for management, utilization, operation, and maintenance to ensure the consistency of the whole system.
3. State-owned enterprises engaging in electricity supply, water supply, and telecommunications shall manage, utilize, operate, and maintain technical infrastructure works concerning electricity, water, and telecommunications they invested in and handed over by the infrastructure investor prescribed in Clause 2 of this Article.
4. Investment in the construction, maintenance, and operation of technical infrastructure works of the hi-tech park shall:
  - a) Conform with the construction planning and design approved by a competent authority;
  - b) Ensure the consistency of technical infrastructure works in the hi-tech park;
  - c) Ensure the operations of investment projects in the hi-tech park.
5. Fees for the use of state-invested infrastructures (including fees for waste treatment) are the revenues used for offsetting the costs of management, utilization, operation, and maintenance of the system of technical infrastructures invested in by the State, excluding construction investments. Annually, the Management Board of the hi-tech park shall issue or present to the People's Committee of the province the fees for the use of state-invested infrastructures.
6. Regarding a hi-tech park with its construction of the system of technical infrastructures partly or wholly invested in by the state budget, the budget for the management, utilization, and operation of the system of technical infrastructures shall be from the revenues from collecting fees for the use of infrastructures of investors and the support from the state budget during the stage when the hi-tech park has not been filled up and collected the sufficient offset for expenditures. Support from the state budget shall comply with regulations on state budget management decentralization.

7. Fees for the use of infrastructures invested in by investors are the revenues used for offsetting the costs of management, operation, and maintenance of the system of technical infrastructures and construction investment (in case of a project on investment in infrastructure construction and business prescribed in Clause 2 Article 23 of this Decree) invested in by the investors.

8. Infrastructure investors shall determine the fees for the use of infrastructures; costs of site preparation; sale prices and rental of factories, offices, and warehouses; sublease prices of land with constructed technical infrastructures and other service fees according to laws and register the schedule for prices and fees with the Management Board of the hi-tech park. In case infrastructure investors are at a hi-tech park with its construction of the system of technical infrastructures partly invested in by the state budget according to Clause 2 Article 23 of this Decree, the schedule for prices and fees shall be approved by the Management Board of the hi-tech park.

Once every 6 months or in case of an increase of more than 10% compared to the registered prices and fees, infrastructure investors shall register the schedule for prices and fees with the Management Board of the hi-tech park. In case of necessity, the Management Board of the hi-tech park shall, based on the assessment of related regulations and the impact on the local business investment environment, appraise the schedule for prices and fees and request infrastructure investors to re-register such a schedule under this Clause.

9. The management and use of the system of technical infrastructures formed from state budget capital and determined as public property shall comply with public property use and management laws.

## **Article 22. Entry, exit, temporary residence, and stay in hi-tech parks**

1. Investors, specialists, employees, and family members (including parents, spouses, and children below or above 18 years old living with the mentioned persons) who are foreigners shall be assessed for the issuance of visas with multi-use value and terms appropriate for the period of direct work at the hi-tech park as per regulation.

2. Employees may receive permission for temporary residence or stay at accommodation facilities in the hi-tech park for operations in the hi-tech park when the following conditions are met:

a) The accommodation area is located separately from production areas or offices, ensuring a safe distance concerning the environment and occupational safety and hygiene according to construction laws and relevant laws and ensuring security and order, not affecting business production operations of enterprises in the hi-tech park;

b) Employees are Vietnamese citizens carrying out the temporary residence of stay under the law on residence; employees are foreigners carrying out the temporary residence under the law on entry, exit, transit, and residence of foreigners in Vietnam.

3. In case of force majeure due to natural disasters, environmental disasters, fire, epidemics, wars, demonstrations, riots, or other emergencies, employees may receive permission for temporary residence or stay at enterprises in the hi-tech park according to the following regulations:

a) Employees are Vietnamese citizens with permitted residence at enterprises in the hi-tech park according to the law on residence;

b) Employees are foreigners with permitted residence at enterprises in the hi-tech park for up to 30 days and shall carry out temporary residence declaration according to the law on entry, exit, transit, and residence of foreigners in Vietnam.

### **Article 23. Investment in infrastructure construction and business in hi-tech parks**

1. Investment in hi-tech park infrastructure construction and business shall be carried out for the whole system of technical infrastructures of the hi-tech park (in case the state budget does not invest in the construction of the system of technical infrastructures of the hi-tech park) or parts of the system of technical infrastructures of the hi-tech park (in case the state budget invests in the partly construction of the system of technical infrastructures of the hi-tech park).

2. Regarding a project on investment in infrastructure construction and business at a hi-tech park with its construction of the system of technical infrastructures partly invested in by the state budget:

a) Regarding the land area for the construction of the system of technical infrastructures and public-use land according to the approved subdivision construction planning for the area of the project on investment in infrastructure business, the Management Board of the hi-tech park shall lease land to infrastructure investors for investment in the construction of the system of technical infrastructures and public-use areas. Infrastructure investors may lease out infrastructures invested in by them to business and construction investors within the area of the project on investment in infrastructure business after completing the consistent construction according to stages of the approved investment project;

b) Regarding the area for projects on investment in production and business in the area of the project on investment in infrastructure business (excluding the land area prescribed in Point a of this Clause), the Management Board of the hi-tech park shall, based on the progress of the investment in technical infrastructure construction and the plan to attract investment, allocate land to infrastructure investors to carry out the site preparation or construction of factories, offices, and warehouses for lease. After the completion of the site preparation or construction of factories, offices, and warehouses, infrastructure investors shall hand over the land to the Management Board of the hi-tech park.

Infrastructure investors may lease out the invested system of technical infrastructures, factories, offices, and warehouses to other investors within the scope of the project on investment in infrastructure business and collect fees for the use of infrastructures as

prescribed in Clause 7 Article 21 of this Decree, costs of site preparation (if any), rental or purchase prices of factories, offices, and warehouses from other investors and other amounts as per regulation (if any);

c) If infrastructure investors invest in the construction of factories, offices, and warehouses for lease, they shall be issued with certificates of ownership of factories on the land according to land laws regarding cases where owners of construction works are not land users and may lease out factories under laws;

d) If infrastructure investors voluntarily advance money to carry out compensation or site clearance according to the scheme approved by the competent state authority regarding the land area prescribed in Point a of this Clause, they may include the advanced amounts in the project investments.

If infrastructure investors advance money to carry out compensation or site clearance for the land area leased by the State to the investors according to Point b of this Clause, investors shall pay infrastructure investors the amount advanced for compensation or site clearance by the infrastructure investors according to the scheme approved by the competent authority; the paid amount shall be deducted from the refund of compensation or site clearance or land rental that investors must pay to the State.

3. Regarding a project on investment in infrastructure construction and business at a hi-tech park with its construction of the system of technical infrastructures not invested in by the state budget:

a) Infrastructure investors shall receive land leased by the State for the implementation of the project on investment in technical infrastructure construction and business of the hi-tech park;

b) Infrastructure investors may sublease the land with a constructed system of technical infrastructures and offices, factories, and warehouses according to investment, construction, land, and real estate business laws and relevant laws;

c) Regarding investment projects subject to principles and criteria prescribed in Article 28 or Article 35 of this Decree, infrastructure investors shall sublease the land with a constructed system of technical infrastructures and offices, factories, and warehouses after the Management Board issues a document confirming that investment projects satisfy the hi-tech operation principle according to Clause 4 Article 19 and Article 26 of this Decree;

d) If infrastructure investors voluntarily advance money to carry out compensation or site clearance according to the scheme approved by the competent state authority, they may include the advanced amounts in the project investments.

**Article 24. Requirements for investors of projects on investment in hi-tech park infrastructure construction and business**

1. Investors of projects on investment in hi-tech park infrastructure construction and business shall:

- a) Satisfy the real estate business requirements according to the law on real estate business;
- b) Satisfy the requirements for land allocation, lease, and use purpose conversion by the State for the implementation of projects on investment in hi-tech park infrastructure construction and business according to the law on land and relevant laws.

If investors carrying out projects on investment in hi-tech park infrastructure construction and business are economic organizations expected to be established by foreign investors according to the law on investment and the law on enterprises, such economic organizations shall be capable of satisfying the requirements for land allocation, lease, and use purpose conversion by the State according to the law on land and relevant laws.

2. Regarding cases where investors carry out projects on infrastructure construction and business according to Clause 3 Article 23 of this Decree, aside from the requirements prescribed in Clause 1 of this Article, it is necessary to satisfy the following requirements when carrying out the procedure for requesting approval for investment guidelines and during the project implementation:

- a) Register and declare professions and types of investment projects to be attracted to the hi-tech park according to development directions of the hi-tech park in the approved scheme to establish and expand the hi-tech park according to the decision on establishment or expansion of the hi-tech park of the Prime Minister of Vietnam; declare to attract investment projects on hi-tech operations satisfying the principles and criteria prescribed in Article 28 and Article 35 of this Decree;
- b) Develop and implement regulations on inspection and supervision of the implementation of investment projects and declarations meeting the prescribed principles and criteria prescribed in Article 28 and Article 35 of this Decree, and submit annual or irregular reports on the implementation results to the Management Board of the hi-tech park.

3. In the case of bidding for the selection of investors, standards of assessment for the selection of investors for the implementation of projects on investment in hi-tech park infrastructure construction and business include:

- a) Standards of the assessment of the capacity of investors shall be developed based on the requirements prescribed in Clause 1 of this Article and Clause 2 of this Article (regarding cases where investors carry out projects on investment in infrastructure construction and business under Clause 3 Article 23 of this Decree);
- b) Standards of the assessment of the experience of investors shall be developed based on the scale of the area, implementation progress, and implementation of projects on

investment in hi-tech park infrastructure construction and business or other real estate projects that the investors have implemented or contributed equity for implementation; owners, members, and founding shareholders of the organizations of investors that have implemented or contributed equity for the implementation of projects;

c) Standards of the technical assessment shall be developed based on decisions on approval of the planning for the construction of the hi-tech park and decisions on approval for investment guidelines of projects on investment in hi-tech park infrastructure construction and business of competent authorities and relevant laws;

d) Standards of the assessment of finance and commerce shall be developed based on the decisions on approval for investment guidelines of projects on investment in hi-tech park infrastructure construction and business of competent authorities and relevant laws concerning the selection of investors for the implementation of investment projects with the use of land.

### **Article 25. Rights and obligations of investors carrying out investment projects and infrastructure investors in hi-tech parks**

1. Investors carrying out investment projects in the hi-tech park and infrastructure investors shall have the following rights and obligations aside from the general rights and obligations of investors and enterprises according to the law on investment, the law on enterprises, this Decree, and relevant laws:

a) Comply with regulations on security, order, safety assurance, occupational hygiene, quality of works, environmental protection, and fire and explosion prevention; pay fees as per regulation;

b) Cooperate with public security forces and state authorities in developing schemes for fire and explosion prevention and assurance of social security, order, and safety in the area;

c) Submit reports on the implementation of investment projects to local investment registration authorities and statistical authorities according to the law on investment;

d) Investors using land, factories, offices, and warehouses within the area of the project on investment in infrastructure business according to Clause 2 Article 23 of this Decree shall pay fees for the use of infrastructures invested in by the State according to Clause 5 Article 21 of this Decree; fees for the use of infrastructures invested in by infrastructure investors according to Clause 7 Article 21 of this Decree; rental of factories, offices, and warehouses and site preparation costs (if any);

dd) Investors using land, factories, offices, and warehouses within the area of the project on investment in infrastructure business according to Clause 3 Article 23 of this Decree shall pay rental of land, factories, offices, and warehouses to infrastructure investors (if

any); fees for the use of infrastructures invested in by infrastructure investors according to Clause 7 Article 21 of this Decree.

2. Aside from Clause 1 of this Article, investors using land, offices, factories, and warehouses shall, to implement investment projects subject to Article 28 and Article 35 of this Decree, satisfy the principles applicable to each corresponding type of investment project.

Declarations on compliance with the principles and criteria prescribed in Article 28 and Article 38 of this Decree of investors specified in decisions on approval for investment guidelines/certificates of investment registration/decisions on the allocation of land exempted from land use levies/land lease contracts (land sublease) or documents confirming that investment projects satisfy the hi-tech operation principle prescribed in this Decree shall be used as the basis for supervision, investment assessment, inspection, and handling of violations, such as not applying investment incentives, suspending or partly suspending or terminating or partly terminating the operations of projects if investors fail to rectify their violations after the 1-year time limit or the time limit prescribed in decisions on operation suspension according to the Law on Investment and relevant laws.

3. Aside from Clause 1 of this Article, infrastructure investors shall have the following rights and obligations:

a) Hire, reach agreements, or cooperate with other investors in constructing, maintaining, and operating hi-tech park infrastructure works or use infrastructure works or sharing infrastructure works inside and outside of the fences of the hi-tech park according to civil laws and relevant laws;

b) Organize the collection fees according to Clause 8 Article 21 of this Decree;

c) Cooperate with the Management Board of the hi-tech park, tax authorities, and related authorities in inspecting, supervising, and handling violations regarding the implementation of regulations in the area of the project on investment in hi-tech park infrastructure construction and business;

d) Regarding cases where the project on investment in hi-tech park infrastructure construction and business does not have state budget investment in the construction of the system of technical infrastructures according to Clause 3 Article 23 of this Decree, infrastructure investors shall satisfy the requirements prescribed in Clause 2 Article 24 of this Decree.

**Article 26. Procedures for confirming investment projects meet the hi-tech operation principle according to Clause 4 Article 19 of this Decree**

1. An investor shall formulate an application for confirmation that the investment project meets the hi-tech operation principle and submit it to the Management Board of the hi-tech park (in person or through postal services).

2. An application for confirmation that the investment project meets the hi-tech operation principle includes:

a) Document requesting the implementation of the investment project, which declares the payment of any cost and responsibility for any risk if the investment project is assessed as unqualified;

b) Document on the investor's status as a juridical person;

c) Investment project proposal includes: explanation and declaration on compliance with the principles and criteria prescribed in Article 28 and Article 35 of this Decree; objectives, scale, capital, investment progress, needs to use employees, land; proposal for investment incentives and preliminary assessment of the environmental impact;

d) Other documents (if any).

3. Within 1 working day from the date on which the adequate application is received, the Management Board of the hi-tech park shall send suggestion collection documents to other authorities according to the following regulations:

a) Regarding a hi-tech park prescribed in Article 31 of the Law on High Technologies, the Management Board of the hi-tech park shall send suggestion collection documents to Departments of Science and Technology, Planning and Investment, Natural Resources and Environment, and other authorities according to the concerned scope and field;

b) Regarding a hi-tech application agricultural park prescribed in Article 32 of the Law on High Technologies, the Management Board of the hi-tech park shall send suggestion collection documents to Departments of Agriculture and Rural Development, Science and Technology, Planning and Investment, Natural Resources and Environment, and other authorities according to the concerned scope and field.

4. Within 7 working days from the date on which the adequate application is received, authorities subject to the suggestion collection shall provide suggestions on compliance with the principles and criteria prescribed in Article 28 and Article 35 of this Decree regarding each corresponding type of investment project.

5. Within 15 days from the date on which the adequate application is received, the Management Board of the hi-tech park shall assess the application and formulate a report on the assessment of compliance with the principles prescribed in Article 28 and Article 35 of this Decree regarding each corresponding type of investment project.

6. In case of a qualified assessment result, within 1 working day, the Management Board of the hi-tech park shall send the document confirming that the investment project meets the hi-tech operation principle to the investor and infrastructure investors for use as the basis for subleasing land and renting factories, offices, and warehouses.

7. In case the application is inadequate, invalid, or has an unqualified assessment result as prescribed in Clause 5 of this Article, within 1 working day from the date on which the registration application is received or the investment project assessment result is available, the Management Board of the hi-tech park shall send written notification of the situation to the investor and infrastructure investors and explain in writing.

## **Chapter IV**

### **HI-TECH OPERATIONS IN HI-TECH PARKS**

#### **Section 1. HI-TECH OPERATIONS IN HI-TECH PARKS PRESCRIBED IN ARTICLE 31 OF THE LAW ON HIGH TECHNOLOGIES**

##### **Article 27. Types of hi-tech operations in hi-tech parks**

Types of hi-tech operations in hi-tech parks: hi-tech research and development; hi-tech application; hi-tech incubation and hi-tech enterprise incubation; hi-tech personnel training; hi-tech fairs, exhibitions, and performances, and performances of hi-tech products that are the results of hi-tech research, application, and transfer; hi-tech product production and business; hi-tech service provision.

##### **Article 28. Principles applicable to investment projects on hi-tech operations in hi-tech parks**

1. The objectives and contents of the operation of an investment project shall conform with the tasks of the hi-tech park prescribed in Clause 2 Article 31 of the Law on High Technologies.
2. Application of environmentally friendly measures and thrift practice measures.
3. Conformability with the planning and capacity for providing technical and social infrastructures of the hi-tech park and relevant laws.
4. Investors proposing investment projects shall have financial capacity or mobilize other legal sources to satisfy the requirements for capital sources of investment in the construction, maintenance, and operation of projects; have technological and managerial capacity, ensuring that the construction and implementation of investment projects follow the set schedule and plan.

5. Prioritization of investment projects with investment capital rates (investment per land area) higher than the average investment capital rate in the related part of the functional area.

6. Each type of investment project shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 of this Article, satisfy the corresponding criteria for each type prescribed in Clause 2 Article 29, Clause 2 Article 30, Clause 2 Article 31, Clause 1 Article 32, and Clause 1 Article 33 of this Decree.

### **Article 29. Hi-tech research and development**

1. Hi-tech research and development in hi-tech parks include: researching and mastering transferred and imported high technologies; decrypting high technologies; researching the utilization of inventions, testing and experimenting with the production of high technologies and new technologies replacing foreign-imported technologies; researching the completion and development of high technologies applicable to the production of new products and hi-tech products, provision of hi-tech services, and hi-tech transfer; providing hi-tech personnel training in association with the mentioned operations.

2. Projects on investment in hi-tech research and development facilities at a hi-tech park shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 Article 28 of this Decree, satisfy the following criteria:

a) Having objectives, plans, and roadmaps for hi-tech research and development for short or long-term periods; having plans for transfer, cooperation, commercialization, and application of high technologies to create hi-tech products and services;

b) Technologies and products of the investment project conform with the list of high technologies prioritized for development investment of the list of hi-tech products encouraged for development enclosed with decisions of the Prime Minister of Vietnam. If technologies and products of the investment project are new and advanced technologies not included in the mentioned lists, the Management Board of the hi-tech park shall submit a report to the Ministry of Science and Technology of Vietnam to request suggestions from the Prime Minister of Vietnam on approval for the research and development of such technologies and products of the investment project;

c) Creating high technologies for replacement of imported high technologies and application to the production of hi-tech products; creating key products of economic sectors for replacement of imported products;

d) Complying with quality control standards and technical regulations on the environment in the operational field of the investment project as prescribed by laws;

dd) Satisfying the criteria for labor personnel and personnel carrying out the research and development, expense ratio, and expenditures on research and development, machines

and devices for research and development according to regulations of the Ministry of Science and Technology of Vietnam.

### **Article 30. Hi-tech personnel training**

1. Hi-tech personnel training activities include: training persons with qualifications and skills satisfying the requirements for hi-tech research, development, and application; developing strong research teams and modern hi-tech research and training facilities; cooperating with universities and research facilities outside of the hi-tech park in providing training at university, master, and doctoral levels in several majors in association with prioritized hi-tech fields according to the Law on High Technologies and the list of high technologies prioritized for development investment; training and providing sources of highly qualified personnel sources for the operation of hi-tech product production lines and devices, providing hi-tech services, and managing hi-tech operations.

2. Projects on investment in hi-tech personnel training facilities at a hi-tech park shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 Article 28 of this Decree, satisfy the following criteria:

a) Training research personnel, managers, and technicians for the production of hi-tech products; attracting volunteer specialists who are foreigners and Vietnamese specialists residing abroad to participate in hi-tech personnel training at the hi-tech park;

b) Having specific roadmaps and plans for hi-tech personnel development; complying with Vietnam's regulations on training and development of personnel;

c) Orienting the establishment of strong scientific research collectives; developing hi-tech personnel training facilities reaching international standards.

### **Article 31. Hi-tech incubation and hi-tech enterprise incubation**

1. Projects selected by hi-tech incubation facilities or hi-tech enterprise incubation facilities shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 Article 28 of this Decree, create high technologies and hi-tech products included in the list of high technologies prioritized for development investment and the list of hi-tech products encouraged for development enclosed with decisions of the Prime Minister of Vietnam.

The Management Board of the hi-tech park shall monitor, supervise, and guide the selection of projects prescribed in this Clause.

2. Projects on hi-tech incubation or hi-tech enterprise incubation shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 Article 28 of this Decree, satisfy the requirements for hi-tech incubation facilities and hi-tech enterprise incubation facilities according to regulations of the Ministry of Science and Technology of Vietnam.

### **Article 32. Application of high technologies to production of hi-tech products**

1. Projects on investment in the application of high technologies to the production of hi-tech products shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 Article 28 of this Decree, satisfy the following criteria:

a) Applied high technologies of the investment project are included in the list of high technologies prioritized for development investment enclosed with decisions of the Prime Minister of Vietnam;

b) Using energy thrifty and effectively;

c) The quality control system meets international standards;

d) Complying with technical standards and regulations on the environment in the operational field of the investment project as prescribed by Vietnamese laws, encouraging the achievement of international standards of the environment ISO 14000 or equivalences;

dd) Satisfying the criteria for the ratio of revenues from the production of hi-tech products, labor personnel, personnel carrying out technological research, development, and application, the ratio of expenditures on technological research, development, and application, and technological lines according to regulations of the Ministry of Science and Technology of Vietnam.

2. Export processing enterprises in a hi-tech park are enterprises established in the hi-tech park for the implementation of investment projects prescribed in this Article, specialized in the production of products for export and separated from the outside area according to regulations applicable to non-tariff zones according to import and export tariff laws.

Investment procedures and policies applicable to export processing enterprises shall comply with Clause 2 Article 16 of this Decree.

### **Article 33. Hi-tech service provision**

Projects on investment in the provision of hi-tech services shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 Article 28 of this Decree, ensure that the provided hi-tech services are included in the list of high technologies prioritized for development investment and the list of hi-tech products encouraged for development enclosed with decisions of the Prime Minister of Vietnam.

## **Section 2. HI-TECH OPERATIONS IN HI-TECH APPLICATION AGRICULTURAL PARKS PRESCRIBED IN ARTICLE 32 OF THE LAW ON HIGH TECHNOLOGIES**

### **Article 34. Types of hi-tech operations in hi-tech application agricultural parks**

Types of hi-tech operations in hi-tech application agricultural parks: researching the application and testing and performing the production model of hi-tech application agricultural products; connecting activities of hi-tech research and application and production of hi-tech products in agriculture; training hi-tech personnel in agriculture; organizing hi-tech application agricultural product fairs, exhibitions, and performances.

### **Article 35. Principles applicable to projects on investment in hi-tech operations in hi-tech application agricultural parks**

1. Ensuring that the objectives and contents of the operations of investment projects conform with the tasks of hi-tech application agricultural parks according to Clause 2 Article 32 of the Law on High Technologies.
2. Applying environmentally friendly measures and practicing thrift; declaring the reduction of greenhouse gas emissions and having roadmaps for achieving a “0” net emission.
3. Confirming with the capacity for providing technical and social infrastructures of the hi-tech application agricultural park.
4. Investors proposing investment projects shall have financial capacity or mobilize other legal sources to satisfy the requirements for capital sources of investment in the construction, maintenance, and operation of projects; have technological and managerial capacity, ensuring that the construction and implementation of investment projects follow the set schedule and plan.
5. Each type of investment project shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 of this Article, satisfy the corresponding criteria for each type prescribed in Clause 2 Article 36, Clause 2 Article 37, Clause 2 Article 38, and Clause 1 Article 39 of this Decree.

### **Article 36. Hi-tech application research**

1. Hi-tech operation research operations in hi-tech application agricultural parks include: connecting activities of research and adaptive research and mastering transferred high technologies and imported high technologies; researching the completion, test production, and development of high technologies applied to agricultural production and performing models of production of hi-tech application agricultural products, and transferring high technologies.
2. Projects on investment in hi-tech application research facilities at a hi-tech application agricultural park shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 Article 35 of this Decree, satisfy the following criteria:

- a) Having research objectives, plans, and roadmaps; having plans to transfer, commercialize, and apply high technologies to the production of agricultural products and hi-tech services;
- b) High technologies of the investment project shall conform with the list of high technologies prioritized for development investment enclosed with decisions of the Prime Minister of Vietnam; If technologies of the investment project are new and advanced technologies not included in the mentioned list, the Management Board of the hi-tech park shall submit a report to the Ministry of Agriculture and Rural Development of Vietnam for cooperation with the Ministry of Science and Technology of Vietnam in requesting suggestions from the Prime Minister of Vietnam on approval for the research and application of such technologies of the investment project;
- c) Creating key products of agriculture, replacing imported products, and strengthening exported products; creating technologies for the promotion of advantages and rectification of disadvantages of natural conditions, weather, climate change scripts, and epidemic prevention and elimination;
- d) Complying with quality control standards and technical regulations on the environment in the operational field of the investment project as prescribed by laws;
- dd) Satisfying the criteria for labor personnel and personnel carrying out research operations, expense ratio, and expenditures on research operations according to regulations of the Ministry of Agriculture and Rural Development of Vietnam.

### **Article 37. Hi-tech personnel training in agriculture**

1. Hi-tech personnel training activities include: training personnel in association with research and application, training persons with qualifications and skills satisfying the requirements for hi-tech application and research; developing strong research teams; cooperating with universities, research institutes, and research facilities outside of the hi-tech application agricultural park in providing training at university, master, and doctoral levels in agricultural majors and prioritized majors according to the Law on High Technologies and the list of high technologies prioritized for development investment; training and providing personnel capable of mastering and applying high technologies to agricultural production, providing hi-tech services, and managing hi-tech operations.
2. Projects on investment in hi-tech personnel training facilities at a hi-tech application agricultural park shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 Article 35 of this Decree, satisfy the following criteria:
  - a) Training research personnel, managers, and technicians for hi-tech application agricultural production; attracting domestic and foreign specialists to participate in hi-tech personnel training at the hi-tech application agricultural park;

b) Having specific roadmaps and plans for hi-tech personnel development; complying with Vietnam's regulations on training and development of personnel.

### **Article 38. Application of high technologies to production of agricultural products**

1. Projects on investment in the application of high technologies to the production of agricultural products are projects on investment in the application of high technologies included in the list of high technologies prioritized for development investment enclosed with decisions of the Prime Minister of Vietnam to the production of agricultural products with high quality, productivity, value, and efficiency and have activities of research, hi-tech test application, and hi-tech transfer for production.

2. Projects on investment in the application of high technologies to the production of agricultural products shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 Article 35 of this Decree, satisfy the following criteria:

a) Applied high technologies of the investment project are included in the list of high technologies prioritized for development investment enclosed with decisions of the Prime Minister of Vietnam. If technologies of the investment project are new and advanced technologies not included in the mentioned list, the Management Board of the hi-tech park shall submit a report to the Ministry of Agriculture and Rural Development of Vietnam for cooperation with the Ministry of Science and Technology of Vietnam in requesting suggestions from the Prime Minister of Vietnam on approval for the application of such technologies of the investment project;

b) Using energy thriftily and effectively;

c) The quality control system meets international standards;

d) Complying with technical standards and regulations on the environment in the operational field of the investment project as prescribed by Vietnamese laws, encouraging the achievement of international standards of the environment ISO 14000 or equivalences;

dd) Satisfying the criteria for the ratio of revenues from the production of hi-tech application products, personnel directly carrying out hi-tech application research, the ratio of expenditures on hi-tech application research and hi-tech lines according to regulations of the Ministry of Agriculture and Rural Development of Vietnam.

### **Article 39. Provision of hi-tech services in agriculture**

Projects on investment in the provision of hi-tech services shall, aside from satisfying the principles prescribed in Clauses 1, 2, 3, and 4 Article 35 of this Decree, ensure that the provided hi-tech services are included in the list of high technologies prioritized for development investment and the list of hi-tech products encouraged for development enclosed with decisions of the Prime Minister of Vietnam.

## **Chapter V**

### **STATE MANAGEMENT OF HI-TECH PARKS**

#### **Article 40. Contents of state management of hi-tech parks**

1. Development and directive on the orientation of the construction of hi-tech parks in the regional planning, scheme to develop hi-tech parks in the provincial planning, and plans to invest in the construction and development of hi-tech parks.

2. Issuance, guidelines, popularization, and implementation of policies, laws, and technical standards and regulations concerning the establishment, investment, construction planning, construction, land, environmental protection, science and technology, labor, security, order, firefighting and fire prevention, and other operations of hi-tech parks; development and management of the national system of information on hi-tech parks.

3. Organization of state management operations and performance of administrative procedures and support services concerning hi-tech operations, investment, production, and business of investors, organizations, and individuals in hi-tech parks.

4. Supervision, assessment, inspection, and violation handling and assessment of operational aspects and investment effectiveness of hi-tech parks; provision of information, guidelines, support, and timely handling of arising difficulties; settlement of complaints and denunciations and commendation during the establishment and development of hi-tech parks.

5. Organization of the promotion of investment in hi-tech parks; international integration of science and technology and international cooperation in high technologies and hi-tech parks.

6. Organization of the apparatus and provision of training and advanced training for hi-tech park management authorities.

#### **Article 41. State management responsibilities for hi-tech parks**

1. The Government of Vietnam shall consistently carry out the state management of hi-tech parks nationwide based on the assignment of specific tasks and entitlements of each ministry, ministerial agency, provincial People's Committee, and hi-tech park Management Board according to this Decree; direct the development and implementation of planning and development plans and promulgate policies and legislative documents on hi-tech parks.

2. Prime Minister of Vietnam shall:

- a) Direct ministries, ministerial agencies, provincial People's Committees, and Management Boards of hi-tech parks to implement laws and policies on hi-tech parks;
  - b) Decide on the establishment, expansion, and promulgation of operational principles of hi-tech parks; decide on the establishment of Management Boards of hi-tech parks unless otherwise prescribed by laws; approve and adjust master planning for the construction of hi-tech parks;
  - c) Direct the handling and settlement of difficulties during the investment, establishment, operation, and management of the operations of hi-tech parks that exceed the jurisdiction of ministries, ministerial agencies, and provincial People's Committees.
3. Ministries, ministerial agencies, and provincial People's committees, within their scope of assigned functions, tasks, and entitlement, shall:

- a) Carry out the state management of fields, sectors, and territorial administration for hi-tech parks within their jurisdiction;
- b) Guide and stipulate the decentralization or authorization for Management Boards of hi-tech parks to carry out state management tasks under their jurisdiction according to this Decree and relevant laws.

The decentralization and authorization shall comply with the principles of ensuring stability, facilitating the implementation of the "on-the-spot single-window" administrative regulation, supporting investors in business investment in hi-tech parks, and conforming with the capacity and organizational qualifications of Management Boards of hi-tech parks;

- c) Regarding state management tasks not subject to decentralization or authorization according to Point b of this Clause, ministries, ministerial agencies, and provincial People's Committees shall direct the development of cooperative regulations between their affiliates and Management Boards of hi-tech parks during the implementation to ensure the effectiveness of the state management of hi-tech parks;
- d) Inspect, supervise, and handle violations under their state management for Management Boards of hi-tech parks and investors carrying out investment projects at hi-tech parks.

#### **Article 42. State management entitlements and responsibilities of Ministry of Science and Technology of Vietnam**

1. Assist the Government of Vietnam in consistently carrying out the state management of hi-tech parks.
2. Take charge and cooperate with provincial People's Committees and relevant authorities in presenting the Prime Minister of Vietnam with decisions to establish,

expand, and promulgate operational principles of hi-tech parks for hi-tech parks prescribed in Article 31 of the Law on High Technologies.

3. Take charge and cooperate with ministries, ministerial agencies, provincial People's Committees, Management Boards of hi-tech parks, and relevant organizations in carrying out state management tasks of hi-tech parks prescribed in Article 31 of the Law on High Technologies:

a) Developing legislative documents and policies on the management and development of hi-tech parks for presentation to competent state authorities for promulgation or promulgation under their jurisdiction;

b) Developing and implementing international cooperation and international integration concerning science and technology for hi-tech parks;

c) Developing databases and national systems of information on hi-tech parks in the system of national databases on science and technology; promulgating regulations on reports on hi-tech parks; providing information on hi-tech parks for concerned authorities of the Government of Vietnam; guiding the development of the criteria for the assessment of the results and effectiveness of science and technology and socio-economy of hi-tech parks;

d) Proposing contents of the promotion of investment in hi-tech parks in the National Investment Promotion Program for submission to the Ministry of Planning and Investment of Vietnam for summary; providing suggestions on the list of projects on attraction of investment in hi-tech parks for provincial People's Committees; cooperating in developing and implementing international cooperation and international integration concerning science and technology for hi-tech parks;

dd) Providing relevant guidelines, training, and advanced training for Management Boards of hi-tech parks;

e) Cooperating in supervising and inspecting the investment in the construction, development, and operation of hi-tech parks;

g) Summarizing construction and development results and socio-economic effectiveness of hi-tech parks.

4. Collect suggestions from the Prime Minister of Vietnam on approval for technologies and products of projects on investment in hi-tech research and development facilities prescribed in Point b Clause 2 Article 29 of this Decree; cooperate with the Ministry of Agriculture and Rural Development of Vietnam in collecting suggestions from the Prime Minister of Vietnam on approval for technologies and products of projects on investment in hi-tech application research facilities prescribed in Point b Clause 2 Article 36 and Point a Clause 2 Article 38 of this Decree in case such technologies or products are new and advanced technologies not included in the list of high technologies prioritized for

development investment or the list of hi-tech products encouraged for development enclosed with decisions of the Prime Minister of Vietnam.

5. Cooperate with the Ministry of Construction of Vietnam, Ministry of Natural Resources and Environment of Vietnam, Ministry of Labor – War Invalids and Social Affairs of Vietnam, Ministry of Industry and Trade of Vietnam, and relevant ministries and authorities in providing guidelines on the decentralization and authorization for Management Boards of hi-tech parks regarding state management jurisdiction over hi-tech parks prescribed in Article 31 of the Law on High Technologies.

#### **Article 43. State management entitlements and responsibilities of Ministry of Agriculture and Rural Development of Vietnam**

The Ministry of Agriculture and Rural Development of Vietnam shall have the following state management entitlements and responsibilities for hi-tech application agricultural parks prescribed in Article 32 of the Law on High Technologies:

1. Take charge and cooperate with provincial People’s Committees and relevant authorities in presenting the Prime Minister of Vietnam with decisions to establish, expand, and promulgate operational principles of hi-tech application agricultural parks.
2. Take charge and cooperate with ministries, ministerial agencies, provincial People’s Committees, Management Boards of hi-tech parks, and relevant organizations in:
  - a) Developing legislative documents and policies on the management and development of hi-tech application agricultural parks;
  - b) Proposing contents of the promotion of investment in hi-tech application agricultural parks in the National Investment Promotion Program for submission to the Ministry of Planning and Investment of Vietnam for summary; providing suggestions on the list of projects on attraction of investment in hi-tech application agricultural parks for provincial People's Committees; cooperating in developing and implementing international cooperation and international integration concerning science and technology for hi-tech application agricultural parks;
  - c) Promulgating regulations on reports on hi-tech application agricultural parks; providing information on hi-tech application agricultural parks for concerned authorities of the Government of Vietnam; taking charge and cooperating with the Ministry of Science and Technology of Vietnam in developing databases and national systems of information on science and technology and guiding the development of the criteria for the assessment of the results and effectiveness of science and technology and socio-economy of hi-tech application agricultural parks;
  - d) Providing relevant guidelines, training, and advanced training for Management Boards of hi-tech parks;

dd) Cooperating in supervising and inspecting the investment in the construction, development, and operation of hi-tech application agricultural parks;

e) Summarizing construction and development results and socio-economic effectiveness of hi-tech application agricultural parks.

3. Take charge and cooperate with the Ministry of Science and Technology of Vietnam in collecting suggestions from the Prime Minister of Vietnam on approval for the technologies of projects on investment in hi-tech application research facilities prescribed in Point b Clause 2 Article 36 of this Decree and projects on investment in the application of high technologies to the production of hi-tech products prescribed in Point a Clause 2 Article 38 of this Decree in case such technologies are new and advanced technologies not included in the list of high technologies prioritized for development investment enclosed with decisions of the Prime Minister of Vietnam.

4. Cooperate with the Ministry of Construction of Vietnam, Ministry of Natural Resources and Environment of Vietnam, Ministry of Labor – War Invalids and Social Affairs of Vietnam, Ministry of Industry and Trade of Vietnam, and relevant ministries and authorities in providing guidelines on the decentralization and authorization for Management Boards of hi-tech parks regarding state management jurisdiction over hi-tech application agricultural parks.

#### **Article 44. State management entitlements and responsibilities of ministries and ministerial agencies**

Ministries and ministerial agencies shall, aside from the state management entitlements and responsibilities for hi-tech parks prescribed in Clause 3 Article 41 of this Decree, have the following entitlements and responsibilities:

1. The Ministry of Planning and Investment of Vietnam shall take charge and cooperate with the Ministry of Science and Technology of Vietnam and the Ministry of Agriculture and Rural Development of Vietnam in developing plans, policies, solutions, and resources to implement the development orientation of hi-tech parks subject to regional planning; developing and implementing plans and national programs on investment promotion and regulating inter-regional and inter-provincial investment promotion operations, which include the promotion of investment in hi-tech parks.

2. The Ministry of Finance of Vietnam shall provide guidelines on the implementation of Clause 5 Article 14 of this Decree.

3. The Ministry of Home Affairs of Vietnam shall take charge of the appraisal for establishment or re-organization schemes for Management Boards of hi-tech parks in case such Management Boards are established by the Prime Minister of Vietnam.

4. The Ministry of Labor – War Invalids and Social Affairs of Vietnam shall provide guidelines on the implementation of Clause 12 Article 47 of this Decree.

5. The Ministry of Industry and Trade of Vietnam shall instruct and authorize Management Boards of hi-tech parks to issue certificates of origin for goods produced at hi-tech parks if the requirements for authorization are met.
6. The Ministry of Construction of Vietnam shall provide guidelines on the implementation of the state management of construction planning; development, operation management, use, handover of the system of technical infrastructures, and provision of technical infrastructure services; construction of works in hi-tech parks.
7. The Ministry of Public Security of Vietnam shall guide and direct the implementation of security and order assurance, firefighting and fire prevention, entry, exit, and residence of foreigners in hi-tech parks.
8. The Inspectorate of the Government of Vietnam shall cooperate with relevant ministries, central authorities, and provincial People's Committees in inspecting, handling violations, settling denunciations and complaints, and preventing and combating corruption in hi-tech parks as prescribed by laws.

#### **Article 45. State management responsibilities of provincial People's Committees**

1. Propose orientations of the development of hi-tech parks subject to regional planning; take charge of the development of schemes to develop hi-tech park systems subject to provincial planning; direct the implementation after the approval for regional and provincial planning.
2. Formulate applications for establishment or expansion of hi-tech parks; establishment or re-organization of Management Boards of hi-tech parks.
3. Regarding a hi-tech park with its construction of the system of technical infrastructures invested in by the state budget wholly or partly: develop plans for development investment in the hi-tech park, propose support capital from the central budget for investment in the construction of the hi-tech park; develop estimates and allocate local budget for expenditures on investment, construction, investment support, and assurance of operations of the hi-tech park and present them to the provincial People's Council for decisions; mobilize other legal capital sources for investment in the construction and development of the hi-tech park.
4. Appoint and dismiss titles of Heads and Vice Heads of Management Boards of hi-tech parks.
5. Develop plans and planning and organize investment in the construction of the system of technical and social infrastructures outside of the fences of hi-tech parks to ensure consistent connection and conformity with the scale and progress of the operations of hi-tech parks.

6. Take charge and cooperate with the Ministry of Construction of Vietnam (in case of inter-provincial hi-tech parks and master construction planning are subject to the approval jurisdiction of the Prime Minister of Vietnam) formulating, adjusting, disclosing, and directing the development of programs and plans and implementing the planning for the construction of hi-tech parks subject to the administrative boundaries under their management according to construction laws.
7. Decide to allocate land to Management Boards of hi-tech parks for management of the construction and development of hi-tech parks according to the approved construction planning; direct the expropriation of land, compensation, support, and resettlement for site clearance for hi-tech parks according to land laws.
8. Lease land and direct the implementation of investment projects for projects on investment in infrastructure construction and business during the period when Management Boards of hi-tech parks are yet to be established according to investment laws.
9. Promulgate policies and allocate investment support sources to attract investment and personnel sources to hi-tech parks according to their jurisdiction and prioritize projects and operations in hi-tech parks participating in local support programs on science and technology, high technologies, and innovative entrepreneurship; propose operations for inclusion in the national program on investment promotion; develop and implement programs and plans for the promotion of investment, cooperation, and international integration concerning science and technology for hi-tech parks.
10. Disclose lists of projects on attraction of investment in hi-tech parks in each period.
11. Direct and organize the implementation of state management tasks at hi-tech parks and promulgate and supervise the implementation of regulations on cooperation between Management Boards of hi-tech parks and authorities of provincial People's Committees; carry out the decentralization and authorization or direct the authorization for Management Boards of hi-tech parks in the fields of science and technology, planning, construction, land, investment, environmental protection, labor, occupational safety and hygiene, food safety, firefighting and prevention, security and order, and other operations, and carry out the inter-connected settlement of administrative procedures and other operations in hi-tech parks as prescribed by laws.
12. Carry out the comprehensive supervision and assessment of investment in hi-tech parks according to investment and public investment laws and relevant laws; implement regulations on reports on investment, operational aspects, and investment effectiveness of hi-tech parks.
13. Inspect, handle violations, settle denunciations and complaints, and provide commendations; guide, support, and promptly solve arising difficulties; regarding issues exceeding their jurisdiction, cooperate with ministries and ministerial agencies in settling

them or presenting them to the Prime Minister of Vietnam or the Government of Vietnam for consideration and decisions.

14. Implement regulations on reports and summarize operations of hi-tech parks and other state management entitlements and tasks of hi-tech parks, and roles of governing bodies for Management Boards of hi-tech parks in their areas according to this Decree and laws.

## **Chapter VI**

### **FUNCTIONS, TASKS, ENTITLEMENTS, AND ORGANIZATIONAL STRUCTURE OF MANAGEMENT BOARDS OF HI-TECH PARKS**

#### **Article 46. Functions and legal positions of Management Boards of hi-tech parks**

1. Management Boards of hi-tech parks are authorities affiliated with provincial People's Committees implementing state management functions for hi-tech parks in provinces and centrally affiliated cities according to this Decree and relevant laws.
2. Management Boards of hi-tech parks are juridical persons and may use national emblem seals, open accounts at State Treasury Authorities and banks, and receive budgets for operations from the state budget.
3. Management Boards of hi-tech parks shall be established under decisions of the Prime Minister of Vietnam (unless otherwise prescribed by laws) and be under the directive and management of the organization, payroll, work plan programs, and operational budget of provincial People's Committees; directive, guidance, and inspection of specialties of ministries and ministerial agencies managing concerned fields and sectors; responsible for strictly cooperating with professional authorities of provincial People's Committees when receiving decentralization or authorization and carrying out tasks and entitlements of professional authorities of provincial People's Committees and other tasks and entitlements according to this Decree and relevant laws.

#### **Article 47. Tasks and entitlements of Management Boards of hi-tech parks**

1. Propose and provide suggestions for competent authorities regarding the development and promulgation of legislative documents; orientations and schemes to develop hi-tech parks subject to regional or provincial planning; schemes to expand or adjust the boundaries of hi-tech parks; regulations, policies, and schemes to mobilize sources for the construction and development of hi-tech parks; regulations and policies on incentives and support for investors, operations, and employees in hi-tech parks.
2. Propose, develop, and present plans for the construction and development of hi-tech parks with wholly or partly state-invested technical infrastructure systems to competent authorities for approval, including: comprehensive long and medium-term plans for the

construction and development of hi-tech parks; investment promotion programs; public investment plans and financial plans of hi-tech parks.

3. Manage projects on investment in hi-tech park construction using state budget capital, ODA, and other legal capital sources:

a) Carry out tasks of investors and implement investment projects using state budget capital, ODA, and other legal capital sources assigned for management as prescribed by laws;

b) Decide on the investment and carry out the jurisdiction of investors; organize the selection of investors, conclude investment agreements, and conclude project contracts with public-private partnership investment (PPP) investors regarding projects on investment in hi-tech parks using the state budget of Groups B and C according to authorization;

c) Receive, manage, and use ODA loans and other legal sponsorships for investment in the construction and development of hi-tech parks.

4. Manage finance and budget

a) Estimate the public budget and funding and annual development capital and other budget sources (if any) of Management Boards of hi-tech parks and present them to competent authorities for approval;

b) Organize the management of finance, state budget, and public property assigned under the Law on State Budget, Law on Management and Use of Public Property, and relevant laws;

c) Collect and pay land use levies and refunds of compensation or site clearance; fees for the use of infrastructures, fees for wastewater treatment regarding technical infrastructure systems invested in by the State to the state budget; collect and manage the use of fees according to laws;

d) Mobilize, receive, and use sponsorship sources from organizations and individuals to formulate and adjust for planning for the construction of hi-tech parks according to laws;

dd) Develop schemes to use revenues to continue the site clearance and support for the implementation of scientific and technological operations and reinvestment in the development of hi-tech parks annually, submit reports to provincial People's Committees, ministries, and central authorities for presentation to competent authorities for decisions.

5. Cooperate with professional authorities of People's Committees at all levels and relevant authorities in proposing decentralization and authorization; develop regulations on cooperation and present them to provincial People's committees for approval and apply them to state management tasks in science and technology, planning, construction,

land, investment, environmental protection, labor, occupational safety and hygiene, food safety, firefighting and fire prevention, and other operations in hi-tech parks, settle administrative procedures according to single-window and inter-connected single-window regulations.

## 6. Manage and implement planning and construction

a) Establish, appraise, and approve tasks and schemes for planning for the construction of subdivisions in functional areas of hi-tech parks with a scale of area above 500 hectares with approved master construction planning; decide on the local adjustments to the planning for the construction of subdivisions; appraise and approve tasks and schemes for detailed construction according to decentralization and authorization;

b) Implement and cooperate in implementing state management tasks of planning and construction according to the assigned jurisdiction, decentralization, and authorization; disclose and provide information on construction planning; set up boundary markers and introduce the locations; approve the total site and architectural schemes; issue, re-issue, adjust, renew, and revoke construction permits. Carry out the functions of construction authorities regarding the appraisal for reports on construction investment feasibility research, appraisal for construction designs to be implemented after having the fundamental designs, and construction estimates for construction investment projects; control the quality of construction works regarding construction investment projects in hi-tech parks and carry out other tasks to ensure that construction operations in hi-tech parks comply with the approved construction planning and relevant laws.

## 7. Manage land

a) Manage and use land funds assigned by provincial People's Committees in compliance with the approved construction planning and development plans; cooperate with relevant agencies and organizations in formulating and adjusting planning and plans for land use in hi-tech parks;

b) Cooperate with organizations in charge of compensation and site clearance in providing compensation, support, and resettlement due to site clearance in hi-tech parks;

c) Carry out state management tasks of land in hi-tech parks, including: appraising the land use needs and conditions for land lease; deciding on the allocation of land exempted from land use levies, leasing land, renewing land use terms, and expropriating re-allocated or leased land according to laws; signing land lease contracts with land tenants in hi-tech parks; deciding on the reduction of or exemption from land use levies and determining the exempted and reduced amount; determining and notifying financial obligations concerning land of land users; determining the collection of refund of compensation or site clearance for land users;

d) Include registration documents in cadastral records, update databases on land, request competent authorities to issue certificates of land use rights and rights to property on land

to land users, and carry out administrative procedures for land under single-window and inter-connected single-window regulations. Carry out land management tasks under their jurisdiction in hi-tech parks according to land laws.

## 8. Manage investment

A Management Board of a hi-tech park, which is the investment registration authority performing the state management of investment in the hi-tech park, shall:

- a) Approve investment guidelines and adjustments to investment guidelines; organize the selection of investors for the implementation of projects according to investor selection regulation issued by the Head of the Management Board of the hi-tech park based on the application of articles and clauses of bidding laws and relevant laws concerning investment projects under its jurisdiction according to investment laws;
- b) Issue, re-issue, adjust, revise, and revoke certificates of investment registration regarding investment projects under its jurisdiction according to investment laws;
- c) Conclude agreements on the assurance of the implementation of investment projects and carry out procedures for ensuring the implementation of investment projects according to this decree and investment laws;
- d) Suspend or partly suspend or terminate or partly terminate the operations of investment projects and carry out relevant procedures according to investment laws;
- dd) Issue and revoke certificates of registration for executive office operations regarding foreign investors in business cooperation contracts (BBC);
- e) Issue, re-issue, adjust, renew, and revoke licenses to establish representative offices and terminate the operations of representative offices of foreign organizations and merchants headquartered at the hi-tech park according to commerce laws;
- g) Carry out tasks of a provincial business registration authority regarding the registration for enterprise establishment, branch operations, representative offices, business locations, and other notification and registration obligations in the hi-tech park according to enterprise registration laws;
- b) Issue certificates of origin to goods produced at the hi-tech park based on the authorization of the Ministry of Industry and Trade of Vietnam;
- i) Confirm that investment projects meet the hi-tech operation principle regarding investment projects prescribed in Clause 4 Article 19 of this Decree;
- k) Supervise and assess investment projects at the hi-tech park under its jurisdiction; implement regulations on reports on investment operations at the hi-tech park for the provincial People's Committee, the Ministry of Planning and Investment of Vietnam, the

Ministry of Science and Technology of Vietnam (regarding hi-tech parks prescribed in Article 31 of the Law on High Technologies), and the Ministry of Agriculture and Rural Development of Vietnam (regarding hi-tech application agricultural parks prescribed in Article 32 of the Law on High Technologies);

l) Develop and present a list of projects on attraction of investment in the hi-tech park to the provincial People's Committee; develop and implement programs and plans for investment promotion; mobilize social sources from the sponsorships of organizations, individuals, associations, and investors to carry out the investment promotion; hire foreign advisors to provide advisory services of investment promotion and advice on investment strategies and construction and development of the hi-tech park according to laws;

m) Provide information and timely support for investors to resolve arising difficulties during investment procedures and the implementation of investment projects; carry out other state management tasks of investment in the hi-tech park according to its jurisdiction.

#### 9. Manage science and technology

a) Assess compliance with the criteria for hi-tech operation projects on investment in hi-tech parks during the appraisal of applications for approval for investment guidelines/issuance of certificates of investment registration, and assess investment projects that satisfy the hi-tech operation principle; supervise, assess, and cooperate with relevant authorities in inspecting and handling violations according to this Decree and laws;

b) Organize and support the organization of technological incubation and hi-tech enterprise incubation; provide hi-tech personnel training and other scientific and technological operations according to laws;

c) Organize and support the organization of fairs, exhibitions, and performances of high technologies, and performances of hi-tech products which are the results of hi-tech research and application and hi-tech transfer of other countries and Vietnam; scientific and technological forums, technological markets, technological exchange platforms, and other hi-tech operations in hi-tech parks;

d) Mobilize, access, and implement capital sources and support sources for investment in the development of science and technology, innovative entrepreneurship, and development of hi-tech technical infrastructures and infrastructures for scientific and technological development; connect enterprises, organizations, and individuals engaging in science and technology, create favorable platforms and environment to promote the innovative ecosystem at hi-tech parks;

dd) Develop and maintain cooperative relationships with scientific and technological organizations, scientific and technological associations, hi-tech parks, and foreign

organizations and individuals operating in relevant fields according to laws; participate in events, programs, and general projects on scientific research and technological development within bilateral, multilateral, regional, inter-regional, and international agreements;

e) Carry out state management tasks of science and technology in hi-tech parks according to laws.

## 10. Manage and protect the environment

a) Carry out state management responsibilities for environmental protection at hi-tech parks according to environmental protection laws: inspect and assess investment in the construction of technical infrastructures for environmental protection; cooperate with environmental protection authorities in their areas in appraising reports on environmental impacts, issuing environmental licenses, and carrying out environmental protection inspections; carry out preliminary assessments of environmental impacts of investment projects; conduct environmental protection inspections for facilities in concentrated areas of production, business, and services according to laws; promptly detect violations against environmental protection laws of organizations and individuals and handle such violations according to laws;

b) Carry out responsibilities for investors of the construction and business of the infrastructures of concentrated areas of production, business, and services according to environmental protection laws for hi-tech parks or areas in hi-tech parks without investors of the construction and business of infrastructures;

c) Cooperate with environmental protection authorities and relevant authorities in carrying out communications tasks of environmental protection, waste management, and control of other pollutants; monitoring the environment; managing information and databases on the environment; preventing and responding to environmental issues; settling disputes, complaints, and denunciations concerning the environment in hi-tech parks;

d) Issue regulations on environmental protection in hi-tech parks in conformity with the requirements for environmental protection according to laws;

dd) Submit reports on the environmental protection work of hi-tech parks according to laws;

e) Carry out other environmental protection tasks according to decentralization, authorization, and laws.

## 11. Manage, utilize, operate, and maintain technical infrastructure systems

a) Manage, utilize, operate, and maintain technical infrastructure systems of hi-tech parks invested in by the State and works handed over by investors, excluding works prescribed in Clause 3 Article 21 of this Decree;

b) Cooperate with state-owned enterprises engaging in electricity supply, water supply, or telecommunications, infrastructure investors, and relevant organizations and agencies in ensuring the management and operation of technical infrastructure systems in hi-tech parks effectively and consistent connection with technical infrastructure systems in the surrounding area;

c) Take charge and cooperate with relevant authorities in developing and issuing or requesting the issuance of the annual fees for the use of infrastructures invested in by the State (including fees for wastewater treatment); appraise the schedule for fees for the use of infrastructures, site clearing costs, and rental of factories, offices, and warehouses, and other service fees registered by infrastructure investors as per regulation.

## 12. Carry out labor management

a) Carry out tasks and entitlements of labor authorities of provincial People's Committees for employees working in hi-tech parks, including: organizing the registration of labor regulations; receiving collective labor agreements; receiving reports on labor changes; receiving reports on labor dispatch; receiving notifications of the results of training and advanced training in improvement of qualifications and skills; receiving notifications of overtime work organization exceeding 200 hours and up to 300 hours in a year; receiving and handling applications for probationary contracts of enterprises and overseas probation less than 90 days;

b) Receive notifications of the dismissal of employees from employers according to decentralization or authorization of provincial People's Committees;

c) Cooperate with labor authorities in monitoring the use of labor in hi-tech parks; submit reports on the use of labor and labor management in hi-tech parks according to laws;

d) Monitor and summarize labor needs and cooperate with competent authorities in labor provision for hi-tech parks;

dd) Cooperate with state management authorities and trade union organizations in hi-tech parks in settling labor disputes and protecting the legitimate rights of employees and employers.

## 13. Manage occupational safety and hygiene and food safety

a) Urge, inspect, and cooperate with state management authorities and trade union organizations in hi-tech parks in inspecting, handling, and investigating occupational accidents, food safety incidents, and other tasks of occupational safety and hygiene and food safety according to laws;

b) Summarize and report on occupational safety and hygiene and occupational accidents, occupational diseases, and food safety of units in hi-tech parks according to authorization and laws.

14. Carry out security and order management and firefighting and fire prevention

a) Take charge and cooperate with infrastructure investors, units operating in hi-tech parks, and relevant authorities in developing schemes for firefighting and fire prevention in hi-tech parks; develop and maintain the operation of technical infrastructure systems and firefighting and fire prevention equipment; establish and maintain the operation of teams for firefighting, prevention, and grassroots-level fire prevention and teams of specialized firefighting to carry out tasks of firefighting and fire prevention at hi-tech parks according to laws;

b) Cooperate with public security authorities and competent authorities in organizing firefighting and fire prevention, maintaining security and order and traffic safety, and establishing security forces in hi-tech parks.

15. Inspect and supervise

a) Cooperate with state management authorities, organizations, and competent authorities in inspecting and settling complaints and denunciations, preventing corruption, waste, and handling violations in fields of planning, construction, land, investment, science and technology, environmental protection, labor, occupational safety and hygiene, food safety, security and order, firefighting and fire prevention, and other fields at hi-tech parks according to laws;

b) Officials and public employees of Management Boards of hi-tech parks shall formulate administrative violation records for acts of violations within the scope of their assigned official work and tasks under their jurisdiction as per regulation.

16. Cooperate with state management authorities in implementing public administrative services and administrative procedures concerning fields in hi-tech parks under single-window and inter-connected single-window regulations.

17. Management Boards of hi-tech parks shall create favorable conditions for operations at hi-tech parks in conformity with laws; state management authorities, organizations, and individuals implementing operations in hi-tech parks shall cooperate with Management Boards of hi-tech parks according to laws.

18. Organize legal dissemination, emulation movements, and commendations for organizations and individuals operating in hi-tech parks.

19. Manage the organization and apparatus of Management Boards of hi-tech parks according to laws.

20. Implement regulations on reports on hi-tech parks with the Ministry of Science and Technology of Vietnam (regarding hi-tech parks prescribed in Article 31 of the Law on High Technologies), the Ministry of Agriculture and Rural Development of Vietnam (regarding hi-tech application agricultural parks prescribed in Article 32 of the Law on High Technologies), managing agencies, and other tasks as prescribed by laws or assigned by managing agencies.

#### **Article 48. Organizational structure and payrolls of Management Boards of hi-tech parks**

1. A Management Board of a hi-tech park shall have a Head and no more than 3 Vice Heads.

The Head shall be appointed or dismissed by the President of the provincial People's Committee. Vice Heads shall be appointed or dismissed by the President of the provincial People's Committee at the request of the Head.

2. The Head of the Management Board of the hi-tech park shall operate every operation of the Management Board of the hi-tech park and take responsibility before the provincial People's Committee and legal liability for the operations of the hi-tech park.

3. The organizational structure of the Management Board of the hi-tech park includes supporting apparatus (an office and specialized and professional divisions); affiliated public service providers carrying out public and public-service tasks, providing services of support for investment and business, and supporting operations in the hi-tech park, and other organizations conformable with the development of the hi-tech park, tasks, and entitlements of the Management Board of the hi-tech park and laws.

4. The establishment of the supporting apparatus shall ensure conformity with the following conditions and criteria:

a) Inter-sectoral divisions shall be organized; sectors and fields under the management of such divisions shall have management procedures and determined subject of management, ensuring conformity with tasks and entitlements of the Management Board of the hi-tech park;

b) According to the work volume requirements, at least 7 payroll officials shall be arranged for divisions of Management Boards of hi-tech parks of Ho Chi Minh City and Hanoi City; at least 6 payroll officials shall be arranged for divisions of Management Boards of hi-tech parks of type I provinces; at least 5 payroll officials shall be arranged for divisions of Management Boards of hi-tech parks of type II and type III provinces.

c) 1 Vice Dean shall be arranged for divisions of Management Boards of hi-tech parks of Hanoi City and Ho Chi Minh City with less than 10 payroll officials, divisions of Management boards of hi-tech parks of type I provinces with less than 9 payroll officials,

and divisions of Management Boards of hi-tech parks of type II and type III provinces with less than 8 payroll officials.

d) Up to 2 Vice Deans shall be arranged for divisions of Management Boards of hi-tech parks of Hanoi City and Ho Chi Minh City having from 10 to 14 payroll officials, divisions of Management Boards of hi-tech parks of type I provinces having from 9 to 14 payroll officials, and divisions of Management Boards of hi-tech parks of type II and type III provinces having from 8 to 14 payroll officials;

dd) The number of deputies of Management Boards of hi-tech parks shall comply with regulations on professional and specialized divisions.

5. The establishment and organization of the apparatuses of public service providers of the Management Board of the hi-tech park shall comply with the law on public service provider establishment, re-organization, and dissolution.

6. The payroll and number of employees of public service providers of the Management Board of the hi-tech park shall be assigned based on the job positions, in association with the functions, tasks, and operational scope, and included in the total payroll of officials and number of employees of agencies, administrative organizations, and public service providers of the province or centrally affiliated city assigned or approved by the competent authority.

## **Chapter VII**

### **IMPLEMENTATION PROVISIONS**

#### **Article 49. Amendments to Decree No. 145/2020/ND-CP dated December 14, 2020 of the Government of Vietnam:**

1. Clause 4 is added to Article 4:

“4. Regarding hi-tech parks, employment reports shall be carried out as follows:

a) The employer shall submit a report on labor changes to the Department of Labor - War Invalids and Social Affairs and the Management Board of the hi-tech park through the National Public Service Portal. In case of inability to submit the report on labor changes through the National Public Service Portal, the employer shall submit a written report to the Management Board of the hi-tech park.

Requirements for time and report form of the employer shall comply with Clause 2 of this Article.

b) The Management Board of the hi-tech park shall adequately update information and report on the employment situation in its area to the Ministry of Labor – War Invalids and Social Affairs of Vietnam and the Department of Labor - War Invalids and Social Affairs

through the National Public Service Portal following the time and report form prescribed in Clause 3 of this Article.”.

2. Clause 5 is added to Article 31:

“5. If dispatching enterprises are headquartered at or have labor dispatch operations in a hi-tech park, when submitting reports prescribed in this Article, they shall submit 1 report to the Management Board of the hi-tech park.”.

3. Clause 4 is added to Article 62:

“If the employer is headquartered or organizes the overtime work (exceeding 200 hours and up to 300 hours in a year) in a hi-tech park, notify the Management Board of the hi-tech park of the overtime work according to the time and form prescribed in Clauses 2 and 3 of this Article.”.

### **Article 50. Transitional provisions**

1. Hi-tech parks that have completed procedures for planning, investment, and establishment according to laws before the effective date of this Decree shall be exempted from performing the procedures for planning, investment, and establishment according to this Decree.

2. Regarding investment projects with issued investment licenses/investment certificates/investment guideline approval decisions/investment registration certificates before the effective date of this Decree, in case of adjustments to investment projects concerning hi-tech operations, adjusted contents of investment projects shall meet the principles prescribed in Article 28 or Article 35 of this Decree.

### **Article 51. Entry into force**

1. This Decree comes into force as of March 25, 2024.

2. The following Decrees and regulations shall be annulled from the effective date of this Decree:

a) Decree No. 99/2003/ND-CP dated August 28, 2003 of the Government of Vietnam;

b) Article 112 of Decree No. 31/2021/ND-CP dated March 26, 2021 of the Government of Vietnam.

### **Article 52. Implementation**

1. The Minister of Science and Technology of Vietnam shall elaborate on Point dd Clause 2 Article 29, Clause 2 Article 31, and Point dd Clause 1 Article 32 of this Decree.

2. The Minister of Agriculture and Rural Development of Vietnam shall elaborate on Point dd Clause 2 Article 36 and Point dd Clause 2 Article 38 of this Decree.

3. Ministers, Directors of ministerial agencies, Directors of governmental agencies, Presidents of the People's Committees of provinces, centrally affiliated cities, Heads of Management Boards of hi-tech parks, and relevant organizations and individuals shall implement this Decree.

**ON BEHALF OF THE GOVERNMENT  
PP. PRIME MINISTER  
DEPUTY PRIME MINISTER**

**Tran Luu Quang**

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