

**NATIONAL ASSEMBLY OF
VIETNAM**

Law No. 47/2024/QH15

SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness

Hanoi, November 26, 2024

LAW

URBAN AND RURAL PLANNING

Pursuant to the Constitution of the Socialist Republic of Vietnam;

The National Assembly of Vietnam hereby promulgates the Law on Urban and Rural Planning.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Law provides for the system of urban and rural planning; formulation, appraisal, approval, review, adjustment, and management of urban and rural planning; state management of urban and rural planning.

Article 2. Interpretation of terms

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

1. “*Urban area*” refers to an area with high population density and mainly non-agricultural operations; a political, administrative, economic, cultural, or specialized center whose role is to promote the socio-economic development of the country or a specific territory.
2. “*New urban area*” refers to an urban area expected to be established in the future following the orientation determined in the comprehensive planning for the urban and rural system, the regional planning, provincial planning, or master planning for centrally affiliated cities receiving synchronized step-by-step investment following the urban classification criteria and administrative division standards according to the law.
3. “*Rural area*” refers to a living area of residential communities with mainly agricultural operations.
4. “*Rural residential area*” refers to a concentrated residential place of households associated with each other in manufacturing, living activities, and other social activities

within the scope of a specific rural area, established by natural conditions, socio-economic conditions, technical infrastructure conditions, and other factors.

5. “*Functional area*” refers to an area in an urban or rural area that includes economic areas, tourism areas, industrial areas, export-processing zones, hi-tech parks, hi-tech application agricultural parks, hi-tech application forestry parks, concentrated information technology areas, research and training areas, sports and gymnastics areas, cultural areas, medical complexes, focal areas of technical infrastructures, and development areas following other functions oriented at the regional, provincial, or master planning according to this Law.

6. “*Urban and rural planning*” refers to the determination and organization of the space, architectural scenery, and the system of technical infrastructure works, social infrastructure works, and houses to create a conformable living environment for people in cities, district-level towns, commune-level towns, new urban areas, rural districts, communes, and functional areas.

7. “*Urban and rural space*” refers to the spaces above ground, underground, and underwater in urban and rural areas.

8. “*Urban and rural architecture*” refers to a combination of objects in urban and rural areas, including architectural, technical, artistic, and advertising works and other works whose existence, images, and designs directly affect and influence the urban and rural landscapes.

9. “*Landscapes*” refer to the space considered in many different directions, including the space surrounding architectural works, the space of green trees, water surfaces, routes, and other natural shared spaces.

10. “*Planning objectives*” refer to the requirements concerning the research and implementation of urban and rural planning.

11. “*Master planning*” refers to the determination of objectives and orientations to comprehensive development and long-term development plans; organization of the space and systems of technical infrastructure works, social infrastructure works, and houses for a city, district-level town, commune-level town, new urban area, rural district, commune, or a functional area.

12. “*Subdivision planning*” refers to the division and determination of the functions and use targets of land subject to planning and the arrangement of the systems of technical infrastructure works, social infrastructure works, and houses for a specific area to concretize the content of the master or provincial planning.

13. “*Detailed planning*” refers to the division and determination of the use targets of land subject to planning and the requirements for the management of architectural landscapes for each land parcel for work construction and the arrangement of the systems of

technical infrastructure works, social infrastructure works, and houses to concretize the content of the subdivision planning or master planning, or planning for underground space or specialized planning for technical infrastructures.

14. “*Specialized planning for technical infrastructures*” refers to the determination of the technical infrastructure system, including route-based technical infrastructure works and non-route-based technical infrastructure works.

15. “*Framework technical infrastructure*” refers to the system of main technical infrastructure works of urban and rural areas and functional areas, determined in the master planning and/or subdivision planning, including traffic axes, energy transmission lines, lines for water supply, transmission, and drainage, lines for information and telecommunications, non-route-based technical infrastructure works, and irrigation works.

16. “*Focal area of technical infrastructures*” refers to an area for arranging and constructing non-route-based technical infrastructure works.

17. “*Underground space planning*” refers to the determination and organization of underground or underwater space for constructing underground public works established under independent projects and underground traffic works and determining the space for work construction above ground for connecting underground works.

18. “*Technical-economic targets*” refer to the targets predicted, determined, and selected in the planning as the grounds to propose planning schemes and solutions, including population scale, employee scale, land scale, and targets concerning technical infrastructures, social infrastructures, and the environment.

19. “*Use targets of land subject to planning*” refer to the targets for the management and development of the space and architectural landscapes for an area, block, or land parcel determined in the subdivision planning, detailed planning, or master planning in case the formulation of the subdivision planning is not prescribed, including construction density, maximum and minimum height or storey of construction works, land use coefficient, work setback, and maximum construction depth.

20. “*Urban and rural planning period*” refers to a specific period used as the ground for predicting, calculating, and selecting technical-economic targets for the planning formulation.

21. “*Effective period of urban and rural planning*” refers to the period starting from when the planning is approved until the end of the planning period, or the planning is subject to comprehensive adjustments or the planning ceases to have effect according to this Law.

22. “*Urban and rural planning operations*” include the formulation, appraisal, approval, review, adjustment, and management of urban and rural planning.

23. “*Urban and rural planning authorities*” refer to agencies and units affiliated with agencies competent to approve urban and rural planning objectives and planning, assigned to provide counseling for the state management of urban and rural planning.

24. “*Urban and rural planning database*” refers to a combination of electronic data displaying basic content concerning urban and rural planning, arranged and organized for access, utilization, sharing, management, and update through electronic instruments.

Article 3. Urban and rural planning system

1. Comprehensive planning for the urban and rural system is national sector planning. The formulation, appraisal, approval, announcement, implementation, adjustment, and assessment of the comprehensive planning for the urban and rural system shall comply with the law on planning.

2. Types of urban and rural planning:

a) Urban planning for centrally affiliated cities, district-level cities, district-level towns, commune-level towns, and new urban areas;

b) Rural planning for rural districts and communes;

c) Functional area planning for functional areas;

d) Underground space planning for centrally affiliated cities;

dd) Specialized planning for technical infrastructures for centrally affiliated cities.

3. Urban and rural planning levels include master, subdivision, and detailed planning.

4. The master planning formulated for cities, district-level towns, commune-level towns, new urban areas, rural districts, communes, and functional areas being economic zones or national tourism zones shall be determined in the regional planning, provincial planning, or master planning for centrally affiliated cities.

5. Subdivision planning shall be formulated for:

a) Specific areas according to the requirements for management and development prescribed by the Government of Vietnam in special urban areas, type-I urban areas, type-II urban areas, and new urban areas with a predicted population scale similar to type-I or type-II urban areas;

b) Functional areas that are not economic zones or national tourism zones with area scales and requirements for management and development prescribed by the Government of Vietnam;

c) Areas where subdivision planning formulation is required for bidding for the selection of investors for the implementation of land-based investment projects according to the law on land.

6. Detailed planning shall be formulated for:

a) Areas with area scales and requirements for management and development prescribed by the Government of Vietnam subject to approved subdivision or master planning in cases not subject to Clause 5 of this Article;

b) Industrial clusters or areas determined for auctions of land use rights according to the law on land; functional areas providing rural economy development support services determined and established under the national objective program on new rural development or other national objective programs.

7. Regarding blocks and routes that meet the following conditions, formulate separate urban designs instead of detailed planning, excluding cases where the formulation of architectural management regulations is required under the law on architecture:

a) They are located in urban areas that have basically stabilized the use functions of land parcels, oriented toward preservation and restriction of development with approved subdivision or master planning in cases not subject to Clause 5 of this Article;

b) It is not the case specified in Point b Clause 6 of this Article.

Article 4. Types of urban areas and administrative divisions

1. Urban areas are classified into 6 types, including special type, type I, type II, type III, type IV, and type V, according to the law on urban classification.

2. The determination of standards and classification of urban and rural administrative divisions shall comply with the law on local government organization.

3. According to the socio-economic development situation of each stage, the Government of Vietnam shall present specific regulations on urban classification to the Standing Committee of the National Assembly of Vietnam, ensuring the urban development trends that are green, smart, modern, sustainable, and adaptive to climate change.

Article 5. Cases of urban and rural planning formulation relevant to planning scope and administrative boundaries

1. Where the administrative boundaries of cities, district-level towns, commune-level towns, rural districts, or communes are completely within the planning scope of an economic zone or national tourism zone, the formulated master planning for the economic zone or the national tourism zone shall specify the development orientations of such cities, district-level towns, commune-level towns, rural districts, and communes

without have to formulate separate master planning for each city, district-level town, commune-level town, rural district, and commune.

2. Where the administrative boundaries of a city, district-level town, commune-level town, rural district, and commune and the planning scope of an economic zone or national tourism zone have overlapped areas, the formulated master planning for the city, district-level town, commune-level town, rural district, commune, economic zone, or national tourism zone shall meet the requirements for synchronization and consistency among the contents of planning types at overlapped areas.

3. Where the planning scope of an economic zone or national tourism zone is completely within the administrative boundaries of a city or district-level town, the formulated master planning for the city or district-level town shall display the content of the master planning for the economic zone or national tourism zone without having to formulate separate master planning for the economic zone or national tourism zone.

4. Where the planning scope of an economic zone or national tourism zone is completely within the administrative boundaries of a rural district, formulate the master planning for the economic zone or national tourism zone without having to formulate separate master planning for the rural district. Regarding the remaining area of the rural district (if any), it is permitted to formulate master planning for communes or commune-level towns.

5. Where a city is a type-I urban area or new urban area has a predicted population scale similar to a type-I urban area of a centrally affiliated city, the formulated master planning for the centrally affiliated city shall adequately display the content of the master planning for the type-I urban area or new urban area with a predicted population scale similar to a type-I urban area without having to formulate separate master planning for the type-I urban area or new urban area with a predicted population scale similar to a type-I urban area of the centrally affiliated city.

6. Where a city, district-level town, commune-level town, rural district, or commune is oriented toward adjustments to administrative boundaries in the provincial planning or the master planning for the centrally affiliated city, formulate the master planning for the city, district-level town, commune-level town, rural district, or commune following the administrative divisions expected to be adjusted.

7. Where a rural district or commune is oriented toward being a new urban area, the urban master planning conformable with the future urban administrative division shall be formulated instead of the master planning for the rural district or commune.

8. Where a rural district of a centrally affiliated city has more than 50% of its natural area reserved for urban development under the master planning of the centrally affiliated city, the subdivision planning for the area reserved for urban development in conformity with the master planning for the centrally affiliated city shall be formulated instead of the master planning for the rural district. Regarding the remaining area of the rural district, it is permitted to formulate master planning for communes.

Article 6. Urban and rural planning requirements

1. Urban and rural planning must be specific and conformable with national, regional, and provincial planning; ensure conformity with socio-economic development objectives and national defense and security; ensure consistency with development planning of sectors within the planning formulation scope; ensure publicity, transparency, and harmonious benefits among the State, people, and enterprises.
2. Technical-economic targets are set scientifically, practically, and conformably with the development trends of urban areas, rural areas, and functional areas; comply with standards urban and rural planning standards and appropriately utilize and use natural resources and land; satisfy the requirements for green, smart, modern, sustainable, and climate change-adapted development, preventing dangers and negative influence on the community.
3. Ensure that the urban development takes into account the orientations toward public transportation and effective utilization of land funds for the construction of public transportation focal areas combined with the development of new, renovated, and refurbished urban areas.
4. Ensure the consistency of the space of architectural landscapes, systems of technical infrastructure works and social infrastructure works, and underground spaces; ensure the harmonious development among urban areas, rural areas, and functional areas; ensure the close and consistent association between newly developed areas and existing areas; preserve and promote the identity; preserve, protect, and promote traditional cultural values, historical and cultural relics, and the values of typical architectural works of each province.
5. Satisfy the demands for housing and social housing and the systems of social infrastructure works, and ensure accessibility of people.
6. Satisfy the technical infrastructure demands; ensure synchronous and consistent connections among systems of technical infrastructure works in areas subject to planning for technical infrastructure works outside of areas subject to planning.
7. Ensure the inheritance nature of approved planning; research and propose solutions conformable with status quo areas and existing residential areas that are legal and stabilized.
8. When formulating or adjusting planning for renovating or refurbishing urban areas, it is mandatory to adequately access the legality and the use of land, technical infrastructure works, social infrastructure works, underground spaces (if any), socio-cultural factors, the environment, values of architectural landscapes of the areas subject to the planning formulation to adopt reasonable measures to thriftily and effectively utilize and use urban land, ensuring the requirements for the use of technical and social infrastructures and the

preservation and promotion of the identity, architectural space, and landscapes of urban areas.

9. The master planning period for urban and rural areas shall be divided into stages conformable with the planning period according to the Law on Planning.

Article 7. Principles of urban and rural planning operations

1. Urban and rural planning shall be formulated, appraised, and approved in a manner that ensures consistency and conformity among planning types and levels according to the following principles:

a) Master planning for multiple subject matters may be formulated at the same time; where such planning is subject to the approval jurisdiction of different levels of competent authorities, the master planning subject to a competent authority of a higher level shall be approved first; where such planning is subject to the approval jurisdiction of the same competent authority, the one that is formulated and appraised first shall be approved first;

b) Subdivision planning shall concretize master planning in terms of development objectives; technical-economic targets; development orientations and organization of spaces and functional subdivisions; development orientations of the systems of technical infrastructure works, social infrastructure works, and underground spaces (if any). The content, requirements, and principles of concretization assurance shall be determined and prescribed in the planning;

c) Detailed planning shall concretize subdivision planning or master planning regarding cases where it is not prescribed to formulate subdivision planning concerning targets, development investment requirements; schemes and requirements for the organization of spaces and architectural landscapes; technical-economic targets; functions and use targets of land subject to planning; solutions to the planning for the systems of technical and social infrastructure works. The content, requirements, and principles of concretization assurance shall be determined and prescribed in the planning;

d) Underground space planning and specialized planning for technical infrastructures for a centrally affiliated city shall be compatible to each other; concretize the development objectives and orientations of the planning for underground spaces and the systems of framework technical infrastructure works; be consistent and synchronized with the orientation of the development of spaces and architectural landscapes in the master planning for the centrally affiliated city. The content, requirements, and principles of concretization assurance shall be determined and prescribed in the planning.

2. When implementing programs and plans to invest in the development and management of the implementation of construction projects in urban and rural areas, management of spaces and architectural landscapes, or other operations concerning urban and rural planning, agencies, organizations, and individuals shall comply with the approved urban

and rural planning and the separate urban design and management regulations of the issued planning.

Article 8. Assurance of conformity of construction projects with urban and rural planning

1. Urban and rural planning shall serve as the ground for formulating construction projects, ensuring that construction projects conform with each type and level of urban and rural planning and separate urban design. The Government of Vietnam shall elaborate on this Clause.

2. The determination of planning to be implemented to ensure that construction projects conform with the planning where there are conflicts between urban and rural planning shall comply with the following regulations:

a) Upon conflicts between same-level urban and rural planning subject to the approval jurisdiction of the same competent authority, the competent authority shall decide on the planning to be implemented. Regarding conflicts between same-level urban and rural planning subject to the approval jurisdiction of competent authorities of different levels, the competent authority of the higher level shall decide on the planning to be implemented. Any content approved by the competent authority shall be updated and displayed in the planning record;

b) Upon conflicts between urban and rural planning of different levels, agencies that formulate such planning shall review and submit reports to competent authorities to adjust the planning according to Chapter III of this Law;

c) The procedures for reporting and deciding on the planning to be implemented in the case prescribed in Point a of this Clause shall comply with the regulations of the Government of Vietnam, ensuring compliance with Articles 6 and 7 of this Law.

Article 9. Environmental protection requirements in urban and rural planning

1. Environmental protection requirements are included in urban and rural planning.

2. Environmental protection requirements in urban and rural planning shall include:

a) Assessment of the status quo of the urban and rural environment and functional areas in terms of hydrometeorological conditions, water quality, air, ecosystem, geology, and soil erosion; domestic waste, wastewater, and noises; utilization and use of natural resources and climate change;

b) Prediction of sources of pollutants and developments of the environment during the formulation and implementation of urban and rural planning;

c) Suggestions on environmental protection solutions.

Article 10. Funding for urban and rural planning operations

1. The State shall guarantee funding for urban and rural planning operations according to the state budget law.

2. Funding sources for urban and rural planning operations include:

- a) Recurrent expenditure funding from the state budget;
- b) Funding of organizations selected as investors;
- c) Other legal funding sources.

3. Funding for urban and rural planning operations shall be used for:

- a) Conducting topographic surveys in service of the formulation of urban and rural planning;
- b) Formulating, adjusting, soliciting opinions, appraising, and approving urban and rural planning objectives and planning;
- c) Managing professional work of urban and rural planning formulation;
- d) Announcing and publicizing urban and rural planning;
- dd) Marking according to urban and rural planning;
- e) Formulating reports on planning review; bidding organization; organization of competitions for planning ideas;
- g) Developing, managing, and operating the urban and rural planning database;
- h) Other work relevant to urban and rural planning operations.

4. Funding for urban and rural planning operations shall be managed in compliance with the state budget law, the planning law, and relevant laws. The Government of Vietnam shall elaborate on this Clause.

5. The Minister of Construction of Vietnam shall promulgate the norms and methods of formulating and managing costs for urban and rural planning operations.

Article 11. Sources of support for urban and rural planning operations

1. Sources of support for urban and rural planning operations include:

- a) Donations from domestic and overseas organizations and individuals for urban and rural planning operations. Sponsorship funding that is collected by the state budget and used under the state budget law;
- b) Research results of agencies, organizations, and experts received by agencies and organizations responsible for organizing urban and rural planning formulation;
- c) Sponsorship sources of prizes for organizations and individuals with urban and rural planning ideas selected based on the results of the competitions for planning ideas held by agencies and organizations responsible for organizing planning formulation;
- d) Organization of domestic and overseas conferences, seminars, drills, research, surveys, and training sessions.

2. Principles of providing and using sources of support for urban and rural planning operations of domestic and overseas organizations and individuals include:

- a) Ensuring objectivity, publicity, transparency, proper targets and purposes, thrift, and effectiveness;
- b) Ensuring voluntariness and general benefits of communities and society, preventing profiteering;
- c) Domestic and overseas organizations and individuals shall refrain from sponsoring and paying the funding directly to planning formulation counseling organizations.

3. The Government of Vietnam shall stipulate the receipt, management, and use of sources of support for urban and rural planning operations.

Article 12. Responsibilities of urban and rural planning authorities

1. The Government of Vietnam shall carry out the consistent state management of urban and rural planning nationwide.
2. The Ministry of Construction of Vietnam shall assist the Government of Vietnam in carrying out the consistent state management of urban and rural planning.
3. Ministries and ministerial agencies shall, within their scope of tasks and entitlements, cooperate with the Ministry of Construction of Vietnam in implementing the state management of urban and rural planning.
4. People's Committees at various levels shall, within their scope of tasks and entitlements, implement the state management of urban and rural planning in areas under their management as per regulation.

Article 13. International cooperation in urban and rural planning operations

1. International cooperation in urban and rural planning operations shall be carried out based on equality, mutual benefits, respect for independence, sovereignty, territorial integrity, and laws of each party and international laws.
2. International cooperation in urban and rural planning operations includes:
 - a) Scientific research, application, technology transfer, and exchange of information on urban and rural planning;
 - b) Training, advanced training, and improvement of the qualifications of personnel sources for urban and rural planning operations;
 - c) Surveys and sharing of experience in urban and rural planning operations;
 - d) Technical support in urban and rural planning operations; development of the urban and rural planning database;
 - dd) Resource support for urban and rural planning operations.

Article 14. Prohibited acts in urban and rural planning operations

1. Illegally interfering in urban and rural planning operations.
2. Deliberately announcing or providing false information or failing to announce or provide information on urban and rural planning according to this Law; sabotaging, forging, or falsifying records, papers, and documents.
3. Sabotaging or falsifying the marks in urban and rural planning.
4. Receiving, managing, and using support funding for urban and rural planning operations against this Law.

Chapter II

URBAN AND RURAL PLANNING FORMULATION, APPRAISAL, AND APPROVAL

Section 1. GROUNDS, PROCEDURES, AND RESPONSIBILITIES FOR FORMULATING URBAN AND RURAL PLANNING

Article 15. Grounds for formulating urban and rural planning

1. Urban and rural planning shall be formulated according to the following grounds:
 - a) National geographical background database and national topographic map system topography established under the law on topography and cartography;

b) Documents and figures concerning the natural and socio-economic conditions of relevant provinces and central authorities;

c) Results of the previous implementation of urban and rural planning;

d) Urban and rural planning regulations and relevant specialized standards and regulations.

2. Planning levels shall be formulated following the grounds prescribed in Clause 1 of this Article and the following regulations:

a) Master planning shall be formulated based on strategies for socio-economic development, national defense and security, national planning, regional planning, and provincial planning;

b) Subdivision planning shall be formulated based on one of the master plans for special-type urban areas, type-I urban areas, type-II urban areas, or new urban areas with a predicted population scale similar to type-I or type-II urban areas or the district-level planning, provincial planning, or regional planning (if any);

c) Detailed planning shall be formulated based on one of the master plans for type-III urban areas, type-IV urban areas, type-V urban areas, or new urban areas with a predicted population scale similar to type-III, type-IV, or type-V urban areas or the district-level planning, commune-level planning, economic zone master planning, national tourism zone master planning, or subdivision planning.

3. Underground space planning and specialized planning for technical infrastructures shall be formulated based on the grounds prescribed in Clause 1 of this Article and the centrally affiliated city planning and provincial planning.

Article 16. Procedures for formulating, appraising, and approving urban and rural planning objectives and planning

1. Procedures for formulating, appraising, and approving urban and rural planning objectives and planning include:

a) Selecting organizations providing counseling for planning objectives (if any);

b) Formulating planning objectives;

c) Appraising planning objectives;

d) Approving planning objectives;

dd) Selecting planning formulation counseling organizations;

e) Formulating planning;

g) Appraising planning;

h) Approving planning.

2. In case of formulating detailed planning for industrial zones, export-processing zones, hi-tech parks, hi-tech application agricultural parks, hi-tech application forestry parks, concentrated information technology areas, focal areas of technical infrastructures, and industrial clusters in areas subject to approved master planning or subdivision planning, it is not required to formulate, appraise, and approve the planning objectives prescribed in Points a, b, c, and d Clause 1 of this Article.

3. The Government of Vietnam shall elaborate on the procedures for formulating, appraising, and approving urban and rural planning objectives and planning.

4. The Minister of Construction of Vietnam shall elaborate on the urban and rural planning task records and planning records.

Article 17. Responsibilities for formulating urban and rural planning objectives and planning

1. The Ministry of Construction of Vietnam shall formulate the following urban and rural planning objectives and planning:

a) Master planning for new urban areas with a planning scope relevant to the administrative boundaries of 2 or more provinces;

b) Urban planning and functional area planning assigned by the Prime Minister of Vietnam.

2. Agencies and organizations established by the Prime Minister of Vietnam and assigned to manage functional areas shall formulate planning objectives and planning for such functional areas.

3. Agencies and organizations affiliated with provincial People's Committees assigned to manage functional areas shall formulate planning objectives and planning for such functional areas.

4. Excluding the cases prescribed in Clauses 1, 2, and 3 of this Article, provincial People's Committees shall formulate urban and rural planning objectives and planning subject to the administrative boundaries under their management in the following cases:

a) Planning for centrally affiliated cities, planning for economic zones, and planning for national tourism zones;

b) Master planning for new urban areas with a predicted population scale similar to type-I urban areas; master planning for new urban areas with a planning scope concerning the administrative boundaries of 2 or more affiliated district-level administrative divisions;

c) Underground space planning and specialized planning for technical infrastructures for centrally affiliated cities;

d) Subdivision planning and detailed planning of areas with a planning scope concerning the administrative boundaries of 2 or more affiliated district-level administrative divisions;

dd) Master planning, subdivision planning, and detailed planning for areas of national significance in terms of politics, culture, history, security, and national defense determined in national planning, regional planning, and centrally affiliated city planning assigned by the Prime Minister of Vietnam.

5. Excluding the cases prescribed in Clause 2, 3, 4, 7, and 8 of this Article, district-level People's Committees shall formulate urban and rural planning objectives and planning subject to the administrative boundaries under their management in the following cases:

a) Master planning for district-level cities, master planning for district-level towns, and master planning for commune-level towns; master planning for new urban areas with a planning scope subject to the administrative boundaries of rural districts; master planning for rural districts;

b) Subdivision planning and detailed planning subject to the administrative boundaries under their management or concerning the administrative boundaries of 2 or more affiliated commune-level administrative divisions.

6. Excluding the cases prescribed in Clauses 5, 7, and 8 of this Article, commune-level People's Committees shall formulate planning objectives, master planning for communes, and detailed planning for rural residential areas and construction zones within the administrative boundaries under their management.

7. Agencies and organizations managing construction investment and land shall formulate planning objectives, subdivision planning, or detailed planning for areas used for auctions of land use rights or bidding for selecting investors for land-based investment projects upon assignment from provincial or district-level People's Committees.

8. Investors under the law on investment and relevant laws selected for investment projects shall formulate planning objectives, subdivision planning for functional areas, and detailed planning for areas determined for the implementation of investment projects.

9. Agencies and organizations formulating urban and rural planning prescribed in this Article may assign their affiliated agencies and units to establish or select counseling

organizations with adequate professional capacity conformable with the requirements of the work according to Clause 1 Article 18 of this Law to formulate planning objectives or records on local adjustments to planning.

10. Agencies and organizations formulating planning being the Ministry of Construction of Vietnam, provincial People's Committees, and district-level People's Committees may assign the responsibility for formulating urban and rural planning objectives and planning to their affiliated agencies and units based on the principles of ensuring the independence between the formulation and appraisal of urban and rural planning objectives and planning.

Article 18. Conditions of counseling organizations and individuals participating in formulation of urban and rural planning objectives and planning

1. Domestic and foreign counseling organizations formulating urban and rural planning objectives and planning shall meet the capacity conditions according to the law. Where foreign counseling organizations formulating urban and rural planning objectives and planning in Vietnam do not register their operations, they shall have operational licenses issued by competent state authorities.

2. Domestic and foreign individuals participating in the formulation of urban and rural planning objectives and planning shall meet the capacity conditions according to the law or mutual recognition agreements on specialty and practice between Vietnam and other countries.

3. The Government of Vietnam shall elaborate on this Article.

Article 19. Selection of counseling organizations formulating urban and rural planning objectives and planning; competitions for urban and rural planning ideas

1. The selection of counseling organizations formulating urban and rural planning objectives and planning with funding from the state budget shall comply with this Law and bidding laws.

2. Agencies and organizations responsible for formulating urban and rural planning shall decide on the forms of selection of counseling organizations formulating urban and rural planning objectives and planning according to one of the following methods:

a) Organizing the selection of counseling organizations following one of the contractor selection methods according to bidding laws;

b) Organizing competitions for urban and rural planning ideas according to this Law and bidding laws.

3. Agencies and organizations responsible for formulating urban and rural planning are encouraged to organize competitions for planning ideas regarding master planning for

urban areas being centrally affiliated cities, master planning for urban areas being financial, political, and economic centers of provinces; subdivision planning and detailed planning for areas considered to have urban significance by provincial People's Committees.

4. Competitions for urban and rural planning ideas refer to the organization of competitions for schemes for optimized planning ideas for planning formulation by agencies and organizations responsible for formulating planning. Competitions for planning ideas shall comply with the following regulations:

a) The organization of competitions for planning ideas shall be proposed and determined in urban and rural planning objectives approved by competent authorities;

b) Agencies and organizations responsible for formulating planning shall decide on the establishment of councils for planning idea competitions;

c) Participants of planning idea competitions shall be counseling organizations with juridical personalities ensuring the capacity conditions as per regulation in conformity with planning requirements;

d) Information on the competitions, councils for planning idea competitions, and competition results shall be announced on mass media;

dd) Counseling organizations with schemes for admitted planning ideas shall be selected to provide urban and rural planning formulation counseling services under direct contracting according to bidding laws.

5. The Government of Vietnam shall elaborate on the competition and selection of counseling organizations formulating urban and rural planning objectives and planning prescribed in this Article.

Article 20. Responsibilities of counseling organizations formulating urban and rural planning

1. Ensure the planning formulation progress and planning quality.

2. Ensure that planning records meet the technical regulations concerning the urban and rural planning database.

3. Assume responsibility for the origin and authenticity of the figures and data collected and announced in approved urban and rural planning.

4. Provide feedback upon request from state agencies during the implementation of urban and rural planning formulated by them.

Article 21. Urban and rural planning objectives

1. Urban and rural planning objectives include the following key contents:

a) Determination of reasons and necessity of the planning formulation; planning grounds; orientations and requirements of planning subject to the system of national planning and urban and rural planning of the higher level regarding areas subject to planning formulation;

b) Planning scope and boundaries; planning time limit; viewpoints and development objectives;

c) Requirements for planning content; planning records; expected costs and determination of capital sources for the formulation, appraisal, approval, and announcement of planning;

d) Planning formulation progress, requirements for the content, form, and respondents on planning; responsibilities of relevant agencies concerning planning formulation.

2. Where multiple communes of a rural district require the formulation of the commune-level master planning according to Point c Clause 1 Article 29 of this Law, the district-level People's Committee shall request the provincial People's Committee to decide on the mentioned matter in the district-level master planning task.

Section 2. URBAN PLANNING FORMULATION

Article 22. Centrally affiliated city master planning

1. Master planning for centrally affiliated cities includes:

a) Determination of requirements and contents according to the approved national planning, regional planning, or provincial planning;

b) Assessment of the natural conditions and status quo of the socio-economic situation, population, labor, and land use; status quo of the construction of technical infrastructures, social infrastructures, houses, and environment;

c) Determination of viewpoints, objectives, nature, and premises for the development; prediction and determination of technical-economic targets of planning by development stages;

d) Determination of models, space structure, boundary scope, and development orientations of urban and rural areas conformable with the orientations to the arrangement of administrative divisions in the provincial planning; orientations of the urban center system; urban designs and requirements for areas requiring preservation and promotion of traditional values;

dd) Determination of specific areas according to the requirements for management and development; orientations of the structure of urban landscapes; determination of the use scale of land subject to planning for specific functions by each stage, which contains the demands for land use for the development of housing and social housing; areas of national significance in terms of politics, culture, history, and national defense (if any);

e) Orientations of planning for underground spaces and framework technical infrastructure systems; environmental protection requirements;

g) Determination of stages of planning implementation in conformity with the period for national, regional, and provincial planning.

2. Drawings displaying the content of centrally affiliated city master planning shall be formulated following the 1/25.000 ratio or 1/10.000 ratio regarding contents concerning specific status quo, space development orientations, land use, technical infrastructures, social infrastructures, orientations of space development and technical infrastructure development of urban areas according to regulations of the Minister of Construction of Vietnam. Drawings displaying other contents shall be formulated according to the ratio stipulated by the Minister of Construction of Vietnam.

3. The master planning period for centrally affiliated cities is 20 to 25 years, with a vision of up to 50 years.

Article 23. Master planning for district-level cities and district-level towns and master planning for new urban areas expected to become district-level towns and district-level cities

1. Master planning for district-level cities, district-level towns, and new urban areas expected to become district-level towns and district-level cities includes:

a) Determination of requirements and contents according to the approved national planning, regional planning, provincial planning, or centrally affiliated city planning;

b) Assessment of the natural conditions and status quo of the socio-economic situation, population, labor, and land use; status quo of the construction of technical infrastructures, social infrastructures, houses, and environment;

c) Determination of viewpoints, objectives, nature, and premises for the development; prediction and determination of technical-economic targets of planning by development stages;

d) Determination of structure, boundary scope, and development orientations of urban and rural space development; orientations of the urban center system; urban designs and requirements for areas requiring preservation and promotion of traditional values;

dd) Determination of specific areas according to the requirements for management and development; orientations of the structure of urban landscapes; determination of the use scale of land subject to planning for specific functions by each stage, which contains the demands for land use for the development of housing and social housing;

e) Orientations of planning for underground spaces regarding type-III urban areas or higher and framework technical infrastructure systems; environmental protection requirements;

g) Determination of implementation plans by development stages in conformity with the provincial planning period.

2. The content of master planning for new urban areas expected to become district-level cities or district-level towns shall analyze and clarify the establishment and development grounds of such urban areas regarding urban area scale and boundary scope conformable with the orientations of the arrangement of administrative divisions in provincial planning and consistent and synchronized with regulations on the corresponding urban classification criteria and urban administrative division standards; propose urban development management models.

3. Drawings displaying the content of master planning for district-level cities, district-level towns, and new urban areas expected to become district-level cities or district-level towns shall be formulated following the 1/10.000 ratio or 1/5.000 ratio regarding contents concerning specific status quo, space development orientations, land use, technical infrastructures, and social infrastructures according to regulations of the Minister of Construction of Vietnam. Drawings displaying other contents shall be formulated according to the ratio stipulated by the Minister of Construction of Vietnam.

4. The master planning period for district-level cities, district-level towns, and new urban areas expected to become district-level cities or district-level towns is 20 to 25 years.

Article 24. Master planning for commune-level towns and new urban areas expected to become commune-level towns

1. Master planning for commune-level towns and new urban areas expected to become commune-level towns includes:

a) Determination of requirements and contents according to the approved national planning, regional planning, provincial planning, or district-level master planning;

b) Assessment of the natural conditions and status quo of the socio-economic situation, population, labor, and land use; status quo of the construction of technical infrastructures, social infrastructures, houses, and environment;

c) Determination of viewpoints, objectives, nature, and premises for the development; prediction and determination of technical-economic targets of planning by development stages;

d) Determination of the use scale of land subject to planning for specific functions by each stage; organization of space, urban designs, and requirements for areas requiring preservation and promotion of traditional values;

dd) Orientations of the technical infrastructure work systems and social infrastructure work systems; determination of areas following the management and development requirements; orientations of the structure of urban landscapes; environmental protection requirements;

e) Determination of implementation plans by development stages in conformity with the provincial planning period.

2. The content of master planning for new urban areas expected to become commune-level towns shall analyze and clarify the establishment and development grounds of such urban areas regarding urban area scale and boundary scope conformable with the orientations of the arrangement of administrative divisions in provincial planning and consistent and synchronized with regulations on the criteria for the classification of urban areas and standards of administrative divisions being commune-level towns; propose urban development management models.

3. Drawings displaying the content of master planning for commune-level towns and new urban areas expected to become commune-level towns shall be formulated following the 1/5.000 ratio regarding contents concerning specific status quo, space development orientations, land use, technical infrastructures, and social infrastructures. Drawings displaying other contents shall be formulated according to the ratio stipulated by the Minister of Construction of Vietnam.

4. The master planning period for commune-level towns and new urban areas expected to become commune-level towns is 20 to 25 years.

Article 25. Subdivision planning for urban areas

1. Subdivision planning for urban areas includes:

a) Determination of the technical-economic targets regarding the planning scope;

b) Determination of principles and solutions to the organization of spaces and architectural landscapes for areas subject to planning formulation;

c) Determination of targets concerning population, use of land subject to planning, and technical infrastructures for each block by subdivision-level roads;

d) Arrangement of technical infrastructure works, social infrastructure works, housing, and social housing (if any) in conformity with the use demands; arrangement of underground spaces (if any) to block axes in conformity with development stages of areas subject to planning formulation;

dd) Environmental protection solutions.

2. Drawings displaying the content of subdivision planning for urban areas shall be formulated following the 1/5.000 or 1/2.000 ratio.

3. The subdivision planning period shall be determined based on the master planning period and the management and development requirements.

4. The time limit for formulating and approving subdivision planning shall comply with the regulations of the Government of Vietnam.

Article 26. Detailed planning for urban areas

1. Detailed planning for urban areas includes:

a) Determination of the technical-economic targets regarding the planning scope;

b) Organization of spaces, architectural landscapes, urban designs, and regulations on works requiring preservation;

c) Arrangement of technical infrastructure works, social infrastructure works, housing, and social housing (if any);

d) Arrangement of underground public works and underground traffic works (if any);

dd) Regulations on the functions and use targets of land subject to planning for each land parcel;

e) Environmental protection solutions.

2. When formulating detailed planning for new road axes in urban areas, it is necessary to determine the mandatory planning scope of each side from outside of the red-line boundary of the road, meeting the management and development requirements and conforming with the conditions for the status quo, architectural structure, and urban space organization.

3. Drawings displaying the content of detailed planning for urban areas shall be formulated following the 1/500 ratio.

4. The detailed planning period shall be determined based on the subdivision planning or master planning period in cases where subdivision planning is not formulated and the management and development requirements.

5. Where construction projects are terminated by competent authorities under relevant laws, detailed planning of such projects shall cease to have effect.

Article 27. Urban designs

1. Urban design is a content of urban planning; regarding cases prescribed in Clause 7 Article 3 of this Law, formulate separate urban designs.

2. Urban designs in planning shall be displayed in conformity with each planning level as follows:

b) Urban designs in master planning for urban areas shall include the determination of architectural zones and landscapes in urban areas; proposal for the organization of spaces in urban central areas and gateway areas, main space axes, large squares, parks, green trees, water surfaces, and highlights in urban areas;

b) Urban designs in subdivision planning for urban areas shall include the determination of the control targets of setback and urban landscapes along main road axes and central areas; open-space areas, highlight works, and each block for design areas, parks, green trees, and water surfaces;

c) Urban designs in detailed planning for urban areas shall include the determination of high-rise highlight works for construction for each land parcel and the whole area; the setback of works on each street and intersection; parks, green trees, water surfaces, and open spaces.

3. Regulations on separate urban designs:

a) The formulation, appraisal, approval, adjustment, and review of separate urban designs shall comply with the regulations applicable to detailed planning for urban areas;

b) Separate urban designs shall include the determination of the scope of separate urban design formulation; principles of determining the number of storeys to be constructed for each work; work setback on each street and intersection; principles of determining the colors and materials of works and other architectural objects; organization of green trees for public use, parks, and water services; regulations on management by separate urban designs;

c) Drawings displaying the content of separate urban designs shall be formulated following the 1/500 ratio.

4. The Minister of Construction of Vietnam shall elaborate on the content and records of separate urban designs.

Section 3. RURAL PLANNING FORMULATION

Article 28. Master planning for rural districts

1. Master planning for rural districts includes:

- a) Determination of contents according to the approved provincial planning or centrally affiliated city planning;
- b) Assessment of the natural conditions and status quo of the socio-economic situation, population, labor, and land use; status quo of the construction of technical infrastructures, social infrastructures, houses, and environment;
- c) Determination of development objectives and motivations; prediction and determination of technical-economic targets of planning by development stages;
- d) Space development orientations of urbanized areas, agricultural and industrial manufacturing areas, small handicraft manufacturing areas, craft villages, and services of rural districts, communes, and specific areas according to management and development requirements; orientations of architectural landscapes;
- dd) Determination of urban networks and rural residential areas to commune areas; center systems of the district level or the multi-commune level;
- e) Orientations of framework technical infrastructure systems and underground spaces (if any); environmental protection requirements;

2. Drawings displaying the content of master planning for rural districts shall be formulated following the ratio from 1/25.000 to 1/5.000 corresponding to the ratio of district-level maps for the use of land subject to planning according to land laws.

3. The master planning period for rural districts is 20 to 25 years.

Article 29. Master planning for communes

1. It is not necessary to formulate master planning for communes except in the following special cases:

- a) Communes subject to the remaining areas of rural districts in the case prescribed in Clause 4 Article 5 of this Law;
- b) Communes subject to the remaining areas of rural districts in the case prescribed in Clause 8 Article 5 of this Law;

c) Communes with specific characteristics concerning the distribution of population, areas, natural conditions, landscapes, socio-economic development requirements, national defense, security, culture, and special matters requiring the formulation of separate master planning for communes as decided by provincial People's Committees in district-level master planning objectives.

2. Master planning for communes includes:

a) Determination of requirements and contents according to the approved provincial planning, centrally affiliated city planning, or district-level master planning (if any);

b) Assessment of the natural conditions, social conditions, and natural resources; status quo of the construction of technical infrastructures, social infrastructures, housing, and environment; determination of development potentials and motivations;

c) Prediction and determination of technical-economic targets and use targets of land subject to planning and rural residential area networks;

d) Orientations of the organization of comprehensive spaces and architectural landscapes;

dd) Orientations of the development of commune center systems, rural residential areas, areas requiring preservation, functional areas for agricultural and industrial manufacturing, small handicraft manufacturing areas, craft villages, services, and technical infrastructure work systems; environmental protection requirements.

3. Drawings displaying the content of master planning for communes shall be formulated following the 1/10.000 ratio or 1/5.000 ratio prescribed by the Minister of Construction of Vietnam.

4. The master planning period for communes is 10 to 20 years.

Article 30. Detailed planning for construction areas determined in master planning for rural districts or communes

1. Detailed planning for construction areas determined in master planning for rural districts or communes includes:

a) Determination of the locations, functions, areas, and scale of the construction of works;

b) Determination of technical-economic targets regarding the planning formulation scope; requirements for the arrangement of spaces and architectural landscapes for areas for construction of housing works, working headquarters of administrative agencies, and works concerning education, health, culture, sports, gymnastics, trade, and services (if any);

c) Determination of works requiring preservation and promotion of traditional values (if any);

d) Planning for technical infrastructures and infrastructures serving manufacturing;

dd) Environmental protection solutions.

2. Drawings displaying the content of detailed planning for construction areas in rural districts or communes shall be formulated following the 1/500 ratio.

3. The detailed planning period shall be determined based on master planning and management and development requirements.

4. Where construction projects are terminated by competent authorities under relevant laws, detailed planning of such projects shall cease to have effect.

Section 4. FUNCTIONAL AREA PLANNING FORMULATION

Article 31. Master planning for economic zones and national tourism zones

1. Master planning for economic zones and national tourism zones includes:

a) Determination of requirements and contents according to the approved national planning, regional planning, provincial planning, or centrally affiliated city master planning;

b) Assessment of the natural conditions and status quo of the socio-economic situation, population, labor, and land use; status quo of the construction of technical infrastructures, social infrastructures, houses, and environment;

c) Determination of development objectives and motivations; prediction and determination of technical-economic targets by development stages;

d) Orientations of the development of spaces and architectural landscapes of areas in functional areas; requirements for areas requiring preservation and promotion of traditional values (if any);

dd) Orientations of the development of urban areas and rural residential areas;

e) Determination of center systems; framework technical infrastructure systems and underground spaces (if any); environmental protection requirements;

g) Determination of the scale of the use of land subject to planning for specific functions; use targets of land subject to planning for each block by subdivision-level roads;

h) Determination of implementation plans by development stages.

2. Drawings displaying the content of master planning for economic zones and national tourism zones shall be formulated following the 1/10.000 ratio or 1/5.000 ratio prescribed by the Minister of Construction of Vietnam.

3. The master planning period for economic zones and national tourism zones is 20 to 25 years.

Article 32. Subdivision planning for functional areas

1. Subdivision planning for functional areas includes:

- a) Determination of technical-economic targets; principles and solutions to the organization of spaces and architectural landscapes; requirements for preservation and promotion of traditional values (if any) for the areas subject to planning formulation;
- b) Determination of functions and targets concerning population and use of land subject to planning for each land parcel in areas subject to planning formulation;
- c) Arrangement of social infrastructure work systems in conformity with use demands;
- d) Arrangement of technical infrastructure works and underground spaces (if any) to main road axes in specific areas in conformity with the stages of development and construction of functional areas;
- dd) Environmental protection solutions.

2. Drawings displaying the content of subdivision planning for functional areas shall be formulated following the 1/2.000 ratio.

3. The subdivision planning period for functional areas shall be determined based on the master planning period for urban areas or rural districts and the management and development requirements.

Article 33. Detailed planning for functional areas

1. Detailed planning for functional areas includes:

- a) Determination of technical-economic targets, functions, and use targets of land subject to planning for each land parcel;
- b) Principles of organizing spaces, architectural landscapes, and preservation requirements (if any) for areas subject to planning;
- c) Arrangement of technical infrastructure works, social infrastructure works, housing, and social housing (if any) in conformity with use demands; requirements for urban designs;

- d) Arrangement of underground public works and underground traffic works (if any);
- dd) Environmental protection solutions.

2. Drawings displaying the content of detailed planning for functional areas shall be formulated following the 1/500 ratio.

3. The time limit for detailed planning for functional areas shall be determined based on master planning or subdivision planning and the management and development requirements.

4. Where construction projects are terminated by competent authorities under relevant laws, detailed planning of such projects shall cease to have effect.

Section 5. FORMULATION OF UNDERGROUND SPACE PLANNING AND SPECIALIZED PLANNING FOR TECHNICAL INFRASTRUCTURES FOR CENTRALLY AFFILIATED CITIES;

Article 34. Underground space planning for centrally affiliated cities

1. Underground space planning includes:

- a) Determination of requirements and contents according to the approved centrally affiliated city planning;
- b) Determination of natural conditions, work geology, and hydrological geology;
- c) Assessment of the status quo of the construction of works above ground and underground;
- d) Determination of the demands for the development and use of underground spaces;
- dd) Determination of areas for utilization and use of underground spaces, restriction areas, and areas where the construction of underground works is prohibited;
- e) Determination of areas for underground work construction established according to independent projects; underground traffic works; areas for the construction of works above ground to connect underground works; requirements for environmental protection;
- g) Determination of planning implementation stages.

2. Drawings displaying the content of underground space planning shall be formulated following the 1/10.000 ratio or 1/5.000 ratio prescribed by the Minister of Construction of Vietnam.

3. The time limit for underground planning shall be determined based on centrally affiliated city master planning.

Article 35. Specialized planning for technical infrastructures for centrally affiliated cities

1. Specialized planning for technical infrastructures shall be separately formulated for traffic; water supply; ground level and drainage; solid waste management and cemetery services. The boundary scope of the formulation of specialized planning for technical infrastructures includes all the administrative boundaries of centrally affiliated cities, including the requirements and capacity for connecting to relevant infrastructures, the spaces above ground, underground, and underwater, and the relevant scope outside such cities.

2. Specialized planning for technical infrastructures includes:

a) Determination of requirements and contents according to the approved centrally affiliated city planning;

b) Assessment of the natural conditions and status quo of the construction and development of technical infrastructure work systems;

c) Determination of planning objectives and use demands; prediction and determination of technical-economic targets and land use demands for technical infrastructure construction;

d) Determination of the locations, capacity scale, routes, and service scope of technical infrastructure works; environmental protection requirements;

dd) Determination of planning implementation stages.

3. Drawings displaying the content of specialized planning for technical infrastructures shall be formulated following the 1/10.000 ratio or 1/5.000 ratio prescribed by the Minister of Construction of Vietnam.

4. The time limit for specialized planning for technical infrastructures shall be determined based on centrally affiliated city master planning.

Section 6. SOLICITING OPINIONS ON URBAN AND RURAL PLANNING OBJECTIVES AND PLANNING

Article 36. Soliciting opinions on urban and rural planning objectives

1. The responsibility for soliciting opinions is stipulated as follows:

a) Agencies and organizations responsible for formulating urban and rural planning objectives shall solicit opinions during the formulation of planning objectives. Regarding urban and rural planning objectives subject to the formulating responsibility of the Ministry of Construction of Vietnam, provincial People's Committees shall organize opinion solicitation;

b) Agencies appraising urban and rural planning objectives shall solicit opinions during the appraisal of planning objectives.

2. Respondents shall be relevant state management authorities.

3. The content subject to opinion soliciting includes the content of urban and rural planning objectives; regarding the content subject to state secrets, it is mandatory to comply with state secret protection laws.

4. Opinion soliciting from relevant state management authorities on urban and rural planning objectives shall be carried out by sending specific records to such entities for research and submission of written opinions. Requested authorities shall provide written opinions within 7 working days after receiving the adequate records as per regulation.

5. Agencies and organizations responsible for formulating urban and rural planning objectives shall summarize, acquire, explain, and complete the planning task records before presenting them for appraisal and approval. The content of the acquisition and explanation reports shall be announced, ensuring regulations on democracy, publicity, and transparency.

Article 37. Soliciting opinions on urban and rural planning

1. The responsibility for soliciting opinions is stipulated as follows:

a) Agencies and organizations responsible for formulating urban and rural planning shall solicit opinions during the formulation of planning. Regarding urban and rural planning subject to the formulating responsibility of the Ministry of Construction of Vietnam, provincial People's Committees shall organize opinion solicitation;

b) Agencies appraising urban and rural planning shall solicit opinions during planning appraisal.

2. Respondents on urban and rural planning are stipulated as follows:

a) Regarding urban and rural planning, solicit opinions from state management authorities, organizations, experts, and relevant residential communities;

b) Regarding master planning for district-level cities and district-level towns with an expected population scale similar to type-II urban areas or type-III urban areas, master planning for new urban areas with an expected population scale similar to type-II urban

areas or type-III urban areas, and underground space planning and specialized planning for technical infrastructures of centrally affiliated cities, provincial People's Committees shall solicit written opinions from the Ministry of Construction of Vietnam before holding Appraisal Councils' meetings;

c) Regarding planning subject to the approving jurisdiction of district-level People's Committees, district-level People's Committees shall solicit written opinions from urban and rural planning authorities affiliated with provincial People's Committees before holding Appraisal Councils' meetings.

3. The content subject to opinion solicitation includes the content of urban and rural planning; regarding the content subject to state secrets, it is mandatory to comply with state secret protection laws.

4. Regarding the case prescribed in Point b Clause 2 of this Article, the Ministry of Construction of Vietnam shall provide feedback on the assurance of conformity with the requirements for the development and connection of regional and provincial technical infrastructures and compliance with regulations and standards applied in planning.

5. Regarding the case prescribed in Point c Clause 2 of this Article, urban and rural planning authorities affiliated with provincial People's Committees shall provide feedback on the assurance of conformity with the requirements for the development and connection of provincial technical infrastructures and compliance with regulations and standards applied in planning.

6. The opinion solicitation from relevant state management authorities, organizations, and experts on urban and rural planning shall be carried out by sending specific records to such entities for research and submission of written feedback. Requested authorities, organizations, and experts shall provide written feedback within 15 days after receiving the adequate records as per regulation.

7. The opinion solicitation from relevant residential communities on planning shall be carried out according to the following regulations:

a) The opinion solicitation shall be carried out by one or more of the following methods: sending records and documents to solicit written opinions from the people; posting up and exhibiting the subject matters in public places to receive feedback from the people; other methods according to the law on the implementation of grassroots-level democracy;

b) The opinion solicitation period shall be at least 20 days and up to 30 days from the date of announcement of the content subject to opinion solicitation. Where adequate feedback is received from residential communities when the opinion solicitation period has yet to pass, agencies and organizations responsible for formulating urban and rural planning shall carry out the subsequent steps;

c) Procedures for soliciting opinions from residential communities shall be carried out according to the regulations on people's provision of feedback under the law on the implementation of grassroots-level democracy.

8. Agencies and organizations responsible for formulating urban and rural planning shall summarize, acquire, explain, and complete the planning records before presenting them for appraisal and approval. The content of the acquisition and explanation reports shall be announced publicly and transparently.

Section 7. APPRAISAL AND APPROVAL FOR URBAN AND RURAL PLANNING OBJECTIVES AND PLANNING

Article 38. Agencies appraising urban and rural planning objectives and planning

1. The Ministry of Construction of Vietnam shall appraise urban and rural planning objectives and planning subject to the approving jurisdiction of the Prime Minister of Vietnam.
2. Urban and rural planning authorities affiliated with provincial People's Committees shall appraise urban and rural planning objectives and planning subject to the approving jurisdiction of provincial People's Committees.
3. Urban and rural planning authorities affiliated with district-level People's Committees shall appraise urban and rural planning objectives and planning subject to the approving jurisdiction of district-level People's Committees.
4. Specialized agencies under agencies and organizations managing functional areas competent to approve urban and rural planning objectives and planning shall appraise the urban and rural planning objectives and planning under their approving jurisdiction.

Article 39. Appraisal Councils for urban and rural planning objectives and planning

1. The establishment of Appraisal Councils is stipulated as follows:
 - a) The Ministry of Construction of Vietnam shall decide on the establishment of Appraisal Councils for urban and rural planning objectives and planning under the approving jurisdiction of the Prime Minister of Vietnam;
 - b) The People's Committees competent to approve urban and rural planning objectives and planning shall decide on the establishment of Appraisal Councils for urban and rural planning objectives and planning under their jurisdiction. Presidents or Vice Presidents of provincial and district-level People's Committees or authorized persons shall be the Presidents of Appraisal Councils;

c) The agencies and organizations managing functional areas competent to approve urban and rural planning objectives and planning shall decide on the establishment of Appraisal Councils for urban and rural planning objectives and planning under their jurisdiction. Heads of such agencies shall be the Presidents of Appraisal Councils.

2. An Appraisal Council includes representatives of state management authorities, socio-vocational organizations, experts in relevant fields, and reviewers.

3. Appraisal Councils shall work under collective mechanisms and take responsibility for appraising urban and rural planning objectives and planning according to the assignment of appraisal agencies.

4. Responsibilities of the President of an Appraisal Council and its members:

a) The President of the Appraisal Council shall manage the meetings of the Appraisal Council and make written conclusions by majority in appraisal meetings;

b) Members of the Appraisal Council shall research the records, provide feedback on urban and rural planning objectives and planning, and participate, assess, and assume responsibility for the results of their assessments regarding the content of urban and rural planning objectives and planning in meetings of the Appraisal Council.

Article 40. Appraisal of urban and rural planning objectives and planning

1. Content of the appraisal of urban and rural planning objectives includes:

a) Adequacy and rationality of the content of urban and rural planning objectives prescribed in Article 21 of this Law;

b) Conformity of urban and rural planning objectives with national planning, regional planning, provincial planning, master planning, or subdivision planning.

2. Content of the appraisal of urban and rural planning includes:

a) Compliance with procedures for formulating urban and rural planning according to this Law;

b) Satisfaction of the conditions of counseling organizations participating in the formulation of urban and rural planning according to Article 18 of this Law;

c) Grounds for formulating urban and rural planning prescribed in Article 15 of this Law;

d) Conformity with planning objectives and applied regulations and standards;

dd) Compliance with the principles and requirements for urban and rural planning according to Articles 6 and 7 of this Law and the requirements for the content of each type of urban and rural planning.

3. Reports on the appraisal of urban and rural planning objectives and planning of appraisal agencies shall display the feedback of Appraisal Councils regarding the content of the appraisal of urban and rural planning objectives and planning prescribed in Clauses 1 and 2 of this Article and conclusions on the conditions for approval presentation. Reports on the planning appraisal shall be presented to competent authorities for consideration for issuance of decisions to approve urban and rural planning objectives and planning.

4. The time limit for appraising planning objectives shall be no more than 15 days; the time limit for appraising planning shall be no more than 30 days from the date on which the appraisal agencies receive adequate records as per regulation.

5. The Minister of Construction of Vietnam shall promulgate samples of the appraisal statements, appraisal result reports, approval statements, and decisions on approval for urban and rural planning and planning objectives of all planning types and levels.

Article 41. Authority to approve urban and rural planning objectives and planning

1. The Prime Minister of Vietnam shall approve the following urban and rural planning objectives and planning:

a) Master planning for centrally affiliated cities, master planning for district-level cities being type-I urban areas, master planning for new urban areas in specific provinces or centrally affiliated cities with an expected population scale similar to type-I urban areas, and master planning for new urban areas with a planning scope concerning the administrative boundaries of 2 provinces or more;

b) Master planning for economic zones and master planning for national tourism zones; master planning for cities and district-level towns regarding the case prescribed in Clause 3 Article 5 of this Law;

c) Master planning, subdivision planning, and detailed planning for areas of national significance in terms of politics, culture, history, security, and national defense determined in national planning, regional planning, and centrally affiliated city planning;

d) Urban and rural planning formulated by the Ministry of Construction of Vietnam according to Clause 1 Article 17 of this Law;

dd) Detailed planning of national defense and security projects requiring state secret protection.

2. Provincial People's Committees shall approve urban and rural planning objectives and planning subject to the administrative boundaries under their management in the following cases:

- a) Underground space planning and specialized planning for technical infrastructures of centrally affiliated cities;
- b) Master planning for cities, district-level towns, commune-level towns, and new urban areas and master planning for rural districts, excluding the planning prescribed in Points a and b Clause 1 of this Article;
- c) Subdivision planning for special-type urban areas, type-I urban areas, and new urban areas with a population scale similar to type-I urban areas; subdivision planning and detailed planning for functional areas with a planning scope concerning the administrative boundaries of 2 or more district-level administrative divisions, excluding the planning prescribed in Points c, d, and dd Clause 1 and Clause 4 of this Article.

3. District-level People's Committees shall approve planning objectives, commune-level master planning, subdivision planning, and detailed planning within the administrative boundaries under their management, excluding the planning prescribed in Clauses 1, 2, and 4 of this Article.

4. Agencies and organizations established by the Prime Minister of Vietnam and assigned to manage functional areas and agencies and organizations affiliated with provincial People's Committees assigned to manage functional areas shall have the authority to approve planning objectives, subdivision planning, and detailed planning for functional areas.

Regarding subdivision planning and detailed planning for functional areas, before approving them, there must be consistent feedback in writing from urban and rural planning authorities of provincial People's Committees on the assurance of conformity with the requirements for the connection of provincial technical infrastructures and compliance with the regulations and standards applied in planning.

Article 42. Forms and contents of approval for urban and rural planning objectives and planning

1. Urban and rural planning objectives and planning shall be approved by competent agencies and organizations prescribed in Article 41 of this Law via decisions.

2. Decisions on approval for urban and rural planning objectives and planning shall contain the major content prescribed in Article 21, Clause 1 Article 22, Clause 1 Article 23, Clause 1 Article 24, Clause 1 Article 25, Clause 1 Article 26, Clause 1 Article 28, Clause 2 Article 29, Clause 1 Article 30, Clause 1 Article 31, Clause 1 Article 32, Clause 1 Article 33, Clause 1 Article 34, and Clause 2 Article 35 of this Law and the approved planning records that are enclosed.

3. Urban and rural planning records shall have the confirmation stamps of appraisal agencies.

Chapter III

URBAN AND RURAL PLANNING REVIEW AND ADJUSTMENT

Article 43. Urban and rural planning review

1. Urban and rural planning shall be reviewed and assessed regarding the implementation progress periodically or upon demands for adjustments to urban and rural planning based on the adjustment conditions prescribed in Clauses 1, 2, 3, 4, 5, 6, and 7 Article 45 of this Law.

2. The time limit for the periodic review of urban and rural planning is 5 years from the date on which the urban and rural planning is approved.

3. People's Committees at all levels and agencies and organizations competent to approve planning for functional areas prescribed in Clause 4 Article 41 of this Law shall review and summarize the results of the review of approved urban and rural planning within the administrative boundaries under their management.

4. The results of the review of urban and rural planning shall be reported to agencies and organizations competent to approve urban and rural planning.

Article 44. Content of reports on results of urban and rural planning reviews

1. Reports on the result of periodic urban and rural planning reviews include:

a) Situation of the formulation of relevant urban and rural planning;

b) Implementation of construction projects according to approved urban and rural planning;

c) Assessment of the implementation of planning objectives and impacts and effectiveness of the implementation of the approved planning;

d) Assessment of compliance with technical-economic targets and use targets of land subject to planning determined in the approved urban and rural planning;

dd) Analysis and assessment of the impacts of new factors during the implementation of urban and rural planning and socio-economic development at areas subject to planning formulation;

e) Suggestions and proposals.

2. Reports on the results of urban and rural planning reviews upon demands for adjustments to urban and rural planning include:

a) Determination of content, analysis, and assessment of the impact of new factors on the content of the approved urban and rural planning;

b) Assessment of technical-economic targets and use targets of land subject to planning and implementation of approved and implemented investment projects;

c) Suggestions and proposals for the level and content requiring comprehensive or local adjustments.

3. Reports on urban and rural planning review results shall enclose relevant drawings and legal documents.

Article 45. Conditions for adjusting urban and rural planning

1. Upon adjustments to strategies for socio-economic development, national defense, security, and planning subject to the national planning system or adjustments to urban and rural planning at a higher level, leading to changes to the approved planning.

2. Upon adjustments to the administrative boundaries or conflicts between urban and rural planning, affecting the nature, function, and scale of urban areas, rural districts, communes, functional areas, or areas subject to planning formulation, excluding the case prescribed in Point a Clause 2 Article 8 of this Law.

3. Projects subject to approval, decisions on investment guidelines, decisions on approval for investors, and decisions on approval for investment guidelines and investors under public investment, public-private partnership investment, and investment law of the National Assembly of Vietnam and the Prime Minister of Vietnam that affect the land use and architectural spaces of areas subject to formulated and approved planning.

4. Upon changes to climatic, geological, and hydrological conditions or impacts of natural disasters or wars or requirements for national defense and security assurance, affecting land use and architectural spaces of areas subject to formulated and approved planning.

5. Upon service for national benefits and community benefits when changing the land use demands for technical and social infrastructures according to development policies of each stage or changing the use targets of land subject to planning or targets of average housing floor area per capita according to local plans for housing development on the basis of ensuring that the technical and social infrastructures of areas subject to formulated and approved planning are not overloaded.

6. The implementation of urban and rural planning is not possible or negatively affects socio-economic development, national defense and security, social security, ecological environment, historical relics, and culture.

7. Construction projects whose investment guidelines, approved by competent authorities under the law, affect the land use and organization of spaces of land subject to other projects.

8. When it is necessary to adjust the boundaries, specific use targets of land subject to planning, or specialized technical requirements for specific land parcels for the implementation of projects on the construction of concentrated or separate works in areas subject to formulated and approved detailed planning.

Article 46. Types of adjustments to urban and rural planning and adjustment principles

1. Comprehensive adjustments to urban and rural planning are stipulated as follows:

a) Comprehensive adjustments to urban and rural planning shall be carried out based on the results of urban and rural planning reviews and upon one of the conditions for adjusting planning prescribed in Clauses 1, 2, 3, 4, 5, 6, and 7 Article 45 of this Law, leading to changes to the role, nature, function, or scale of urban areas, rural districts, communes, and functional areas; changes to the boundaries of areas subject to the formulation of subdivision planning or detailed planning; changes to the structure, nature, function, scale, planning solutions, and requirements for space organization of areas subject to planning formulation;

b) Comprehensive adjustments to urban and rural planning shall satisfy the practical requirements, conform with the socio-economic development trend and development orientation of urban areas, rural districts, communes, and functional areas in the future, and improve the quality of the living environment, infrastructures, and urban and rural architectural landscapes; ensure the inheritance nature without causing any difficulty to construction projects that are being implemented.

2. Local adjustments to urban and rural planning are stipulated as follows:

a) Local adjustments to urban and rural planning shall be carried out based on the results of urban and rural planning reviews and upon one of the conditions for adjusting planning prescribed in Clauses 1, 2, 3, 4, 5, 6, and 7 Article 45 of this Law but the content expected to be adjusted does not change the nature, function, boundary scope, and main planning solutions of areas with formulated and approved planning. It is necessary to assess the impact of local adjustments to planning to ensure that the technical and social infrastructures are not overloaded and comply with urban and rural planning regulations.

Upon the conditions prescribed in Clause 8 Article 45 of this Law, detailed planning shall receive local adjustments without undergoing planning reviews;

b) Local adjustments to urban and rural planning shall not implement the procedures for formulating, appraising, and approving planning objectives. Agencies and organizations responsible for formulating urban and rural planning may formulate records of local adjustments to planning or select counseling organizations meeting the requirements prescribed in this Law to formulate records of local adjustments to planning.

Article 47. Procedures for adjusting urban and rural planning

1. Procedures for comprehensive adjustments to urban and rural planning are stipulated as follows:

a) Agencies and organizations responsible for formulating urban and rural planning according to Article 17 of this Law shall submit reports to authorities competent to approve urban and rural planning for consideration for approval for guidelines on the comprehensive adjustments to urban and rural planning based on the reports on the results of planning reviews;

b) After receiving approval for the guidelines from the competent authorities mentioned above, the formulation, appraisal, and approval for comprehensive adjustments to planning and the announcement shall be carried out according to the procedures for formulating, appraising, approving, and announcing planning according to this Law.

2. Procedures for local adjustments to urban and rural planning are stipulated as follows:

a) Agencies and organizations responsible for formulating urban and rural planning according to Article 17 of this Law shall formulate records of local adjustments to planning according to regulations of the Minister of Construction of Vietnam; solicit opinions on the content and plans for local adjustments to planning regarding relevant state management authorities and residential communities in areas subject to planning adjustments and directly affected surrounding areas according to Article 37 of this Law;

b) Appraisal agencies prescribed in Article 30 of this Law shall appraise the grounds for formulating planning, adjustment conditions, and the content of local adjustments to planning;

c) Agencies and organizations competent to approve urban and rural planning according to Article 41 and Clauses 2 and 3 Article 48 of this Law shall decide on the approval for local adjustments to planning. Decisions on approval for local adjustments to urban and rural planning shall display the adjusted content and enclose the records of local adjustments to planning;

d) Agencies and organizations responsible for formulating urban and rural planning shall update and display the adjusted content in planning records. The content of local adjustments to urban and rural planning shall be announced under Article 50 of this Law.

3. The Minister of Construction of Vietnam shall elaborate on the records of urban and rural planning reviews and adjustments.

Article 48. Authority to approve adjustments to urban and rural planning

1. Agencies and organizations competent to approve urban and rural planning objectives and planning according to Article 41 of this Law shall approve adjustments to planning.

2. Regarding planning subject to the approving jurisdiction of the Prime Minister of Vietnam formulated by provincial People's Committees, provincial People's Committees shall formulate, appraise, approve, and announce local adjustments to planning following the procedures prescribed by the Prime Minister of Vietnam.

3. Regarding urban and rural planning subject to the approving jurisdiction of provincial People's Committees formulated by district-level People's Committees, district-level People's Committees shall formulate, appraise, approve, and announce local adjustments to planning following the procedures prescribed by provincial People's Committees.

Chapter IV

MANAGEMENT OF URBAN AND RURAL PLANNING

Article 49. Urban and rural planning-based management regulations

1. Urban and rural planning-based management regulations shall be promulgated by competent authorities after planning is approved.

Regarding planning subject to the approving jurisdiction of the Prime Minister of Vietnam, provincial People's Committees shall promulgate planning-based management regulations after receiving written consent from the Ministry of Construction of Vietnam. Regarding master planning for new urban areas with a scope concerning the administrative boundaries of 2 or more provinces formulated by the Ministry of Construction of Vietnam, the Ministry of Construction of Vietnam shall promulgate urban and rural planning-based management regulations.

2. Draft urban and rural planning-based management regulations shall enclose records of presentation for appraisal and approval for planning and separate urban designs.

3. Urban and rural planning-based management regulations shall conform with the approved planning, separate urban designs, and specify the implementation principles.

4. The Government of Vietnam shall elaborate on Clause 3 of this Article.

Article 50. Urban and rural planning announcement

1. The content of urban and rural planning shall be announced publicly within 15 days from the approval date of such planning. Regarding contents being state secrets, ensure compliance with state secret protection laws.

The content and documents concerning the announcement of urban and rural planning include:

- a) Decisions on approval for planning objectives (if any);
- b) Decision on approval for planning;
- c) Planning drawings;
- d) Planning presentations;
- dd) Urban and rural planning-based management regulations.

2. Agencies and organizations responsible for formulating urban and rural planning shall publicly announce their planning, excluding the following cases:

- a) Provincial People's Committees shall publicly announce planning formulated by the Ministry of Construction of Vietnam in their areas;
- b) Authorities competent to approve planning shall publicly announce planning formulated by investors.

3. Urban and rural planning shall be announced at the headquarters and regularly and continuously posted on the web portals of agencies and organizations responsible for formulating planning and the national information system concerning planning under one or several of the following forms:

- a) Information on mass media;
- b) Exhibitions of the system of urban and rural planning drawings or models (if any);
- c) Organization of conferences and seminars;
- d) Publications.

Article 51. Master planning implementation plans

1. People's Committees competent to approve planning shall, based on the approved master planning, formulate and promulgate master planning implementation plans, ensuring efficiency, feasibility, and conformity with practical requirements. Regarding master planning subject to the approving jurisdiction of the Prime Minister of Vietnam,

provincial People's Committees shall formulate and promulgate master planning implementation plans.

2. Requirements for master planning implementation plans:

- a) Conformity with the content of the approved planning and promulgated planning-based management regulations;
- b) Feasibility assurance in terms of time, resources, and implementation conditions;
- c) Determination of the progress and responsibilities of agencies in the implementation in compliance with the law;
- d) Proposals for implementation solutions and regulations on reports on planning implementation.

3. Content of master planning implementation plans:

- a) Determination of the list and progress of the formulation of urban and rural planning levels, urban designs, underground planning, and specialized planning for technical infrastructures for centrally affiliated cities following 5-year and annual plans;
- b) Expected annual capital demands for implementing urban and rural planning; proposals for mechanisms and policies on the arrangement and mobilization of resources for implementation according to the plans;
- c) Assignment of responsibilities of implementation agencies;
- d) Inspection and supervision plans;
- dd) Regulations on the content, result assessment criteria, and regulations on reports on the planning implementation results;
- e) Other relevant contents.

Article 52. Urban and rural planning-based marking

1. Urban and rural planning-based marking shall be carried out in the following cases:

- a) Marking red-line boundaries for traffic roads and areas of focal works of technical infrastructures for master planning or subdivision planning;
- b) Marking red-line boundaries, construction boundaries, construction elevations, and boundaries of areas where construction is prohibited for detailed planning.

2. People's Committees at all levels, organizations, and investors responsible for formulating urban and rural planning prescribed in Article 17 of this Law shall formulate marking records and carry out in-the-field marking or apply information technology.

3. The marking shall be carried out according to marking records. Marking records shall be formulated by specialized units for topography and cartography and approved by agencies and organizations competent to approve urban and rural planning.

4. Urban and rural planning authorities of provincial People's Committees and district-level People's Committees shall archive the approved marking records and provide documents relevant to the landmarks for requesting organizations and individuals. Organizations and investors that have carried out the marking according to Clause 2 of this Article shall submit marking records to urban and rural planning authorities according to the regulations of the Minister of Construction of Vietnam.

5. When urban and rural planning is adjusted, the marking shall be adjusted according to the adjusted planning.

6. The Minister of Construction of Vietnam shall elaborate on the formulation and archiving of marking records, marking costs, marking, and landmark management according to urban and rural planning.

Article 53. Urban and rural planning content-based management

1. People's Committees at all levels and agencies and organizations competent to approve planning for functional areas prescribed in Article 41 of this Law shall manage the content of planning approved by competent authorities within the administrative boundaries under their management, which include parks, green trees, and water surfaces.

2. The Government of Vietnam shall elaborate on the management of parks, green trees, and water surfaces in urban and rural areas.

Article 54. Development of urban and rural planning database

1. The urban and rural planning database includes electronic data of planning records after approval and the geographical database on urban and rural planning in association with the standardized national geographical background database system. Information systems and databases shall be developed, managed, and shared consistently nationwide, serving urban and rural planning operations.

2. The urban and rural planning database shall be developed during the formulation and implementation of planning and regularly updated; ensure consistent connections with the national database on planning and national database on land; serve the management; satisfy the requirements for publicity, transparency, and rights to access information of agencies, organizations, and people.

3. The Government of Vietnam shall stipulate the development, management, operation, and utilization of the urban and rural planning database.

Article 55. Access and provision of information on urban and rural planning

1. Agencies, organizations, and individuals may access the following information on urban and rural planning:

- a) Information on approved and announced planning of the urban and rural planning system;
- b) Promulgated urban and rural planning-based management regulations and plans for master planning implementation;
- c) Information on administrative procedures concerning urban and rural planning;
- d) Legislative documents on urban and rural planning.

2. Urban and rural planning authorities of provincial People's Committees and district-level People's Committees shall provide information on the approved urban and rural planning for agencies, organizations, and individuals upon requests and assume responsibility for the accuracy of documents and figures provided by them.

3. The provision of information by requests concerning urban and rural planning shall be carried out in the form of explanations in person or writing.

Article 56. Archiving of records and documents on urban and rural planning objectives and planning

1. Records and documents on approved urban and rural planning objectives and planning shall be archived under the law on archives. Archived documents and records include:

- a) Records of presentation for appraisal of planning objectives and records of presentation for appraisal of planning;
- b) Records of presentation for approval for planning objectives and records of presentation for approval for planning;
- c) Reports on planning objectives appraisal and reports on planning appraisal;
- d) Decisions on approval for planning objectives and decisions on approval for planning.

2. Agencies and organizations engaging in urban and rural planning operations shall archive work handling records regarding urban and rural planning objectives and planning.

Chapter V

IMPLEMENTATION PROVISIONS

Article 57. Amendments and annulment of articles and clauses of laws relevant to urban and rural planning operations

1. Amendments and annulment of several articles and clauses of the Law on Construction No. 50/2014/QH13, amended by Law No. 03/2016/QH14, Law No. 35/2018/QH14, Law No. 40/2019/QH14, and Law No. 62/2020/QH14:

a) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch đô thị và nông thôn” (urban and rural planning) in Clauses 15a, 18, 21, and 24 Article 3; Clause 4 Article 12; Clause 1 Article 79;

b) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Clause 1 Article 51; Point b Clause 2 Article 58; Point c Clause 1 Article 61; Point b Clause 7 Article 79; Points d and e Clause 2 Article 89; Point d Clause 1 Article 94; Clause 1 Article 117; Point d Clause 1 Article 118; Clause 5 Article 130;

c) The phrase “quy hoạch xây dựng khu chức năng hoặc quy hoạch chi tiết xây dựng điểm dân cư nông thôn” (functional area construction planning or detailed construction planning for rural residential points) is replaced with “quy hoạch khu chức năng hoặc quy hoạch chi tiết khu vực xây dựng được xác định trong quy hoạch chung huyện, quy hoạch chung xã” (functional area planning or detailed planning for construction areas determined in district-level or commune-level master planning) in Point d Clause 1 Article 83a and Point i Clause 2 Article 89;

d) The phrase “quy hoạch chi tiết xây dựng điểm dân cư nông thôn” (detailed construction planning for rural residential points) is replaced with từ “quy hoạch chi tiết theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Clause 3 Article 93;

dd) The phrase “thiết kế quy hoạch xây dựng” (construction plan designing) is replaced with “quy hoạch đô thị và nông thôn” (urban and rural planning) in Clauses 3 and 4 Article 148 and Article 158;

e) The phrase “theo kế hoạch thực hiện quy hoạch xây dựng” (according to plans for construction planning implementation) in Clause 18 Article 3 is annulled; the phrase “lập và thực hiện quy hoạch xây dựng” (formulating and implementing construction planning) in Clause 9 Article 4 is annulled; the phrase “quy hoạch xây dựng” (construction planning) in Clause 4 Article 160, Clause 3 Article 162, and Point a Clause 2 Article 163 is annulled;

g) Amendments to Clause 1 Article 91:

“1. Conform with the planning according to urban and rural planning laws approved by competent state authorities. Regarding construction works in stable areas or streets in urban areas without detailed planning or separate urban designs, it is mandatory to ensure conformity with regulations on architectural management promulgated by competent state authorities.”;

h) Amendments to Clause 1 Article 92 are as follows:

“1. Conform with planning according to urban and rural planning laws or the location and total area of projects approved in writing by competent state authorities.”;

i) Amendments to Clause 2 Article 93:

“2. Separate houses in urban areas shall meet the conditions prescribed in Clause 1 of this Article and conform with detailed planning according to urban and rural area laws; separate houses in stable areas and streets in urban areas shall conform with detailed planning according to urban and rural area laws or separate urban designs or architectural management mechanisms promulgated by competent state authorities.”;

k) Amendments to Point a Clause 1 Article 94:

“a) Being subject to areas with planning according to urban and rural planning laws approved and announced by competent authorities but not yet implemented, for which there are no land expropriation decisions of competent state authorities;”;

l) Amendments to Point b Clause 1 Article 94:

“b) Being conformable with the scale and time limit of works stipulated by provincial People’s Committees for each area according to management and development requirements in conformity with planning period;”;

m) Amendments to Clause 4 Article 94:

“4. Regarding construction works and separate houses with granted definite construction permits, if planning according to urban and rural planning laws has adjustments concerning the extension of the existence duration after such duration of the works prescribed in the mentioned construction permits ends, the licensing authorities shall issue notices of the extension of the existence duration of works. Where investors continue to engage in construction, repair, or renovation, issue definite construction permits according to development and management requirements in conformity with the time limit of the adjusted planning.”;

n) Amendments to Point a Clause 1 Article 164:

“a) Carry out the state management of construction investment following the decentralization of the Government of Vietnam; manage the construction order in their

areas according to planning, construction designs, and construction permits according to the regulations of the Government of Vietnam; promulgate documents under their jurisdiction; direct the implementation of planning according to urban and rural planning laws and construction investment plans; instruct, inspect, and settle complaints and denunciations and handle law violations in construction investment;”;

o) Clauses 7, 8, 16, 22, 25, 30, 31, 32, 33, and 44 Article 3, Article 150, and Chapter II are annulled.

2. Amendments to several articles of the Law on Land No. 31/2024/QH15, amended by Law No. 43/2024/QH15:

a) The phrase “pháp luật về quy hoạch đô thị” (urban planning laws) is replaced with “pháp luật về quy hoạch đô thị và nông thôn” (urban and rural planning laws) in Clause 5 Article 65, Clause 4 Article 66, Clause 5 Article 116, and Clause 2 Article 216;

b) The phrase “quy hoạch xây dựng, quy hoạch đô thị, quy hoạch nông thôn” (construction planning, urban planning, and rural planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Point a Clause 2 and Clause 5 Article 66;

c) The phrase “quy hoạch xây dựng, quy hoạch đô thị” (construction planning, urban planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Point c Clause 3 Article 122;

d) The phrase “quy hoạch chi tiết xây dựng” (detailed construction planning) is replaced with “quy hoạch chi tiết theo pháp luật về quy hoạch đô thị và nông thôn” (detailed planning according to urban and rural planning laws) in Point c Clause 5 Article 158 and Point I Clause 1 Article 159;

dd) The phrase “quy hoạch xây dựng hoặc quy hoạch đô thị” (construction planning or urban planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Point c Clause 2 Article 190;

e) The phrase “quy hoạch xây dựng, quy hoạch đô thị” (construction planning and urban planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Point b Clause 4 Article 216;

g) The phrase “quy hoạch xây dựng; quy hoạch đô thị” (construction planning; urban planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Point a Clause 3 and Point a Clause 7 Article 219;

h) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch khu chức năng; quy hoạch nông thôn” (functional area planning; rural planning) in Point a Clause 1 Article 67.

3. Amendments to several articles of the Law on Implementation of Grassroots-level Democracy No. 10/2022/QH15:

a) The phrase “quy hoạch xây dựng vùng huyện, quy hoạch xây dựng xã và điểm dân cư nông thôn; quy hoạch chung được lập cho thị trấn, đồ án quy hoạch phân khu, quy hoạch chi tiết được lập cho các khu vực thuộc phạm vi thị trấn” (construction planning for rural districts and construction planning for communes and rural residential points; master planning formulated for commune-level towns, projects on subdivision planning and detailed planning formulated for areas within the scope of commune-level towns) is replaced with “quy hoạch chung huyện, quy hoạch chung xã và quy hoạch chi tiết khu vực xây dựng được xác định trong quy hoạch chung huyện, quy hoạch chung xã; quy hoạch chung thị trấn, quy hoạch phân khu, quy hoạch chi tiết được lập cho khu vực thuộc phạm vi huyện, xã, thị trấn” (master planning for rural districts, master planning for communes, and detailed planning for construction areas determined in master planning for rural districts and master planning for communes; master planning for commune-level towns, subdivision planning, and detailed planning formulated for areas within the scope of rural districts, communes, and commune-level towns) in Clause 3 Article 11;

b) Amendments to Clause 6 Article 25:

“6. Draft urban and rural planning.”.

4. Amendments to several articles of the Law on Real Estate Business No. 29/2023/QH15, amended by Law No. 43/2024/QH15:

a) The phrase “pháp luật về quy hoạch đô thị” (urban planning laws) is replaced with “pháp luật về quy hoạch đô thị và nông thôn” (urban and rural planning laws) in Clause 2 Article 11 and Point b Clause 1 Article 29;

b) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Clause 3 Article 39;

c) The phrase “pháp luật về xây dựng và pháp luật về quy hoạch đô thị” (construction laws and urban planning laws) is replaced with “pháp luật về quy hoạch đô thị và nông thôn” (urban and rural planning laws) in Point b Clause 1 Article 40;

d) The phrase “pháp luật về quy hoạch đô thị” (urban planning laws) is replaced with “pháp luật về quy hoạch đô thị và nông thôn” (urban and rural planning laws) in Point c Clause 1 Article 40 and Point d Clause 1 Article 43;

dd) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch đô thị và nông thôn” (urban and rural planning) in Clause 1 Article 77 and Clause 1 Article 78.

5. Amendments to several articles of the Law on Housing No. 27/2023/QH15, amended by Law No. 43/2024/QH15:

a) The phrase “quy hoạch xây dựng, quy hoạch đô thị” (construction planning, urban planning) is replaced with “quy hoạch đô thị và nông thôn” (urban and rural planning) in Clauses 3 and 4 Article 3; Clause 2 Article 5; Point b Clause 1 Article 26; Clause 9 Article 88;

b) The phrase “quy hoạch xây dựng, quy hoạch đô thị, quy hoạch xây dựng khu chức năng” (construction planning, urban planning, and functional area planning) is replaced with “quy hoạch đô thị và nông thôn” (urban and rural planning) in Clause 2 Article 4;

c) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Clause 1 Article 40 and Point d Clause 2 Article 59;

d) The phrase “quy hoạch phân khu hoặc quy hoạch chi tiết xây dựng tỷ lệ 1/500” (subdivision planning or detailed construction planning at the 1/500 scale) is replaced with “quy hoạch phân khu hoặc quy hoạch chi tiết theo pháp luật về quy hoạch đô thị và nông thôn” (subdivision planning or detailed planning according to urban and rural planning laws) in Clause 2 Article 50;

dd) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch đô thị và nông thôn” (urban and rural planning) in Clause 1 Article 54 and Clause 2 Article 60.

e) The phrase “pháp luật về quy hoạch đô thị” (urban planning laws) is replaced with “pháp luật về quy hoạch đô thị và nông thôn” (urban and rural planning laws) in Clause 1 Article 64;

g) The phrase “chỉ tiêu về sử dụng đất quy hoạch xây dựng” (use targets of land subject to construction planning) is replaced with “chỉ tiêu sử dụng đất quy hoạch” (use targets of land subject to planning) in Clause 2 Article 64;

h) The phrase “quy hoạch chi tiết xây dựng” (detailed construction planning) is replaced with “quy hoạch chi tiết theo pháp luật về quy hoạch đô thị và nông thôn” (detailed planning according to urban and rural planning laws) in Clause 2 Article 54, Clause 6 Article 60, Point a Clause 1 Article 82, and Clause 1 Article 96;

i) The phrase “quy hoạch chi tiết xây dựng” (detailed construction planning) is replaced with “quy hoạch chi tiết” (detailed planning) in Point b Clause 3 and Point a Clause 4 Article 88;

k) The phrase “quy hoạch xây dựng khu công nghiệp” (industrial park construction planning) is replaced with “quy hoạch khu công nghiệp” (industrial park planning) in Clause 1 Article 94 and Point a Clause 2 Article 95;

l) Amendments to Clause 1 Article 32:

“1. Land area for housing development shall be determined in urban planning, rural planning, industrial park planning, higher education establishment planning, and other planning according to planning laws, urban and rural planning laws, and relevant laws.”.

6. Amendments to several articles of the Law on the Capital No. 39/2024/QH15:

a) The phrase “quy hoạch chung xây dựng khu chức năng” (functional area construction master planning) with “quy hoạch chung khu chức năng” (functional area master planning) in Clause 3 Article 17;

b) The phrase “pháp luật về xây dựng, pháp luật về quy hoạch đô thị” (construction laws, urban planning laws) is replaced with “pháp luật về quy hoạch đô thị và nông thôn” (urban and rural planning laws) in Clause 4 Article 17;

c) The phrase “quy hoạch phân khu xây dựng” (construction subdivision planning) with “quy hoạch phân khu theo pháp luật về quy hoạch đô thị và nông thôn” (subdivision planning according to urban and rural planning laws) in Point b Clause 2 Article 24;

d) The phrase “quy hoạch phân khu và quy hoạch chi tiết xây dựng” (subdivision planning and detailed construction planning) is replaced with “quy hoạch phân khu và quy hoạch chi tiết theo pháp luật về quy hoạch đô thị và nông thôn” (subdivision planning and detailed planning according to urban and rural planning laws) in Point a Clause 3 Article 24;

dd) The phrase “quy chuẩn kỹ thuật quốc gia về quy hoạch xây dựng” (national technical regulation on construction planning) is replaced with “quy chuẩn kỹ thuật quốc gia về quy hoạch đô thị và nông thôn” (national technical regulation on urban and rural planning) in Point b Clause 2 Article 31;

e) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Point a Clause 3 Article 32;

g) The phrase “quy hoạch đô thị, quy hoạch xây dựng” (urban planning, construction planning) is replaced with “quy hoạch đô thị và nông thôn” (urban and rural planning) in Clause 3 Article 35.

7. Amendments to several articles of the Law on Local Government Organization No. 77/2015/QH13, amended by Law No. 21/2017/QH14, Law No. 47/2019/QH14,

Resolution No. 96/2023/QH15, Law No. 31/2024/QH15, Law No. 34/2024/QH15, and Law No. 43/2024/QH15:

a) The phrase “quy hoạch về xây dựng và phát triển đô thị” (planning for urban construction and development) is replaced with “quy hoạch đô thị và nông thôn” (urban and rural planning) in Clause 3 Article 40;

b) Amendments to Point e Clause 3 Article 19:

“e) Decide on the regional economic linkage among local governments at various levels in conformity with local situations and characteristics, ensuring consistency of the national economy;”;

c) Amendments to Clause 2 Article 54:

“2. Decide on investment projects on urban works in their areas according to the law.”.

8. The phrase “Quy hoạch xây dựng khu đô thị, khu dân cư, khu chức năng, cụm công nghiệp quy định tại Luật Xây dựng và pháp luật có liên quan” (construction planning for urban areas, residential areas, functional areas, and industrial clusters according to the Law on Construction and relevant laws) is replaced with “Quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn đối với khu đô thị, khu dân cư, khu chức năng, cụm công nghiệp” (planning according to urban and rural planning laws for urban areas, residential areas, functional areas, and industrial clusters) in Clause 2 Article 63 of the Law on Telecommunications No. 24/2023/QH15.

9. c) The phrase “Quy hoạch xây dựng” (construction planning) is replaced with “Quy hoạch đô thị và nông thôn” (urban and rural planning) in Clause 1 Article 64 of the Law on Environmental Protection No. 72/2020/QH14, amended by Law No. 11/2022/QH15, Law No. 16/2023/QH15, and Law No. 18/2023/QH15.

10. The phrase “cắm mốc giới theo quy hoạch xây dựng” (marking according to construction planning) is replaced with “cắm mốc theo quy định của pháp luật về quy hoạch đô thị và nông thôn” (marking according to urban and rural planning laws) in Clause 6 Article 78 of the Law on Railway Transport No. 06/2017/QH14, amended by Law No. 35/2018/QH14 and Law No. 16/2023/QH15.

11. Amendments to several articles of the Law on Natural Disaster Preparation and Management No. 33/2013/QH13, amended by Law No. 60/2020/QH14 and Law No. 18/2023/QH15:

e) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch đô thị và nông thôn” (urban and rural planning) in Point a Clause 9 Article 42;

b) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn đối với” (planning according to urban

and rural planning laws for) in Point b Clause 12 Article 42 and Point d Clause 1 Article 43.

12. The phrase “quy hoạch xây dựng của địa phương” (local construction planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Point b Clause 2 Article 37 of the Law on Advertising, amended by Law No. 35/2018/QH14 and Law No. 42/2024/QH15.

13. Amendments to the Law on Dykes No. 79/2006/QH11, amended by Law No. 15/2008/QH12, Law No. 35/2018/QH14, Law No. 60/2020/QH14, and Law No. 18/2023/QH15:

a) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch theo pháp luật về quy hoạch đô thị và nông thôn” (planning according to urban and rural planning laws) in Point b Clause 3 Article 26 and Clause 1 Article 27;

b) The phrase “quy hoạch xây dựng” (construction planning) is replaced with “quy hoạch đô thị và nông thôn” (urban and rural planning) in Clause 6 Article 42.

14. Amendments to Number 3.2 of Section II of Appendix No. 01 on the list of fees and charges of the Law on Fees and Charges No. 97/2015/QH14, amended by Law No. 09/2017/QH14, Law No. 23/2018/QH14, Law No. 72/2020/QH14, Law No. 16/2023/QH15, Law No. 20/2023/QH15, Law No. 24/2023/QH15, Law No. 33/2024/QH15, and Law No. 35/2024/QH15:

3.2	Urban and rural planning appraisal fees	Ministry of Finance of Vietnam
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Article 58. Entry into force

1. This Law comes into force as of July 1, 2025.

2. The Law on Urban Planning No. 30/2009/QH12, amended by Law No. 77/2015/QH13, Law No. 35/2018/QH14, Law No. 40/2019/QH14, Law No. 61/2020/QH14, and Article 29 of Law No. 35/2018/QH14, shall cease to have effect from the effective date of this Law.

Article 59. Transitional provisions

1. Construction planning, urban planning, and separate urban designs approved before the effective date of this Law continue to be applicable until their expiration dates according to this Law.

2. Construction planning and urban planning formulated before the effective date of this Law in progress of appraisal and approval for planning schemes requiring consistent written feedback from the Ministry of Construction of Vietnam and urban and rural

planning authorities of provincial People's Committees that do not require opinions from relevant authorities according to this Law shall comply with this Law.

3. Construction planning and urban planning whose planning objectives are approved that have yet to undergo planning scheme appraisal before the effective date of this Law may continue to apply construction laws and urban planning laws before the effective date of this Law or formulate, appraise, and approve urban and rural planning objectives and planning according to this Law.

4. Construction planning and urban planning that have undergone planning scheme appraisal before the effective date of this Law may be approved according to construction laws and urban planning laws before the effective date of this Law.

5. Regarding local adjustments to construction planning and urban planning appraised before the effective date of this Law, where there are changes to the approving authority according to this Law, a re-appraisal is not required. The authority to approve local adjustments to planning shall comply with this Law.

6. Provincial People's Committees shall apply this Law when adjusting construction planning and urban planning that are subject to approval by the Prime Minister of Vietnam according to construction laws and urban planning laws applicable before the effective date of this Law and are subject to approval by provincial People's Committees according to this Law.

7. District-level People's Committees shall apply this Law when adjusting construction planning and urban planning that are subject to approval by provincial People's Committees according to construction laws and urban planning laws applicable before the effective date of this Law and are subject to approval by district-level People's Committees according to this Law.

8. Regarding type-III urban areas, type-IV urban areas, economic zones, and national tourism zones with master planning approved before the effective date of this Law, if it is required to formulate subdivision planning when the planning period has not ended, it is permitted to continue to formulate, appraise, and approve subdivision planning for 2 years from the effective date of this Law. The formulation, appraisal, approval, adjustment, and review of subdivision planning may apply urban planning laws and construction planning laws applicable before the effective date of this Law. Subdivision planning shall be effective until master planning is formulated or subject to comprehensive adjustments according to this Law. The Government of Vietnam shall elaborate on this Clause.

9. Unexpired certificates of the construction capacity of organizations and construction practicing certificates of individuals concerning construction planning designs issued before the effective date of this Law shall stay effective until they expire.

This Law is approved by the 15th National Assembly of the Socialist Republic of Vietnam at its 8th meeting on November 26, 2024.

**PRESIDENT OF THE NATIONAL
ASSEMBLY**

Tran Thanh Man

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