

**LAW**

**ORGANIZATION OF LOCAL GOVERNMENT**

*Pursuant to the Constitution of the Socialist Republic of Vietnam amended by the Resolution No. 203/2025/QH15;*

*The National Assembly promulgates Law on Organization of Local Government.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Administrative divisions**

1. Administration divisions of the Socialist Republic of Vietnam are structured into two levels, including:

- a) Central-affiliated cities and provinces (hereinafter referred to as “province or provincial level”);
- b) Communes, wards and special zones affiliated to provinces (hereinafter referred to as “commune or commune level”).

Commune is an administrative division established at a rural area; ward is an administrative division established at an urban area; special zone is an administrative division established at a certain island with important location and appropriately for its geographical, natural and demographic conditions and requirements for socio-economic development and maintenance of national defense and security.

2. Special administrative – economic division is an strategically located administrative area which is organized following a special model, provided with exceptional incentives, and to which new policies are applied, including: local governance, investment attraction, improvement of national competitiveness for the purposes of driving economic-social development, both locally and nationwide. Special administrative – economic divisions are established under the National Assembly’s decision.

**Article 2. Organization of local governments**

1. Local governments at administrative divisions specified in clause 1 Article 1 of this Law, except for administrative divisions specified in Article 28 of this Law include People's Councils and People's Committees.

2. Local governments at special administrative – economic divisions shall be regulated by the National Assembly when such special administrative – economic divisions are established.

### **Article 3. Classification of administrative divisions**

1. Classification of administrative divisions serves as a basis for drawing up socio-economic development plans and strategies; and establishing mechanism, system and policies for officials and public employees working at local governments in conformity with each type of administrative division.

2. Classification of administrative divisions shall be based on criteria such as population scale, natural area, socio-economic development conditions and particular elements of each type of administrative division at rural, urban areas and islands according to the Government's regulations.

### **Article 4. Principles of organization and operation of local governments**

1. Comply with the Constitution and laws, and rule over society by laws; and implement the principle of democratic concentration.

The People's Council shall work under the collective working regime and the majority rule.

The People's Committee shall work under the collective working regime and the majority rule; and at the same time the collective of each local People's Committee shall be responsible for its performance with emphasis on the responsibility of the Chairperson of the People's Committee.

2. Local governments shall be organized in a manner that is streamlined, efficacious, efficient and effective, meets requirements for professional and modern local governance, effectively applies information technology and digital transformation to organization and operation of local governments and makes sure that the accountability is associated with the power control mechanism.

3. Human rights and citizenship shall be protected; local governments shall be close to the People to serve the People and enable the People to exercise their ownership rights, subject to inspection and supervision by the people; Vietnam Fatherland Front Central Committee and local socio-political organizations shall be enabled to provide social criticism.

4. The administrative system shall be uniform, consistent and continuous.

5. Local governments shall decide, organize the performance, promote their autonomous roles and assume their responsibilities for duties within their powers.

6. Powers shall be clearly distinguished between centrally-governed state authorities and local governments; between provincial-level governments and commune-level governments.

### **Article 5. People's Council**

1. The People's Council is joined by delegates of the People's Council elected by local electorate, acts as the local authority of state power, represents the will, aspirations and mastery of the People, decides important local issues, supervises compliance with the Constitution and laws and operations conducted by local authorities and bears responsibility to the local People and superior state authorities.

2. Delegates of the People's Council shall represent wills and desires of the local People, and take their responsibilities to the local electorate and the People's Council for performance of their duties and powers.

3. Each delegate of the People's Council shall meet the following standards:

a) Show his/her loyalty towards the Country, People and Constitution, and strive to accomplish the reform task with a view to achieving the objective of prosperous people, a strong country, and an equitable, democratic and civilized society.

b) Only have Vietnamese nationality;

c) Demonstrate his/her good moral character, diligence, justice, frugality, and be a good law-abiding citizen; have a strong determination to struggle against corruption, restrain luxury or extravagance, and prevent bureaucratic, imperious and authoritarian behaviors and other violations against laws;

d) Meet vigorous academic and professional standards, and have capability, good health and working experience as well as prestige to perform duties of a delegate; prove eligible to get involved in operations of the People's Council;

dd) Reside or work at an authority, organization or enterprise at the administrative division in which he/she is acting as a People's Council delegate;

e) Stay closely connected to the People, listen to opinions of constructive advice from the People and gain the People's confidence.

4. The tenure of the People's Council in each term is 05 years that last from the opening date of the first session in this term of the People's Council to the opening date of the first session in the successive term of the People's Council. The shortening or extension of the

tenure of the People's Council shall be decided by the National Assembly if called for by the National Assembly Standing Committee.

5. The National Assembly Standing Committee shall supervise and provide guidance on operations of People's Councils and issue model working regulations applied to People's Councils. The Government shall give guidelines to People's Councils for implementation of documents issued by superior state authorities and inspect such implementation; enable People's Councils to perform duties and powers as per law;

#### **Article 6. People's Committee**

1. The local People's Committee is elected by the People's Council at the same level, is the executive authority of the People's Council, is the local state administrative authority, organizes enforcement of the Constitution, laws and Resolutions of the local People's Council and assumes responsibility to the local People, the People's Council at the same level and the State administrative authority at the higher level.

2. The tenure of the local People's Committee shall coincide with the tenure of the People's Council at the same level. Whenever the tenure of the People's Council ends, the People's Committee shall remain on duty until the new term of the People's Council elects the new-term People's Committee.

3. The Government shall lead, provide guidance and inspect organization and operation of People's Committees; issue model working regulations applied to People's Committees.

#### **Article 7. Work relationship between local governments and local Vietnam Fatherland Front Committee and socio-political organizations**

1. Local governments shall cooperate with, and uphold roles of the Vietnam Fatherland Front Committee and socio-political organizations in encouraging the People to get involved in building and strengthening the people's government, organizing the implementation of State policies and laws, and carrying out the social supervision and judgment of local governments' activities.

2. The Chairperson of the local Vietnam Fatherland Front Committee and the Head of a local socio-political organization shall be invited to participate in sessions of the same-level People's Council and meetings of the same-level People's Committee when discussing related issues.

3. The People's Council and the People's Committee shall implement regulations on providing the Vietnam Fatherland Front Committee and socio-political organizations at the same level with updated information about their localities.

4. Local governments shall be responsible for listening to, dealing with and responding to recommendations of local Vietnam Fatherland Front Committee and socio-political

organizations on participation in government construction and opinions and recommendations of the local People which are consolidated and sent by the Vietnam Fatherland Front Committee.

## **Chapter II**

### **ORGANIZATION OF ADMINISTRATIVE DIVISIONS AND ESTABLISHMENT, DISSOLUTION, MERGER, DIVISION, MODIFICATION OF GEOGRAPHICAL BORDERS, CHANGE OF NAMES OF ADMINISTRATIVE DIVISIONS**

#### **Article 8. Principles of organization of administrative divisions and conditions for establishment, dissolution, merger, division, modification of geographical borders of administrative divisions**

1. Administrative divisions shall be organized according to the following principles:

- a) Comply with regulations of the Constitution and laws; ensure that state management is stable, consistent and continuous;
- b) Be consistent with socio-economic development strategies in each period and suitable to characteristics, natural and social conditions, historical and cultural traditions and meet requirements for protection of national defense and security, order and social safety of each local area;
- c) Be suitable for managerial capability of local governments and application of information technology and digital transformation; make sure that tasks and administrative procedures related to the people, enterprises and society are received, performed and processed in a prompt and convenient manner;
- d) Arrange and reorganize administrative divisions that have not yet met standards according to regulations of law.

2. The establishment, merger, division of and modification of geographical borders of administrative divisions shall meet the following conditions:

- a) Be consistent with relevant plannings approved by competent authorities;
- b) Ensure the national interests, effectiveness and efficiency in state management by local governments at all levels; make best use of potential and advantages in order to promote the socio-economic development of the whole country and specific local areas;
- c) Meet requirements for national defence, security and social order and safety; the establishment of special zones at islands shall make sure that national independence and sovereignty are firmly protected, and territorial integrity is maintained in sea and island areas, advantages and potentials for the marine economy are promoted, civilians are

encouraged to live in such regions, and shall be consistent with competent authorities' policies;

d) Consolidate the people's solidarity, ensure ethnic minority equality, conform to historical, traditional and cultural elements of specific local areas; offer convenience to the People;

dd) Be based on standards of administrative divisions in conformity with features of rural, urban areas and islands according to regulations issued by the National Assembly Standing Committee.

3. Each administrative division shall be dissolved in the following cases:

a) Meeting the socio-economic development demands, and protecting national defence and security at local areas or across the nation;

b) Having changes to geographical and topographical factors that can affect the existence of such administrative division.

c) Restructuring the administrative division in the direction of the competent authority and according to regulations of law.

**Article 9. Power over decision on establishment, dissolution, merger, division, modification of geographical borders, change of names of administrative divisions**

1. The National Assembly shall have power to decide establishment, dissolution, merger, division and modification of geographical borders of and change of names of provincial-level administrative divisions.

2. The National Assembly Standing Committee shall have power to decide establishment, dissolution, merger, division and modification of geographical borders of and change of names of commune-level administrative divisions.

**Article 10. Procedures for establishment, dissolution, merger, division, modification of geographical borders, change of names of administrative divisions**

1. The Government assigns provincial-level People's Committees to preside over formulation of proposals for establishment, dissolution, merger, division, modification of geographical borders and change of names of provincial-level administrative divisions and submit such proposals to the Government to send them to the National Assembly; provincial-level People's Committees shall organize the formulation of proposals for establishment, dissolution, merger, division, modification of geographical borders and change of names of commune-level administrative divisions and submit such proposals to the Government that will send them to the National Assembly Standing Committee.

2. Documentation of the proposal for establishment, dissolution, merger, division, modification of geographical border, change of name of an administrative division shall be composed of the followings:

Written request for establishment, dissolution, merger, division, modification of geographical borders and change of name of the administrative division;

b) Proposal for establishment, dissolution, merger, division, modification of geographical border and change of name of the administrative division;

c) Summary report on opinions collected from the People, the People's Council and relevant authorities or organizations;

d) Draft resolution of the National Assembly or the National Assembly Standing Committee on establishment, dissolution, merger, division, modification of geographical border and change of name of the administrative division.

3. Establishment, dissolution, merger, division, modification of geographical borders and change of names of administrative divisions shall be subject to opinions of the local People who are directly affected of commune-level administrative divisions. Provincial-level People's Committees shall be responsible for organizing collection of opinions of the People about intention to establish, dissolve, merge, divide, modify geographical borders and change names of administrative divisions by the appropriate methods according to the Government's regulations.

4. After obtaining opinions of the People, proposal-formulating authorities shall be responsible for completing proposals and submitting proposals for establishment, dissolution, merger, division, modification of geographical borders and change of names of provincial-level administrative divisions to provincial-level People's Councils for consideration and offer of opinions; and proposals for establishment, dissolution, merger, division, modification of geographical borders and change of names of commune-level administrative divisions to provincial and commune-level People's Councils at directly related administrative divisions for consideration and offer of opinions.

5. Proposals for establishment, dissolution, merger, division and modification of geographical borders of and change of names of administrative divisions formulated by provincial-level People's Committees shall be appraised before they are submitted to the Government and inspected before they are submitted to the National Assembly and the National Assembly Standing Committee for consideration and decision.

6. Formulation of proposals and procedures for considering approval for proposals for establishment, dissolution, merger, division, modification of geographical border and change of names of administrative divisions shall comply with regulations issued by the National Assembly Standing Committee; procedures for considering approval for proposals for establishment, dissolution, merger, division, modification of geographical

border and change of names of provincial-level administrative divisions at sessions of the National Assembly shall be regulated by the National Assembly.

### **Chapter III**

#### **DISTINCTION OF POWERS OF LOCAL GOVERNMENTS AT ALL LEVELS**

##### **Article 11. Distinction of powers of local governments at all levels**

1. Duties and powers of local governments at all levels shall be determined on the basis of distinction of powers between centrally-governed state authorities and local ones, and between levels of local governments in the forms of delegation and devolution.

2. Powers of local governments shall be distinguished according to the following principles:

a) Clearly determine contents and scope of duties and powers within the powers of local governments to decide, organize the implementation, and take their responsibilities for the performance thereof;

b) Promote delegation and devolution of powers over duties and powers of centrally-governed state authorities to local governments; clearly distinguish powers between provincial and commune-level People's Committees and Chairpersons of provincial and commune-level People's Committees; ensure that there is no repetition of duties and powers between centrally-governed state authorities and local ones, among local governments at all levels and authorities and organizations affiliated to local governments;

c) Conform to rural, urban and island features and characteristics of special administrative – economic divisions, ensure capacities and fulfill conditions for performance of duties and powers of local governments at all levels. Authorities, organizations and individuals assigned to perform duties and powers of superior state authorities are enabled to perform such duties and powers;

d) Ensure publicity, transparency, accountability and effective control of powers in association with responsibilities of competent authorities for inspection and supervision; establish supervision, assessment and inspection mechanisms and promptly adjust delegation and devolution of powers when authorities, organizations and individuals that have been devolved or delegated fail to effectively perform the assigned duties and powers;

dd) Ensure consistency in organization of enforcement of the Constitution and laws;

e) Meet requirements for local governance; develop science, technology, innovation and digital transformation;



g) Issues involving at least two commune-level administrative divisions shall be tackled within the power of provincial-level local governments; those involving at least two provincial-level administrative divisions shall be tackled within the power of centrally-governed state authorities, unless otherwise stipulated by laws, resolutions of the National Assembly.

According to the actual situation, centrally-governed state authorities shall assign local governments affiliated to one of the relevant provincial-level administrative divisions to preside over tackling issues involving at least two provincial-level administrative divisions; provincial-level local governments shall assign local governments affiliated to one of the relevant commune-level administrative divisions to preside over tackling issues involving at least two commune-level administrative divisions in order to improve efficacy, efficiency and effectiveness of state management and serve the people and enterprises.

3. Delegation and devolution of powers, regulations on duties and powers of local governments and their affiliates mentioned in legislative documents shall comply with this Law and make sure that state power is effectively controlled. If necessary, provincial-level People's Committees and Chairpersons of provincial-level People's Committees shall directly direct and control resolution of issues within the scope of duties and powers of their affiliates, including specialized authorities, other administrative organizations, commune-level People's Committees and Chairpersons of commune-level People's Committees to make sure administrative works and procedures do not become a hindrance to the people and enterprises.

## **Article 12. Devolution of powers**

1. Devolution of powers to local governments at all levels shall be stipulated by laws and resolutions of the National Assembly, include specific subjects, contents, scope of duties and powers, adhere to power distinction principles and conform to duties and powers of local governments at all levels specified in this Law.

2. Local governments shall exercise the autonomy to issue decisions, organize the execution, and assume their responsibilities to perform their delegated duties and powers; are delegated or authorized to perform their devolved duties and powers in accordance with Article 13 and Article 14 of this Law, unless the delegation/authorization is not permitted by laws or resolutions of the National Assembly.

3. Provincial-level People's Committees may recommend the Government to request the National Assembly to devolve powers to local competent authorities, organizations and individuals to perform duties and exercise powers appropriate to their capacities and local actual conditions.

The Government assumes responsibility to consider implementing recommendations offered by provincial-level People's Committees; in case of refusal, the Government shall reply in writing and provide reasons.

4. Superior state authorities, within the scope of their duties and powers, shall inspect and supervise the constitutionality and legality in performance of their duties and powers devolved to local governments at different levels.

### **Article 13. Delegation of powers**

1. Provincial-level People's Councils shall delegate one or some of their assigned duties and powers to People's Committees at the same level or commune-level People's Councils; provincial-level People's Committees or Chairpersons of provincial-level People's Committees shall delegate one or some of their assigned duties and powers to their affiliates, including specialized authorities and other administrative organizations, commune-level People's Committees and Chairpersons of commune-level People's Committees in a continual and regular manner as per law, unless the delegation is not permitted by law.

Provincial-level People's Committees or Chairpersons of provincial-level People's Committees shall delegate one or some of their assigned duties and powers to public service providers under their management in a continual and regular manner according to regulations of law in order to increase the autonomy of such public service providers in governance and provision of public services, unless the delegation is not permitted by law.

2. The delegation shall be provided for in legislative documents of the delegating party. The delegating party shall be responsible for meeting necessary conditions to perform the delegated duties and powers, unless the delegated party makes proposals and meets conditions for performance of such duties and powers by itself/himself/herself.

3. The delegating party shall be responsible for monitoring, providing guidance and inspecting the performance of the delegated duties and powers so as to ensure that such duties and powers are effectively and efficiently performed; and take responsibility for performance results in case the conditions specified in clause 2 of this Article are not satisfied.

4. The delegated party is entitled to give their opinions about draft documents that have been delegated and request the delegating party to adjust the delegated contents; and shall assume responsibility to the law and the delegating party for results of the performance of the delegated duties and powers, and periodically report and assess the performance of the delegated duties and powers and must not further delegate the duties and powers previously delegated to it/him/her.

5. Provincial-level People's Committees are entitled to recommend the Government, the Prime Minister, Ministers, and Heads of ministerial authorities to delegate powers to local competent authorities, organizations, and individuals to perform duties and powers in conformity with their capacities and local practical conditions.

Local competent authorities/organizations/individuals are entitled to recommend provincial-level People's Councils, provincial-level People's Committees or Chairpersons of provincial-level People's Committees to delegate duties and powers in conformity with their capacities to them if they satisfy requirements for finances and human resources and other necessary conditions.

6. After receiving recommendations from authorities/organizations/units/individuals specified in clause 5 of this Article, the Government, the Prime Minister, Ministers, Heads of ministerial authorities, provincial-level People's Councils, provincial-level People's Committees or Chairpersons of provincial-level People's Committees shall consider implementing such recommendations; in case of refusal, they shall reply in writing and provide reasons.

7. In case change in procedures and powers that are being regulated in legislative documents of superior state authorities must be made to delegate duties and powers in accordance with regulations in this Article, provincial-level People's Councils, provincial-level People's Committees or Chairpersons of provincial-level People's Committees shall amend regulations on procedures and powers so as to perform the delegated duties and powers in a manner that ensures simplification of administrative procedures, promotes application of information technology and digital transformation to processing of administrative procedures, does not require additional documentation and does not increase requirements, conditions, period of processing current procedures.

Chairpersons of provincial-level People's Committees shall publicly announce the changed or amended administrative procedures specified in this clause in accordance with regulations of law and then send consolidated reports to central authorities in relevant industries and sectors on such amendments to procedures and powers to perform the delegated duties and powers within their provinces.

#### **Article 14. Authorization**

1. The People's Committee may authorize the Chairperson of the People's Committee or heads of its affiliates, including specialized authorities, other administrative organizations, and public service providers or inferior People's Committees, Chairpersons of inferior People's Committees; the Chairperson of the People's Committee may authorize heads of its affiliates, including specialized authorities, other administrative organizations, and public service providers or Chairpersons of inferior People's Committees; heads of specialized authorities or other administrative organizations affiliated to provincial-level People's Committees may authorize commune-level People's Committees, Chairpersons of commune-level People's Committees; Chairpersons of commune-level People's Committees may authorize their officials to perform one or some of their assigned duties and powers as per law within a certain period with specific conditions, unless the authorization is not permitted by law.

Only duties and powers that are meant to increase the autonomy of public service providers in governance and provision of public services may be authorized to such public service providers.

2. The authorization shall meet the following conditions:

a) Authorization shall be made in writing by the authorizing party. The written authorization shall contain specific regulations on contents, scope and period of authorization; authorization methods and other necessary conditions for performance of the authorized duties and powers;

b) The authorization shall be suitable to the authorized party's capacity and ability to perform duties and powers.

3. The authorizing party shall be responsible for monitoring, providing guidance, inspecting and assessing the performance of the authorized duties and powers; and take responsibility to the law for the legality of the authorization and results of the performance of the authorized duties and powers, unless the authorized party fails to adhere to the contents, scope and period of authorization specified in clause 4 of this Article. If the authorization results in the necessity for change in procedures for and power over performance of the authorized duties and powers, regulations in clause 6 of this Article shall be applied.

4. The authorized party shall properly perform the authorized duties and powers and take responsibility to the authorizing party for performance results. If the authorized party fails to adhere to the contents, scope and period of authorization, it/he/she shall be responsible to the law for results of the performance of the authorized duties and powers and the authorizing party is not required to assume responsibility for failure to adhere to the contents, scope and period of authorization.

5. The authorized party is entitled to request the authorizing party to adjust contents, scope and period of authorization; and must not further authorize the duties and powers previously authorized to it/him/her.

6. In case change in procedures and powers that are being regulated in legislative documents of superior state authorities must be made to authorize duties and powers in accordance with regulations in this Article, provincial-level People's Committees or Chairpersons of provincial-level People's Committees shall amend regulations on procedures and powers in their written authorization; in other cases other than the case specified in clause 1 of this Article, the authorizing party shall request the Chairperson of provincial-level People's Committee to amend such regulations so as to perform the authorized duties and powers in a manner that ensures simplification of administrative procedures, promotes application of information technology and digital transformation to processing of administrative procedures, does not require additional documentation and does not increase requirements, conditions, period of processing current procedures.

Chairpersons of provincial-level People's Committees shall publicly announce the changed or amended administrative procedures specified in this clause in accordance with regulations of law and then send consolidated reports to central authorities in relevant industries and sectors on such amendments to procedures and powers to perform the authorized duties and powers within their provinces.

7. The authorized party shall use their documents and seals to perform the authorized duties, except for the cases specified in clauses 8 and 9 of this Article.

8. Commune-level People's Committees' public employees authorized by Chairpersons of provincial-level People's Committees to perform some duties and powers and assigned signature authorization may use seals of commune-level People's Committees.

Provincial-level People's Councils shall elaborate duties and powers authorized to commune-level People's Committees' public employees specified in this clause.

9. In case an authority/organization's head represents the leadership to sign documents issued by the authority/organization; an authority/organization's deputy head represents the leadership, or acts on the head's order to sign documents; an authority/organization's head authorizes a deputy head or a head of authority/organization/unit affiliated to his/her authority/organization to perform some duties and powers over signature authorization, the Government's regulations on record management shall prevail.

## **Chapter IV**

### **DUTIES AND POWERS OF LOCAL GOVERNMENTS**

#### **Section 1. DUTIES AND POWERS OF LOCAL GOVERNMENTS AT PROVINCIAL LEVEL**

##### **Article 15. Duties and powers of provincial-level People's Council**

1. Regarding organization and maintenance of enforcement of the Constitution and laws:

a) Decide measures to maintain the enforcement of the Constitution, laws and documents issued by superior state authorities within the province;

b) Decide socio-economic development plans, strategies and policies; decide plans, strategies and policies for development of industries and sectors and private sector; make breakthroughs in development of science, technology, innovation and digital transformation within the province;

c) According to the Communist Party's guidelines, decide application of pilot specific and special policies that have not yet been regulated by law to promotion of socio-economic development in the province within the local government budget after reporting to and receiving permission from the Prime Minister; decide budget expenditures on some

specific duties within the province in accordance with regulations of the Law on State Budget;

d) Promulgate resolutions on issues that fall within duties and powers of the provincial-level People's Council; annul, amend or replace documents promulgated by the provincial-level People's Council if it is considered that they are no longer suitable or contrary to laws;

dd) Terminate the enforcement of or annul part or all of law-breaking documents issued by the provincial-level People's Committee, the Chairperson of the provincial-level People's Committee; annul part or all of law-breaking documents issued by commune-level People's Councils;

e) Dissolve the commune-level People's Council if this People's Council causes serious harm to the People's interests and request the National Assembly Standing Committee to approve this dissolution;

## 2. Regarding organizational structure and government construction:

a) Grant a decision on the structure of officials and public employees working at authorities affiliated to provincial-level local governments; and maximum official headcount of each commune-level local government and the number of officials and employees paid by state budget and working in public service providers under its management according to the permitted number of personnel approved by competent authorities as per law;

b) Decide funding sources to execute contracts for certain duties of public employees according to regulations of law on officials and public employees; decide total number of and allowances paid by state budget to part-time position holders within the province; decide policies to attract, retain and provide benefits for talents and high-quality human resources in charge of public affairs within the province in conformity with local conditions and budget capacity as per law;

e) Decide to establish, re-organize, change names of and dissolve specialized authorities or other administrative organizations affiliated to the provincial-level People's Committee;

d) Consider giving opinions about establishment, dissolution, merger, division, modification of geographical borders and change of names of provincial-level and commune-level administrative divisions within the province;

dd) Decide to choose or change names of villages, residential quarters, squares and public structures within the province in accordance with regulations of law;

e) Promulgate working regulations of the provincial-level People's Council, the standing People's Council, Committees of the provincial-level People's Council, Delegate

Coalitions of the provincial-level People's Council and the provincial-level People's Council Delegates;

g) Elect, discharge and dismiss the Chairperson of the provincial-level People's Council, Vice Chairperson of the provincial-level People's Council, Head of the Committee of the provincial-level People's Council; the Chairperson, Vice Chairperson, and members of the provincial-level People's Committee; people's assessors from office as per law;

h) Dismiss delegates of the provincial-level People's Council from office and accept the discontinuity of duties of delegates of the provincial-level People's Council as per law;

3. Regarding planning, plans, finances, budget, investment and establishment of regional connection:

a) Ratify provincial planning to submit it to the Prime Minister for consideration and approval; decide 5-year and annual provincial socio-economic development plans, plannings and plans for local fields and sectors, making sure that they are suitable to and consistent with national planning, regional planning and provincial planning approved by competent authorities;

b) Decide mechanisms, policies and measures related to local finances, budget and investment, fees and charges; decide guidelines and measures to raise, manage and use capital for investment in development; decide loan capital according to regulations of law;

c) Decide allocation of revenue sources and spending objectives between provincial-level government budget and commune-level budget; local state budget revenue estimates; local government budget revenue and expenditure estimates, and budget distribution according to the budget plan applied at its administrative level; adjust local government budget estimates when necessary; approve the local government budget balance; decide local government budget expenditure norms, standards and policies and other contents according to regulations of the law on state budget;

d) Decide guidelines for investment in local programs and projects in accordance with regulations of laws on public investment and public-private partnership investment as per law;

dd) Decide guidelines and measures to promote regional connection and connection among provinces and cities within its power.

4. Regarding science, technology, information, innovation and digital transformation:

a) Decide policies and measures to develop science, technology and information, and promote innovation and digital transformation within the province as per law;

b) Decide policies and measures to encourage research on and application of advanced science and technology; develop initiatives and improve techniques within the province as per law.

5. Regarding land, natural resources, environment and agriculture, forestry, and fishery:

a) Decide policies on and measures for management and use of land, natural resources, environmental protection, response to climate change, and management of natural disasters; develop local agriculture, rural areas, forestry and fishery according to regulations of law;

b) Ratify the provincial land use planning before it is submitted to a competent authority for approval; ratify land repossession, forest or land repurposing within its power; decide land price list in accordance with regulations of law.

6. Regarding commerce, services, tourism, industry, construction, transport, urban development and urban and rural infrastructure:

a) Decide policies and measures to develop local commerce, services and tourism as per law;

b) Decide policies and measures to develop local industry, construction, transport, urban areas and urban and rural infrastructure as per law.

7. Regarding education, health, labor, culture, society and physical education and sports;

a) Decide policies and measures to develop local education and health and ensure welfare spending as per law;

b) Decide policies on and measures for preservation and promotion of value of local cultural heritage; develop local culture, society, physical education and sports according to regulations of law;

c) Decide policies and measures to protect and care for people's health; protect and care for children, the elderly, the disabled, the poor, homeless orphans and other beneficiaries within the province;

d) Decide policies and measures to prevent epidemics; measures to implement local population policies as per law;

dd) Decide policies and measures to manage and develop human resources, provide job opportunities, increase labor productivity, improve working conditions, meet requirements for occupational safety and health according to regulations of law.

8. Decide measures to implement ethnic and religious policies; measures to make sure that duties of national defense, security, social order and safety, prevention of crimes and



other violations against law are performed; measures to carry out foreign affair-related duties; measures to protect assets of the State, organizations and individuals, human rights and citizenship; measures for thrift practice and wastefulness prevention, anti-corruption within the province as per law.

9. Supervise compliance with the Constitution and laws within the province and implementation of resolutions issued by the provincial-level People's Council; operations conducted by the standing People's Council, Committees of the provincial-level People's Council, the provincial-level People's Committee, the People's Court, the People's Procuracy and other local authorities.

10. Perform the delegated duties and powers and other duties and powers as per law.

#### **Article 16. Duties and powers of provincial-level People's Committee**

1. Formulate and request the provincial-level People's Council to consider promulgating resolutions for performance of duties and powers specified in points a, b, c clause 1, points a, b, c, d, dd clause 2, clauses 3, 4, 5, 6, 7 and 8 Article 15 of this Law and organize implementation of resolutions issued by the provincial-level People's Council.

2. Organize the enforcement of the Constitution, laws and documents issued by superior state authorities and resolutions of the provincial-level People's Council in a manner that ensures the consistency and transparency of the national administrative system; meet conditions for facilities, human resources and other necessary resources to enforce the Constitution and laws in the province.

3. Organize local state administrative management in a manner that ensures the consistency and transparency of the administrative system, is continuous, efficient, effective, democratic, rule-of-law, professional, modern, clean, public and transparent, serves the People and is subject to the People's supervision;

4. Decide plannings, programs and plans for urban and rural development; preside over and cooperate with centrally-governed state authorities and other local authorities in promoting regional connection and connection among provinces and cities within its power; organize implementation of regional planning in a manner that ensures the consistency in the national economy.

5. Make specific decisions on some policies, standards and norms of budget expenditures allocated by the provincial-level People's Council; decide allocation of expenditure budget derived from unspecified amounts; decide adjustment to local government budget estimates and other contents as per law on state budget.

6. Promulgate regulations on functions, duties, powers and organizational structure of specialized authorities or other administrative organizations affiliated to the provincial-level People's Committee; decide establishment, re-organization, change of names,

dissolution, and regulations on organizational structure, duties and powers of public service providers affiliated to the provincial-level People's Committee as per law.

7. Manage the structure of officials and public employees working at administrative authorities affiliated to local governments at all levels; and the number of officials and employees paid by state budget and working in public service providers under its management as per law;

8. Decide the number of Vice Chairperson(s) of each commune-level People's Committee to make sure that total number of Vice Chairpersons of commune-level People's Committees in the province must not exceed the limits imposed by the Government;

9. Issue working regulations applied to provincial-level People's Committees;

10. Issue decisions and other administrative documents on issues within duties and powers of the provincial-level People's Committee; annul, amend or replace documents promulgated by the provincial-level People's Committee if it is considered that they are no longer suitable or contrary to laws;

11. According to the actual situation and regulations of law, strengthen delegation and authorization of its duties and powers to commune-level People's Committees and Chairpersons of People's Committees in order to increase capacity, encourage initiative and self-responsibility of commune-level authorities, enhance effectiveness and efficiency in state management, promote local socio-economic development, and manage and develop urban areas and special zones.

12. Perform the delegated and authorized duties and powers and other duties and powers as per law.

### **Article 17. Duties and powers of Chairperson of the provincial-level People's Committee**

1. Lead and direct tasks of the People's Committee; convene and chair meetings of the People's Committee;

2. Lead and direct enforcement of the Constitution, laws and documents issued by superior state authorities, the provincial-level People's Council and the provincial-level People's Committee;

3. Lead and bear responsibility for operations of the local state administrative system, thereby ensuring the consistency and transparency of the administrative system; reforms in the administrative, working and personnel structure which constitutes the local state administrative system; efficient application of information technology and digital transformation to some operations conducted by provincial-level and commune-level

local governments throughout processing of administrative procedures and provision of public services within the province as per law.

4. Lead, direct, urge and inspect tasks of specialized authorities and other administrative organizations affiliated to the provincial-level People's Committee, commune-level People's Committees and Chairpersons of commune-level People's Committees.

5. Direct and take responsibility for implementation of local budget estimates; effectively manage and use financial and budget resources, public property and local infrastructure under his/her management as per law.

6. Direct and organize socio-economic and urban development and development of industries, sectors, private sector, science, technology, innovation and digital transformation within the province; organize local state management of sectors in terms of finance, investment, land, agriculture, natural resources, environment, commerce, services, industry, construction, transport, education, health, legislation, justice administration, justice assistance, legal affairs, home affairs, labor, culture, information, tourism, physical education and sports, society as per law.

7. Direct and organize implementation of foreign affairs as per law.

8. Direct and organize performance of national defense and security, social order and safety duties within the province as per law; build all-people national defense and firm people's security posture; establish local militia and self-defence forces, local military reserve forces, local forces participating in protection of security and order at the grassroots level and apply policies to such forces as per law.

9. Direct and organize protection of property owned by authorities and organizations, human life, freedom, honor, dignity, property, and other legitimate rights and interests of citizens, and human rights; prevention and control of crimes and other violations against the law within the province according to regulations of law.

10. Direct the implementation of local ethnic and religious policies; preserve and promote the cultural identity of local ethnic minorities and religious followers in accordance with regulations of law.

11. Direct and organize the implementation of national planning, regional planning, provincial planning, sector and field plans and plans, provincial socio-economic development plans approved by local competent authorities; manage local industrial parks and economic zones in accordance with regulations of law.

12. Direct and assume responsibility for assurance of welfare spending and application of preferential policies to people with revolutionary contributions, social protection beneficiaries; management of higher education institutions, vocational education institutions, high schools, medical facilities, social welfare facilities under his/her management according to regulations of law.

13. Direct and assume responsibility for recruitment, employment and management of local officials and public employees, employment and development of human resources, labor, jobs and social insurance within the province as per law; decide appointment, discharge, dispatch, and removal from office, commendation and discipline of heads and deputy heads of specialized authorities, other administrative organizations, and public service providers under the provincial-level People's Committee.
14. Direct and promptly handle emergency cases related to natural disasters, floods, and epidemics within the province; decide to implement other urgent measures prescribed by law or beyond his/her power in case of necessity for national interests, management of natural disasters and epidemics, protection of human life and property owned by the local people, then report to competent authorities of the Communist Party and the Prime Minister as soon as possible;
15. Direct inspection, examination, provision of guidance and handling of violations against enforcement of the Constitution, laws and documents issued by superior state authorities within the province.
16. Direct and organize citizen reception, resolution of complaints and denunciations, prevention and control of corruption and extravagance in operations of the state administrative system and local socio-economic activities as per law.
17. Approve the result of election, discharge and dismissal of and decide dispatch and removal of the Chairperson and the Vice Chairperson of the commune-level People's Committee, from office; delegate powers to the Chairperson of the commune-level People's Committee; decide suspension of the capacity of Vice Chairperson of the provincial-level People's Committee, the Chairperson of the commune-level People's Committee; decide appointment, dispatch, suspension and removal of heads of specialized authorities, other administrative organizations and public service providers affiliated to the provincial-level People's Committee from office.
18. Issue decisions, directives and other administrative documents on issues within duties and powers of the provincial-level People's Committee; annul, amend or replace documents promulgated by the provincial-level People's Committee if it is considered that they are no longer suitable or contrary to laws;
19. Terminate the enforcement of or annul part or all of law-breaking documents issued by specialized authorities affiliated to the provincial-level People's Committee, commune-level People's Committees and Chairpersons of commune-level People's Committees.
20. Terminate the enforcement of law-breaking documents issued by commune-level People's Councils, and send a report to the provincial People's Committee to request the provincial-level People's Council to annul these documents;

21. Act on behalf of the provincial-level People's Committee to decide issues within the power of the People's Committee, except for those in clause 2 Article 40 of this Law and send a report to the People's Committee in the nearest meeting session.

22. According to the actual situation, strengthen delegation and authorization of his/her duties and powers to commune-level People's Committees and Chairpersons of commune-level People's Committees in order to improve efficacy, efficiency and effectiveness of state management, promote local socio-economic development, and manage and develop urban areas and special zones.

23. Perform the delegated and authorized duties and powers and other duties and powers as per law.

## **Section 2. DUTIES AND POWERS OF LOCAL GOVERNMENTS OF CITIES**

### **Article 18. Duties and powers of the People's Council of city**

The People's Council of city shall perform duties and exercise powers specified in Article 15 of this Law and the following duties and powers:

1. Decide strategies, mechanisms, policies and measures to promote socio-economic and urban development, and develop urban infrastructure, sectors and industries within the city as per law;
2. Decide measures to promote its role as the socio-economic center in a connection with localities in a(n) area, region and across the nation in accordance with legal regulations;
3. Ratify a land use plan in case it is not required to make a provincial land use planning before the plan is submitted to a competent authority for approval;
4. Decide measures to manage city dwellers and organize the people's life at the urban area as per law;
5. Decide policies on and measures for environmental quality management and sustainable development, pollution control and urban green space development in accordance with the law.

### **Article 19. Duties and powers of the People's Committee of city**

The People's Committee of city shall perform duties and exercise powers specified in Article 16 of this Law and the following duties and powers:

1. Formulate and request the People's Council of city to consider promulgating resolutions for performance of duties and powers specified in clauses 1, 2, 3, 4 and 5 Article 18 of this Law and organize implementation of resolutions issued by the People's Council of city;

2. Decide the development of space and technical and social infrastructure towards sustainable development, in conformity with the position and role of the city in the national urban system within its power;
3. Decide to transfer some functions, duties and powers as prescribed by law within functions, duties and powers of specialized authorities affiliated to the People's Committee of city to other specialized authorities and administrative organizations affiliated to the People's Committee of city and commune-level People's Committees.

#### **Article 20. Duties and powers of the Chairperson of the People’s Committee of city**

The Chairperson of the People’s Committee of city shall perform duties and exercise powers specified in Article 17 of this Law and the following duties and powers:

1. Direct and organize implementation of local plannings, programs and plans for urban infrastructure and urban development; urban land use for construction of urban infrastructure works as per law;
2. Decide programs for and projects on development of urban economy, commerce, services, industry, high technology and key economic sectors appropriate to urban characteristics according to regulations of law;
3. Direct organization of the implementation of population policies, immigration and labor management within the city;
4. Manage, protect urban space, architecture and landscape; organize and direct public order, traffic safety assurance and traffic jam alleviation;
5. Direct and organize smart urban construction and development, application of information technology and digital transformation to urban management and operation within his/her power.

#### **Section 3. DUTIES AND POWERS OF LOCAL GOVERNMENTS AT COMMUNE LEVEL**

##### **Article 21. Duties and powers of commune-level People’s Council**

1. Regarding organization and assurance of enforcement of the Constitution and laws:
  - a) Decide measures to maintain the enforcement of the Constitution, laws and documents issued by superior state authorities within the commune;
  - b) Decide policies on and measures for socio-economic development and development of industries and sectors and private sector; make breakthroughs in development of science, technology, innovation and digital transformation within the commune as per law;

c) Promulgate resolutions on issues that fall within duties and powers of the commune-level People's Council; annul, amend or replace documents promulgated by the commune-level People's Council if it is considered that they are no longer suitable or contrary to laws;

d) Terminate the enforcement of or annul part or all of law-breaking documents issued by the commune-level People's Committee or the Chairperson of the commune-level People's Committee.

## 2. Regarding organizational structure and government construction:

a) Decide to establish, re-organize, change names of and dissolve specialized authorities or other administrative organizations affiliated to the commune-level People's Committee as per law;

b) According to the quota allocated by the provincial-level local government, specially decide the structure of officials and public employees working at authorities affiliated to the commune-level local government; and the number of officials and employees paid by state budget and working in local public service providers under its management;

c) Consider giving opinions about establishment, dissolution, merger, division, modification of geographical borders and change of names of commune-level administrative divisions;

d) Decide to establish, re-organize, dissolve, name and change names of hamlets as per law; decide the number of and allowances paid by state budget to part-time position holders within the commune according to regulations issued by the provincial-level local government;

dd) Promulgate working regulations of the commune-level People's Council, the standing People's Council, Committees of the commune-level People's Council, Delegate Coalitions of the commune-level People's Council and the commune-level People's Council Delegates;

e) Elect, discharge and dismiss the Chairperson of the commune-level People's Council, Vice Chairperson of the commune-level People's Council, Head of the Committee of the commune-level People's Council; the Chairperson, Vice Chairperson, and members of the commune-level People's Committee;

g) Dismiss delegates of the commune-level People's Council from office and accept the discontinuity of duties of delegates of the commune-level People's Council as per law.

## 3. Regarding planning, plans, investment, finances, budget, and connection among commune-level administrative divisions:

a) Decide local 05-year and annual socio-economic development plans, plans to develop fields and sectors, specific plannings for construction of infrastructure and transport within the commune, ensuring that such plans and plannings are appropriate to and consistent with plannings and plans issued by the provincial-level local government and general planning made by the commune-level local government and approved by a competent authority;

b) Decide local state budget revenue estimates; local government budget revenue and expenditure estimates, and budget distribution according to the budget plan applied at its administrative level; adjust local government budget estimates when necessary; approve the local government budget balance and other contents according to regulations of the law on state budget;

c) Decide guidelines for investment in local programs and projects in accordance with regulations of laws on public investment; decide measures to mobilize people's contributions to investment in construction of infrastructure, transport, public works and social welfare within the commune as per law;

d) Decide measures to promote connection among commune-level administrative divisions;

dd) Decide programs and measures to enable local households and manufacture and trade businesses to develop their economy as per law.

4. Regarding science, technology, information, innovation and digital transformation:

a) Decide local programs, measures for and projects on development of science, technology, information, innovation and digital transformation;

b) Decide measures to develop digital local government, digital economy, and digital society within the commune; measures to promote the application of information technology and digital transformation to operations conducted by commune-level local governments and provision of public services for local people and enterprises according to regulations of law.

5. Regarding land, natural resources, environment, agriculture, forestry, fishery, industry, commerce, services, tourism, construction and transport:

a) Ratify its land use planning and plan before they are submitted to the provincial-level People's Committee for approval;

b) Decide measures to effectively manage and use local land, water resources and forests and protect environment according to the planning and plan and as per law; measures to prevent natural disasters and epidemics within the commune;



c) Decide measures to develop agriculture, rural areas, forestry, fishery, industry, commerce, services, tourism, construction and transport; measures to implement the national target program for construction of new rural areas within the commune.

6. Regarding education, health, culture, society and physical education and sports:

a) Decide measures to develop preschool, primary and lower secondary education; provide primary health care for the People; develop local culture, society and physical education and sports within the commune as per law;

b) Decide measures to implement policies on welfare spending, sustainable poverty reduction, creation of job opportunities, protection and care for children, the elderly, people with disabilities and other policy beneficiaries within the commune according to regulations of law.

7. Regarding national defense, security, ethnicity and religion:

a) Decide measures to maintain national defense, security, social order and safety; establish local militia and self-defence forces as per law;

b) Decide measures to implement local ethnic and religious policies; preserve and promote the cultural identity of local ethnic minorities and religious followers in accordance with regulations of law.

8. Supervise compliance with the Constitution and laws within the commune and implementation of resolutions issued by the commune-level People's Council; operations conducted by the standing People's Council, Committees of the commune-level People's Council, the commune-level People's Committee, and other local authorities.

9. Perform the delegated duties and powers and other duties and powers as per law.

## **Article 22. Duties and powers of commune-level People's Committee**

1. Formulate and request the commune-level People's Council to consider promulgating resolutions for performance of duties and powers specified in points a and c clause 1, points a,b,c, d clause 2, clauses 3, 4, 5, 6 and 7 Article 21 of this Law and organize implementation of resolutions issued by the commune-level People's Council.

2. Organize the enforcement of the Constitution, laws and documents issued by superior state authorities and resolutions of the commune-level People's Council within the commune; meet conditions for local facilities, human resources and other necessary resources to enforce the Constitution and laws.

3. Conduct local state administrative management in a manner that ensures the consistency and transparency of the administrative system and modern governance is

continuous, efficient, effective, democratic, rule-of-law, professional, clean, public and transparent, serves the People and is subject to the People's supervision.

4. Decide allocation of expenditure budget derived from unspecified amounts; decide adjustment to local government budget estimates and other contents as per law on state budget.
5. Promulgate regulations on duties and powers of specialized authorities or other administrative organizations affiliated to the commune-level People's Committee; decide establishment, re-organization, change of names, dissolution, and regulations on organizational structure, duties and powers of public service providers affiliated to the commune-level People's Committee as per law.
6. Manage the structure of officials and public employees working at administrative authorities affiliated to commune-level local governments; and the number of officials and employees paid by state budget and working in public service providers under its management as per law; manage organization of and operations conducted by local forces participating in protection of security and order at the grassroots level and part-time position holders as per law and as delegated by superior state authorities.
7. Decide, within its power, specific plannings at commune level; connect commune-level administrative divisions as per law.
8. Issue working regulations applied to commune-level People's Committees;
9. Issue decisions and other administrative documents on issues within duties and powers of the commune-level People's Committee; annul, amend or replace documents promulgated by the commune-level People's Committee if it is considered that they are no longer suitable or contrary to laws;
10. Perform the delegated and authorized duties and powers and other duties and powers as per law.

### **Article 23. Duties and powers of Chairperson of the commune-level People's Committee**

1. Lead and direct tasks of the People's Committee; convene and chair meetings of the People's Committee.
2. Lead and direct enforcement of the Constitution, laws and documents issued by superior state authorities, the commune-level People's Council and the commune-level People's Committee; conduct inspection and handle violations during the enforcement of the Constitution and laws within the commune.
3. Lead and bear responsibility for operations of the local state administrative system, thereby ensuring the consistency and transparency of the administrative system; reforms

in the administrative, working and personnel structure which constitutes the local state administrative system; efficient application of information technology and digital transformation to some operations conducted by commune-level local governments throughout processing of administrative procedures and provision of public services within the commune as per law.

4. Lead, direct, urge and inspect tasks of specialized authorities and other administrative organizations affiliated to the commune-level People's Committee.

5. Direct and take responsibility for organization of implementation of local budget estimates; effectively manage and use investment capital, financial and budget sources, public property and infrastructure within the commune as per law and as delegated by the provincial-level People's Committee.

6. Direct and organize socio-economic development and development of industries, sectors, private sector, science and technology, innovation and digital transformation within the commune; organize local state management of sectors in terms of economy, land, agriculture, rural areas, natural resources, environment, commerce, services, industry, construction, transport, education, health, legislation, justice administration, justice assistance, home affairs, labor, culture, information, tourism, physical education and sports, society as per law.

7. Direct and organize performance of foreign affairs and maintenance of national defense, security, social order and safety within the commune as per law; protection of property owned by authorities and organizations, human life, freedom, honor, dignity, property, and other legitimate rights and interests of citizens, and human rights; prevention and control of crimes and other violations against the law within the commune according to regulations of law.

8. Direct and organize the implementation of ethnic and religious policies; preserve and promote the cultural identity of local ethnic minorities and religious followers in accordance with regulations of law.

9. Direct and take responsibility for organization of implementation of local plannings approved by competent authorities; manage markets, shopping centers, tourist attractions, preschool, primary and lower secondary education institutions, medical facilities, and social welfare facilities within its power; maintain local cultural traditions, and manage local cultural, sports, and entertainment facilities according to regulations of law.

10. Direct and organize recruitment, employment and management of local officials and public employees as per law and as delegated by superior state authorities; decide appointment, discharge, dispatch, and removal from office of heads and deputy heads of specialized authorities, other administrative organizations, and public service providers under the commune-level People's Committee; decide suspension of the capacity of Vice Chairperson of the commune-level People's and heads of specialized authorities, other

administrative organizations, and public service providers under the commune-level People's Committee.

11. Direct and promptly handle emergency cases related to natural disasters and epidemics within the commune.
12. Be responsible for providing local essential public services in terms of lighting, water supply, wastewater and waste treatment, environmental sanitation, and fire prevention and firefighting as per law.
13. Organize citizen reception, resolution of complaints and denunciations, prevention and control of corruption and extravagance in operations of commune-level local governments and local socio-economic activities as per law.
14. Give guidance and inspect self-management by hamlets within the commune as per law.
15. Issue decisions and other administrative documents on issues within his/her duties and powers; annul, amend or replace documents promulgated by him/her if it is considered that they are no longer suitable or contrary to laws.
16. Act on behalf of the commune-level People's Committee to decide issues within the power of the People's Committee, except for those in clause 2 Article 40 of this Law and send a report to the People's Committee in the nearest meeting session.
17. Perform the delegated and authorized duties and powers and other duties and powers as per law.

#### **Section 4. DUTIES AND POWERS OF LOCAL GOVERNMENTS OF WARDS**

##### **Article 24. Duties and powers of the People's Council of ward**

The People's Council of ward shall perform duties and exercise powers specified in clause 1, points a, b, c, dd, e, g clause 2, clauses 3, 4, 5, 6, 7, 8 and 9 Article 21 of this Law and the following duties and powers:

1. Decide measures to implement local plannings for urban areas and development of technical and social infrastructure as per law towards urban development and in conformity with the provincial-level local government's general planning;
2. Decide measures to encourage development of urban economy, commerce, services, finances, high technology and innovation appropriate to urban characteristics according to regulations of law;
3. Decide to establish, re-organize, dissolve, name and change names of residential quarters as per law; decide the number of and allowances paid by state budget to part-

time position holders within the commune according to regulations issued by the provincial-level local government;

### **Article 25. Duties and powers of the People's Committee of ward**

The People's Committee of ward shall perform duties and exercise powers specified in Article 22 of this Law and the following duties and powers:

1. Formulate and request the People's Council of ward to consider promulgating resolutions for performance of duties and powers specified in clauses 1, 2 and 3 Article 24 of this Law and organize implementation of resolutions issued by the People's Council of ward;
2. Cooperate with local governments in neighboring wards in urban infrastructure, transportation, environment and economic development as delegated by the provincial-level People's Committee and as per law, ensuring synchronous, interconnected, unified, and harmonious development among urban areas within the ward;
3. Collect fees and charges within the ward as per law and as delegated by the provincial-level local government;
4. Organize implementation of policies on encouragement to develop urban economy, commerce, services, finances, science, technology, innovation and digital transformation appropriate to urban characteristics according to regulations of law;
5. Organize implementation of programs for urban renovation, improvement and development as per law and as delegated by the provincial-level People's Committee.

### **Article 26. Duties and powers of the Chairperson of the People's Committee of ward**

The Chairperson of the People's Committee of ward shall perform duties and exercise powers specified in clauses 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16 and 17 Article 23 of this law and the following duties and powers:

1. Direct and organize implementation of plannings, programs and plans for urban infrastructure and urban development, ensuring synchronous, interconnected, unified and harmonious development among urban areas within the ward; urban land use for construction of urban infrastructure works as delegated and as per law;
2. Direct and organize implementation of measures to protect urban environment, manage waste and wastewater, control environmental pollution, and protect green space and urban ecosystem as per law;
3. Direct and take responsibility for management, repair and maintenance of urban infrastructure; inspect compliance with law on construction of houses and construction works at urban areas as per law;

4. Direct and organize implementation of measures to maintain security and order, prevent and control crimes, avoid traffic congestion, prevent fire and explosion, and ensure traffic safety and a safe living environment for urban residents as per law;
5. Direct and organize management of urban residents and prevention and control of social evils within the ward as per law;
6. Manage and protect urban space, architecture and landscape;
7. Give guidance and inspect self-management by residential quarters within the ward as per law.

## **Section 5. DUTIES AND POWERS OF LOCAL GOVERNMENTS OF SPECIAL ZONES**

### **Article 27. Duties and powers of local governments of special zones**

1. The local government of a special zone shall perform duties and powers corresponding to those of the commune-level local government specified in Section 3 of this Chapter.

If a special zone is recognized as an urban area in accordance with regulations of law, the local government of the special zone shall perform duties and powers corresponding to those of the local government of ward specified in Section 4 of this Chapter.

2. Regulations on specific duties and powers of local governments of special zones in other legislative documents shall ensure the enhancement of the autonomy and self-responsibility of local state authorities, the flexibility and initiative in response to any sudden events, situations and emergencies with a view to a firm defense of national independence, sovereignty, and territorial integrity on the territorial waters and islands, and promotion of advantages and potentials for the marine economy, integration into the international economy, and encouragement to civilians to live in, protect and develop islands.

3. Within the assigned scope and powers, provincial-level People's Councils, provincial-level People's Committees, and Chairpersons of provincial-level People's Committees shall be responsible for promoting delegation and authorization of their duties and powers to local governments of special zones in islands.

4. Based on requirements for socio-economic development, maintenance of national defense and security and the local government's capacity in each special zone, the provincial-level local government shall request the Government to submit specific policies applicable to the local government of each special zone to the National Assembly for consideration and decision for the purposes of socio-economic development and maintenance of national defense and security.

### **Article 28. Organization of local governments of special zones in specific cases**

1. A special zone with a population of less than 1.000 people does not have a local government. Instead, the People's Committee of the special zone is a state administrative agency, established under the provincial-level People's Committee's decision and fulfilling the local government's roles in this special zone.

2. Duties, powers, organization and operations of People's Committees, Chairpersons of People's Committees, specialized authorities and other administrative organizations affiliated to People's Committees of special zones as prescribed in clause 1 of this Article shall be prescribed by the Government in accordance with the principles of this Law.

## **Chapter V**

### **ORGANIZATION AND OPERATIONS OF LOCAL GOVERNMENTS**

#### **Section 1. ORGANIZATION AND OPERATIONS OF PEOPLE'S COUNCILS**

##### **Article 29. Organizational structure of the People's Council**

1. The People's Council shall be composed of the standing People's Council, Committees, Delegate Coalition and Delegates of the People's Council.

2. The standing People's Council is the standing committee of the People's Council exercising powers and performing duties in accordance with regulations laid down in this Law, duties assigned by the People's Council in accordance with relevant laws; bearing responsibility and reporting its duty performance to the People's Council.

The standing People's Council shall be composed of the Chairperson of the People's Council, Vice Chairpersons and members who act as the Heads of committees of the People's Council. Members of the standing People's Council are not simultaneously members of the People's Committee at the same level;

The Chairperson and Vice Chairperson (s) of the provincial-level or commune-level People's Council may be full-time delegates of the People's Council.

3. A committee of the People's Council is an authority affiliated to the People's Council and examining draft resolutions, reports and proposals before they are submitted to the People's Council, supervising and giving opinions on issues within its management; bearing responsibility and reporting its duty performance to the People's Council. The number of and the organizational structure of Committees of the People's Council shall be regulated as follows:

a) The provincial-level People's Council shall establish the Committee on Legislation, the Committee on Economy – Budget, and the Committee on Culture- Society.

The People's Council of city shall establish the Committee on Legislation, the Committee on Economy – Budget, the Committee on Culture- Society and the Committee on Urban Affairs.

The commune-level People's Council shall establish the Committee on Economy – Budget and the Committee on Culture- Society.

As for ethnic minority provinces and cities, People's Councils may establish Committees on Ethnic Minority;

b) The People's Council's Committee is composed of a Head, Deputy Head(s) and members;

c) The Head and Deputy Head (s) of a Committee of the provincial or commune-level People's Council may be full-time delegates of the People's Council. The Head or Deputy Head of the Committee of the People's Council is not simultaneously the Head of a specialized authority affiliated to the People's Committee at the same level;

d) Members of Committees of the provincial-level People's Council may be full-time delegates of the People's Council.

4. Delegates of the People's Council elected from one or various electoral unit(s) shall constitute the Delegate Coalition of the People's Council. The number of the Delegate Coalitions of the People's Council shall be decided by the standing People's Council.

5. The tenure of a People's Council delegate shall coincide with that of the People's Council. Delegates of the People's Council who are additionally elected shall begin their duties from the date of the meeting following the additional election to the date of the first meeting of the new term of the People's Council.

The tenure of the standing People's Council, and committees of the People's Council shall coincide with the tenure of the People's Council at the same level. Whenever the tenure of the People's Council ends, the standing People's Council and committees of the People's Council shall remain on duty until the new term of the People's Council elects the new standing People's Council and committees of the new-term People's Council.

6. The Standing Committee of the National Assembly shall issue regulations on standards and conditions for establishment of Committees on Ethnic Minority of provincial-level People's Councils; and the number of Vice Chairpersons of People's Councils, Deputy Heads of Committees of provincial and commune-level People's Councils, arrangement of full-time delegates of provincial and commune-level People's Councils.

### **Article 30. Number of delegates of the People's Council**

1. The number of delegates of the provincial-level People's Council shall be determined according to the following principles:



a) A province which has up to 1.000.000 people may have up to 50 elected delegates. A province which has more than 1.000.000 people may have one additional delegate for each additional 70.000 people, provided there are no more than 85 delegates in total;

b) A city which has up to 1.200.000 people may have up to 50 elected delegates. A city which has more than 1.200.000 people may have one additional delegate for each additional 75.000 people, provided there are no more than 85 delegates in total;

c) Hanoi city or Ho Chi Minh city may have up to 125 elected delegates.

2. The number of delegates of the commune-level People's Council shall be determined according to the following principles:

a) A mountainous/island commune which has up to 5.000 people may have up to 15 elected delegates. A mountainous/island commune which has more than 5.000 to 10.000 people may have one additional delegate for each additional 1.000 people. A mountainous/island commune which has more than 10.000 people may have one additional delegate for each additional 3.000 people, provided there are no more than 30 delegates in total;

b) A commune other than that specified in point a of this clause which has up to 10.000 people may have up to 15 elected delegates; has more than 10.000 to 20.000 people may have one additional delegate for each additional 2.000 people; has more than 20.000 people may have one additional delegate for each additional 6.000 people, provided there are no more than 30 delegates in total;

c) A ward that is affiliated to a province and has up to 10.000 people may have up to 15 elected delegates; has more than 10.000 to 20.000 people may have one additional delegate for each additional 2.000 people; has more than 20.000 people may have one additional delegate for each additional 6.000 people, provided there are no more than 30 delegates in total;

d) A ward that is affiliated to a city and has up to 15.000 people may have up to 15 elected delegates; has more than 15.000 to 45.000 people may have one additional delegate for each additional 6.000 people; has more than 45.000 people may have one additional delegate for each additional 7.000 people, provided there are no more than 30 delegates in total;

dd) A special zone which has up to 5.000 people may have up to 15 elected delegates; has more than 5.000 to 10.000 people may have one additional delegate for each additional 1.000 people; has more than 10.000 people may have one additional delegate for each additional 3.000 people, provided there are no more than 30 delegates in total;

### **Article 31. Duties and powers of the standing People's Council**

1. Discuss and decide contents within its power as per law and duties assigned by the People's Council at the same level.
2. Hold sessions of the People's Council; cooperate with the People's Committee in preparing sessions of the People's Council.
3. Urge and supervise the implementation of resolutions of the People's Council by the People's Committee and other local authorities.
4. Supervise enforcement of the Constitution and laws within the local area;
5. Direct, control and cooperate in operations of committees of the People's Council; examine the supervision result of committees of the People's Council when necessary and report to the People's Council in the next session; keep close contact with delegates of the People's Council; aggregate questions posed by delegates of the People's Council to report to the People's Council; request authorities, organizations or individuals to explain issues related to duties and powers of the standing People's Council in the meeting of the standing People's Council.
6. Make necessary arrangements so that delegates of the People's Council can hold receptions for citizens in accordance with laws; expedite, supervise and assess handling of recommendations, complaints and denunciations received from citizens; aggregate opinions and aspirations of the People to report to the People's Council in the session.
7. Decide the number of members of committees of the People's Council at the same level. Approve lists of Deputy Heads and members of committees of the People's Council in the number of delegates of the People's Council and discharge of these Deputy Heads and members from office as requested by the Heads of committees of the People's Council.
8. Approve results of election, discharge and dismissal of Chairpersons and Vice Chairpersons of inferior People's Councils; during the period when the People's Council is in recess, allow position holders to renounce the position or resign at will when they are elected by the People's Council at the same level but they fail to continue their work on the grounds of health problems or for any other reasons, and approve discharge of Heads of committees of the People's Council and members of the People's Committee at the same level from office due to reassignment as decided by the competent authority specified in clause 2 Article 37 of this Law.
9. Establish Delegate Coalitions, determine number of delegates of the People's Council in each Delegate Coalition, and assign the Coalition Leader and Vice Leader(s) of the Delegate Coalition of the People's Council; decide reassignment of delegates of the People's Council in the Delegate Coalition.
10. Decide whether the dismissal of delegates of the People's Council from office will be voted for by the People's Council or the electorate.

11. Report on operations of the People's Council at the same level to the superior People's Council and the superior People's Committee; the provincial-level standing People's Council shall report on operations of the provincial-level People's Council to the National Assembly Standing Committee and the Government.

12. Keep close contact with and cooperate with the Standing Committee of the Vietnam Fatherland Front Committee at the same level; notify the Vietnam Fatherland Front Committee at the same level of operations of the People's Council twice a year.

13. Promulgate resolutions and other administrative documents on issues that fall within its duties and powers; annul, amend or replace documents promulgated by the standing People's Council if it is considered that they are no longer suitable or contrary to laws.

14. During the period when the People's Council is in recess, decide and report the following contents to the People's Council in the next session:

- a) Measures for dealing with unscheduled tasks and emergencies in prevention and response to natural disasters, diseases and epidemics, protection of national defense, social security, order and safety at the local area;
- b) The provincial-level standing People's Council is entitled to decide budget expenditures on some specific duties in unscheduled emergencies as directed by the competent authority, in conformity with the actual situation and on the basis of balance of local government budget;
- c) Other contents as per law.

### **Article 32. Duties and powers of the Chairperson and Vice Chairperson (s) of the People's Council and members of the standing People's Council**

1. The Chairperson of the People's Council has the following duties and powers:

- a) Chair meetings of the People's Council, ensure compliance with regulations on operations conducted by delegates of the People's Council and sessions of the People's Council;
- b) Lead tasks of the standing People's Council; direct preparation for expected programs, convene and chair meetings of the standing People's Council;
- c) Act on behalf of the standing People's Council to keep close contact with the People's Committee, state authorities, the Standing Committee of the Vietnam Fatherland Front Committee, member organizations of the Vietnam Fatherland Front Committee at the same level, other social organizations and the People;
- d) Decide suspension of the capacity of Vice Chairperson (s) of the People's Council, Heads and Deputy Heads of Committees of the People's Council at the same level,

Chairpersons of inferior People's Councils in the cases in accordance with regulations issued by competent authorities.

2. The Vice Chairperson of the People's Council shall assist the Chairperson in performing duties and powers as assigned by the Chairperson of the People's Council and take sole responsibility to the Chairperson; be collectively responsible for performance of duties and powers of the standing People's Council; attend meetings of the standing the People's Council, discuss and decide issues within duties and powers of the standing People's Council.

3. Members of the standing People's Council shall be collectively responsible for performing duties and powers of the standing People's Council; solely responsible to the standing People's Council for performing duties and powers assigned by the standing People's Council; attend meetings held by the standing People's Council, discuss and decide issues within duties and powers of the standing People's Council.

4. Within its tenure, if the Chairperson of the People's Council is vacant, the standing People's Council at the same level shall assign 01 Vice Chairperson of the People's Council to manage operations of the People's Council and the standing People's Council until the People's Council elects a new Chairperson;

If both the Chairperson and the Vice Chairperson of the commune-level People's Council are vacant, the provincial-level standing People's Council shall appoint one of delegates of the commune-level People's Council to manage operations of the People's Council and the standing People's Council until the People's Council elects a new Chairperson.

If both the Chairperson and the Vice Chairperson of the provincial-level People's Council are vacant, the Standing Committee of the National Assembly shall appoint one of delegates of the provincial-level People's Council to manage operations of the People's Council and the standing People's Council until the People's Council elects a new Chairperson.

If the Chairperson of the commune-level People's Council is disciplined and proposed to be discharged or dismissed, the provincial-level standing People's Council shall decide to assign the Vice Chairperson of the commune-level People's Council to perform duties and powers of the Chairperson of the People's Council until a new Chairperson is elected; in case of the Chairperson of the provincial-level People's Council, the National Assembly Standing Committee shall make a decision. If the Vice Chairperson of the People's Council is also disciplined, one of delegates of the People's Council at the same level shall be appointed to manage operations of the People's Council and the standing People's Council.

The Vice Chairperson of the People's Council and the person appointed to manage operations of the People's Council and the standing People's Council shall be entitled to perform duties and powers of the Chairperson of the People's Council in accordance with this Law and relevant laws.

5. The Chairperson of the People's Council shall sign resolutions of the People's Council. If the Chairperson of the People's Council is vacant, the Chairperson of the People's Council session or the Vice Chairperson of the People's Council, the person appointed to manage operations of the People's Council as prescribed in clause 4 of this Article shall sign resolutions of the People's Council.

### **Article 33. Duties and powers of delegates of the People's Council**

1. Delegates of the People's Council shall be all equal to discuss and decide issues that fall within the duties and powers of the People's Council.

2. Delegates of the People's Council shall be responsible for attending all meetings and sessions of the People's Council, participating in discussion and voting on issues within duties and powers of the People's Council; if they do not attend meetings and sessions, they shall provide reasons and notify the Chairperson of the session/meeting in advance. Where delegates of the People's Council have not attended sessions for 01 consecutive year without any acceptable reasons, the standing People's Council shall report to the People's Council to dismiss them from office.

3. Delegates of the People's Council shall keep a close contact with the electorate of the area where they perform duties of a delegate; be subject to supervision by the electorate, regularly contact with the electorate, inquire into their feelings and aspirations; collect and communicate opinions, aspirations and recommendations of the electorate to the People's Council, relevant authorities and organizations in an honest manner; protect legitimate rights and interests of the electorate; disseminate and encourage the People to implement the Constitution and laws.

4. Delegates of the People's Council shall receive citizens; receive and handle complaints, denunciations, and recommendations of citizens according to the regulations of law.

5. Delegates of the People's Council are entitled to propose initiatives to develop local policies; make recommendations to the People's Council to take the vote of confidence for position holders elected by the People's Council, convene thematic/closed meetings or meetings to settle unexpected issues and make other recommendations that delegates find necessary.

6. Delegates of the People's Council are entitled to stand for election or nominate candidates for election for the positions elected by the People's Council prescribed in clause 1 and clause 2 Article 36 of this Law. Nominees may withdraw from the list of candidates for election.

7. Delegates of the People's Council shall be entitled to put questions to the Chairperson of the People's Committee, members of the People's Committee, Chief Justice of the People's Court and the Head of the People's Procuracy and Heads of authorities affiliated to the People's Committee at the same level.

8. When discovering law violations that may cause harm to the State interests, legitimate rights and interests of organizations and individuals, delegates of the People's Council are entitled to request relevant authorities or organizations to take necessary measures to promptly terminate such violations.

9. Within their duties and powers, delegates of the People's Council are entitled to request authorities, organizations or individuals to provide information and materials related to the duties and powers of these authorities, organizations or individuals.

10. Delegates of the People's Council shall not be subjected to imprisonment, custody, detention, prosecution, or house or office search without consent from the People's Council or the standing People's Council during the period when the People's Council is in recess. In case delegates of the People's Council are temporarily detained because of criminals caught in the act, the detaining authority shall immediately report to the People's Council or the standing People's Council for consideration and decision.

### **Article 34. Sessions of the People's Council**

1. The first session of the new-term People's Council shall be held within 45 days from the polling date on which delegates of the People's Council are elected; in case of re-election, election of additional delegates of the People's Council or postponement of election, the time limit for holding the first session shall begin on the date of re-election, election of additional delegates or election of new delegates.

2. The People's Council shall hold at least two sessions every year. The People's Council shall make its decision on the plan to hold regular sessions at the first session of the People's Council that takes place in the first year of its tenure, and at the previous year's last session of the People's Council that takes place in the following years of its tenure upon the request of the standing People's Council.

3. The thematic session or session serving settlement of unexpected issues of the People's Council will be held if requested by the standing People's Council or the Chairperson of the People's Committee at the same level, or at least one third of delegates of the People's Council.

4. Electorate living at a commune shall be entitled to file a petition to the commune-level People's Council to hold a session to discuss and decide issues arising at such administrative division. If this petition is signed by more than ten percent of electorate living in such commune, the communal-level standing People's Committee shall be responsible for convening the thematic session or session serving settlement of unexpected issues of the People's Council to discuss contents mentioned in the petition. The petition of the electorate shall be considered valid if it provides all of signature, full name, birth date and address of each petitioner. Those who sign their names in the petition shall appoint one person as a representative to attend the session of the People's Council on contents mentioned in the petition.

5. The People's Council shall hold the open session. When necessary or if requested by the standing People's Council or the Chairperson of the People's Committee at the same level, or at least one third of delegates of the People's Council, the closed session will be decided by the People's Council.

### **Article 35. Voting by the People's Council**

1. The People's Council shall decide issues within its duties and powers in the form of a voting. The voting may be done in person, online or by another appropriate method in accordance with working regulations of the People's Council.

2. The resolution of the People's Council shall be passed when more than half of delegates of the People's Council vote in favor of it; meanwhile, the resolution to dismiss delegates of the People's Council from office shall be passed when at least two thirds of delegates of the People's Council vote in favor of it.

### **Article 36. Election of incumbents of the People's Council and the People's Committee**

1. The People's Council shall elect its Chairperson, Vice Chairperson (s) and Heads of its committees among the People's Council's delegates according to the list of nominees for such positions presented by the standing People's Council.

In the first session, the People's Council shall elect its Chairperson, Vice Chairperson (s) and Heads of its Committees among the People's Council's delegates as requested by the Standing Committee of the People's Council of the preceding term.

In case there is an absence of the provincial-level standing People's Council, the National Assembly Standing Committee shall appoint a person to chair the session of the provincial-level People's Council; in case there is an absence of the commune-level standing People's Council, the provincial-level standing People's Council shall appoint a person to chair the session of the commune-level People's Council; the People's Council shall elect its Chairperson, Vice Chairperson (s) and Heads of its Committees among the People's Council's delegates according to the recommendation of the session chair.

2. The People's Council shall elect the Chairperson of the People's Committee according to the recommendation of the Chairperson of the People's Council; Vice Chairperson and members of the People's Committee according to the recommendation of the Chairperson of the People's Committee. The member of the People's Committee is not necessarily a delegate of the People's Council.

3. The result of the election of the provincial-level People's Council's Chairperson/Vice Chairperson shall be ratified by the National Assembly Standing Committee; the result of the election of the commune-level People's Council's Chairperson/Vice Chairperson shall be ratified by the provincial-level standing People's Council.

4. The result of the election of the provincial-level People's Committee's Chairperson/Vice Chairperson shall be ratified by the Prime Minister; the result of the election of the commune-level People's Committee's Chairperson/Vice Chairperson shall be ratified by the Chairperson of the provincial-level People's Committee.

5. During the People's Council's election of incumbents as stipulated in clause 1 and clause 2 of this Article, if there is any delegate of the People's Council standing for such election, or if the People's Council wishes to recommend any eligible candidate to stand for such election who does not belong to the electoral register of eligible electorate already recommended by competent authorities or individuals, the standing People's Council shall send a request to the People's Council for its consideration and decision; if this election occurs in the first session held in each term of the People's Council, the session chair will be charged with sending this request to the People's Council for its consideration and decision.

6. Position holders stipulated in clauses 1 and 2 of this Article shall perform their duties and powers immediately after winning the election of the People's Council.

7. Within 05 working days from the date of the election of the Chairperson of the People's Council, Vice Chairperson of the People's Council, the Chairperson of the People's Committee and Vice Chairperson of the People's Committee, the standing People's Council shall send election results to competent authorities or individuals as stipulated in clause 3 and clause 4 of this Article for approval. Within 10 working days of receipt of election results, competent authorities or individuals shall be obliged to consider granting approval; in case of disapproval, they will send a written response which clearly state reasons for such refusal, and request the People's Council to hold the re-election of disapproved position-holders.

### **Article 37. Holding vote on and casting vote on confidence in, renunciation and resignation by, discharge and dismissal of position holders elected by the People's Council from office**

1. The People's Council shall hold a vote on or cast its vote on confidence in a position holder elected by the People's Council in accordance with the National Assembly's regulations.

2. If the position holder elected by the People's Council fails to continue their work, he/she can renounce or resign from his/her position on the grounds of health problems or for any other reasons. A person who renounces or resigns from his/her position shall make a renunciation or resignation letter and sent it to the authority or individual having the power to recommend an eligible candidate to be elected to hold that position by the People's Council. On the basis of the consent from the authority having power over delegation of management of officials, the authority or individual having the power to recommend an eligible candidate to be elected to hold that position by the People's Council shall request the People's Council or the standing People's Council at the same



level during the period when People's Council is in recess, to allow the renunciation or resignation letter sender to renounce or resign from his/her position.

If the Head of committee of the People's Council or member of the People's Committee is reassigned by the competent authority's decision, the Chairperson of the People's Council, or the People's Committee, within the assigned powers, request the People's Council or the standing People's Council at the same level during the period when People's Council is in recess to consider allowing the Head of committee of the People's Council or member of the People's Committee to renounce his/her position.

The standing People's Council shall report the renunciation and resignation specified in this clause to the People's Council at the latest session.

3. The People's Council shall discharge and dismiss the Chairperson, Vice Chairperson of the People's Council, the Head of the Committee of the People's Council at the same level as requested by the standing People's Council, except for the cases specified in clause 2 and clause 6 of this Article.

4. The People's Council shall discharge and dismiss the Chairperson of the People's Committee at the same level as requested by the Chairperson of the People's Council; discharge and dismiss the Vice Chairperson and members of the People's Committee at the same level as requested by the Chairperson of the People's Committee, except for the cases specified in clause 2 and clause 6 of this Article and clause 4 Article 41 of this Law.

5. The result of the discharge/dismissal from office of the Chairperson, Vice Chairperson of the People's Council, and the Chairperson and Vice Chairperson of the People's Committee shall be approved by the authority/individual specified in clause 3 and clause 4 Article 36 of this Law.

6. In case a person elected by the People's Council dies or retires under a decision issued by a competent authority, procedures for discharging him/her from the People's Council are not required. The standing People's Council shall report the case where discharge procedures are not required to the People's Council at the latest session.

### **Article 38. Suspension, discontinuity of duties, dismissal and expulsion of delegates of the People's Council**

1. The standing People's Council shall decide to suspend a delegate from implementation of his/her duties and powers in the following cases:

a) He/she is being prosecuted;

b) During the consideration for handling a violation committed by the delegate, it is determined that the violation is subject to warning or a heavier disciplinary action in case the delegate is an official or public employee or is subject to a criminal action as per law

and an inspection/audit/investigation/prosecution/trial/judgment enforcement authority has made a written request for suspension of the implementation of tasks and powers of the delegate of the People's Council.

2. The delegate of the People's Council shall be reinstated as a delegate with his/her duties and powers and his/her legitimate rights and interests shall also be reinstated when a competent authority decides/concludes that the delegate does not commit any violation or is not disciplined, or issues a decision to terminate the investigation or adjourn the lawsuit against the delegate or from the effective date of a Court's decision/judgment whereby the delegate has been judged innocent or exempted from criminal liability.

In case the delegate of the People's Council is disciplined, depending on the nature and extent, he/she may submit an application for discontinuity of duties or the standing People's Council shall consider deciding to reinstate the delegate as a delegate of the People's Council with his/her duties and powers or request the People's Council to dismiss the delegate.

3. During the period when the People's Council is in recess, the People's Council or the standing People's Council shall consider approving the discontinuity of duties of a delegate of the People's Council in the following cases:

- a) The delegate of the People's Council no longer works for an authority/organization/enterprise at an administrative division or does not reside in an administrative division from which he/she is delegate;
- b) The delegate requests discontinuity of his/her duties on grounds of health problems or for other reasons.

4. The standing People's Council's decisions to suspend the delegate of the People's Council from implementation of his/her duties and powers and approve the discontinuity of duties of the delegate of the People's Council specified in clause 1 and clause 3 of this Article shall be reported to the People's Council at the next session.

5. If delegates of the People's Council have not met all standards applied to delegates of the People's Council, or no longer deserve the People's confidence, the People's Council or the electorate will vote to dismiss them from office.

The standing People's Council shall decide to call for the vote of the People's Council for dismissal of delegates of the People's Council from office, or follow the request of the Vietnam Fatherland Front Committee at the same level for the vote of the electorate for this dismissal.

Under the first circumstance, at least two thirds of delegates of the People's Council vote for this dismissal.

Under the latter circumstance, the dismissal shall be carried out in conformity with the procedure stipulated by the National Assembly Standing Committee.

6. If delegates of the People's Council have been charged by the Court judgment or decision, it is obvious that they will be expelled from the People's Council from the date on which this decision or judgment enters into force.

7. In case delegates of the People's Council have discontinued their duties, are discharged/dismissed or expelled from the People's Council, it is certain that they are also discharged from office in the standing People's Council and committees of the People's Council.

## **Section 2. ORGANIZATION AND OPERATION OF PEOPLE'S COMMITTEES**

### **Article 39. Organizational structure of the People's Committee**

1. The People's Committee shall be composed of the Chairperson, Vice Chairperson and members.
2. The provincial-level People's Committee shall establish specialized authorities and other administrative organizations to advise and assist the People's Committee to perform state management of local fields and sectors and carry out duties and powers as delegated or authorized by the provincial-level People's Committee, the Chairperson of the provincial-level People's Committee and the superior state authority.
3. According to criteria such as population scale, natural area, socio-economic development conditions and particular elements of each type of commune-level administrative division at rural, urban areas and islands, the commune-level People's Committee shall establish specialized authorities and other administrative organizations or assign professional public employees to advise and assist the commune-level People's Committee to perform state management of fields and sectors according to the Government's regulations.
4. The Government shall provide for limits on the number of Vice Chairpersons of People's Committees; number and structure of members of People's Committees; limits on the number of specialized authorities or other administrative divisions affiliated to provincial and commune-level People's Committees or assignment of professional public employees affiliated to commune-level People's Committees who are in charge of advising and assisting such commune-level People's Committees to perform state management of fields and sectors; procedures for requesting approval for results of People's Councils' election, discharge and dismissal of Chairpersons and Vice Chairpersons of People's Committees ; procedures for dispatch and removal of Chairpersons, Vice Chairpersons of People's Committees from office, assignment of powers to Chairpersons of People's Committees.

### **Article 40. Operation of People's Committee**

1. The People's Committee shall convene the meeting once a month. The People's Committee shall convene a thematic meeting or meeting to settle unexpected issues in the following cases:

- a) The meeting is convened by the decision of the Chairperson of the People's Committee;
- b) The meeting of the commune-level People's Committee is convened at the request of the Chairperson of the provincial-level People's Committee; the meeting of the provincial-level People's Committee is convened at the request of the Prime Minister;
- c) The meeting is convened as requested by at least one third of members of the People's Committee.

2. The People's Committee shall collectively discuss and decide the following contents:

- a) Draft resolutions of the People's Council and draft decisions of the People's Committee in accordance with the Law on Promulgation of Legislative Documents;
- b) 05-year and annual socio-economic development plans; public investment plan; state budget estimates and local government budget allocation plan; adjustments to local government budget estimates; local government budget balance to be reported to competent authorities as per law;

The provincial-level People's Committee shall discuss and decide strategies, policies, plannings, five-year finance plans and three-year finance-state budget plans of provinces and cities to be reported to competent authorities according to regulations; budget expenditure norms, standards and policies assigned by the provincial-level People's Council;

- c) Monthly, quarterly, 06-month and annual socio-economic situation reports or important and unexpected issues and tasks and solutions for direction and management of implementation of socio - economic development plans;
- d) Organizational structure of the People's Committee; establishment and dissolution of specialized authorities and other administrative organizations affiliated to the People's Committee; establishment, dissolution, merger, division, and modification of geographical borders of and change of names of administrative divisions at all levels to be reported to competent authorities as per law;
- dd) Annual working programs of the People's Committee; review of direction and management by the People's Committee, the Chairperson of the People's Committee and compliance with working regulations by the People's Committee;
- e) Other issues as requested by the Chairperson of the People's Committee or at least one third of members of the People's Committee.

3. The People's Committee's decisions shall obtain more than half of its members voting in favor. In case the vote is equal, the Chairperson of the People's Committee shall have the deciding vote. The voting may be done at the meeting of the People's Committee or by opinion ballots from members of the People's Committee or by another appropriate method in accordance with the People's Committee's working regulations.

4. The Vice Chairperson of the People's Committee shall perform duties and powers of the Chairperson of the People's Committee in sectors and areas under his/her management and as assigned by the Chairperson of the People's Committee and take sole responsibility to the Chairperson and the law for his/her decisions on sectors and areas under his/her management and within his/her powers as assigned.

When the Chairperson of the People's Committee is absent, 01 Vice Chairperson shall be assigned by the Chairperson of the People's Committee to act on behalf of the Chairperson to lead tasks of the People's Committee.

5. Members of the People's Committee shall perform specific tasks in sectors and fields as assigned by the People's Committee, the Chairperson of the People's Committee; participate in accomplishment in collective tasks of the People's Committee; cooperate with other members of People's Committee to make decisions and be jointly responsible for issues specified in clause 2 of this Article.

#### **Article 41. Dispatch and removal of Chairperson and Vice Chairperson of the People's Committee from office**

1. The Prime Minister shall decide to dispatch the Chairperson and Vice Chairperson of the provincial-level People's Committee; the Chairperson of the provincial-level People's Committee shall decide to dispatch the Chairperson and Vice Chairperson of the commune-level People's Committee.

2. The Prime Minister shall decide to remove the Chairperson and Vice Chairperson of the provincial-level People's Committee from office; the Chairperson of the provincial-level People's Committee shall decide to remove the Chairperson and Vice Chairperson of the commune-level People's Committee from office when these incumbents commit violations against laws or fail to comply with their assigned duties and powers.

3. Dispatched or removed Chairpersons and Vice Chairpersons of People's Committees are forced to terminate implementation of their duties from the effective date of dispatch or removal decisions.

4. The People's Council is not required to initiate discharge or dismissal procedures in the cases specified in clause 1 and clause 2 of this Article. The standing People's Council shall report the cases where discharge or dismissal procedures are not required in accordance with clause 1 and clause 2 of this Article to the People's Council at the latest session.

## **Article 42. Assignment of powers of the Chairperson of the People's Committee**

If there is a vacancy for the Chairperson of the People's Committee, the provincial-level standing People's Council shall request the Prime Minister to decide to assign powers of the Chairperson of the People's Committee at the same level; the commune-level standing People's Council shall request the Chairperson of the provincial-level People's Committee to assign powers of the Chairperson of the People's Committee at the same level. The acting Chairperson shall stop performing the Chairperson's duties after a Chairperson is officially elected by the People's Council.

## **Article 43. Dialogues between local governments at the commune level and the People**

1. Every year or whenever it is requested by 100% of total electorate at the commune-level, each commune-level local government shall be responsible for organizing at least one dialogue conference with the People offline, online or via legal social networks in accordance with regulations of law in order to discuss operations conducted the local government and issues related to the rights and obligations of local citizens. In case of offline dialogue conferences, if the commune-level administrative division is too large, such conferences can be held by village or neighborhood.
2. The commune-level People's Committee shall cooperate with Vietnam Fatherland Front Committee at the same level to organize dialogue conferences specified in clause 1 of this Article, together with a representative of the commune-level standing People's Council to preside over such dialogue conferences; invite representatives of Communist Party committees at the same level to participate in dialogue conferences and announce on mass media the time, location, content and method of attending each dialogue conference with the People at least 07 days before the date on which the dialogue conference is organized.
3. Results of dialogue conferences with the People shall be notified by the People's Committee to the People via mass media, publicly posted at the head office of the local government at the commune level and sent to the Head of the village and the Head of the residential quarter not later than 10 days from the date on which the dialogue conference is organized.

## **Chapter VI**

### **ORGANIZATION OF LOCAL GOVERNMENTS IN CASE OF MODIFICATION OF GEOGRAPHICAL BORDERS OF ADMINISTRATIVE DIVISIONS AND OTHER SPECIAL CASES**

## **Article 44. Organization of local governments in case of merger of same-level administrative divisions**

1. In case various administrative divisions are merged into a new one at the same level, delegates of the People's Council of the previous administrative divisions shall jointly become those of the People's Council of the new one and continue their tenure.

2. The first session held by the People's Council of the new commune-level administrative division as stipulated in clause 1 of this Article shall be convened and chaired by the meeting-convening person designated by the provincial-level standing People's Council out of delegates of the People's Council of the new commune-level administrative division, and the session held by the People's Council of the new provincial-level administrative division shall be convened and chaired by the meeting-convening person designated by the National Assembly Standing Committee until the People's Council manages to elect the Chairperson of the People's Council of the new administrative division.

3. The People's Council of the new administrative division as stipulated in clause 1 of this Article shall elect persons as incumbents for the People's Council and the People's Committee in accordance with Article 36 hereof. These incumbents shall hold their tenure until the new-term People's Council has been elected.

#### **Article 45. Organization of local governments in case of division of same-level administrative divisions into different ones**

1. In case an administrative division is divided into various administrative divisions at the same level, delegates of the People's Council that have been elected or are performing duties of delegates within new administrative divisions shall together become delegates of these new ones and continue their tenure.

2. In case the number of delegates of the People's Council of the new administrative division is greater than or equals two thirds of total delegates elected in accordance with this Law, the new People's Council shall elect incumbents to the People's Council and the People's Committee in accordance with regulations laid down in Article 36 hereof. They shall hold their tenure until the new-term People's Council has been elected.

3. In the event that the number of delegates of the People's Council of the new administrative division is not equal to two thirds of total delegates of the People's Council elected in accordance with this Law, regulations of clause 2 Article 49 of this Law shall be complied with.

4. The first session held by the People's Council of the new commune-level administrative division as stipulated in this Article shall be convened and chaired by the meeting-convening person designated by the provincial-level standing People's Council out of delegates of the People's Council of the new commune-level administrative division, and the session held by the People's Council of the new provincial-level administrative division shall be convened and chaired by the meeting-convening person designated by the National Assembly Standing Committee until the People's Council

manages to elect the Chairperson of the People's Council of the new administrative division.

**Article 46. Organization of local governments in case of establishment of a new administrative division on the basis of maintaining the status quo of the existing administrative division**

In case of establishment of a new administrative division on the basis of maintaining the natural area and population scale of the administrative division of which delegates of the People's Council, the standing People's Council, the People's Committee, Committees of the People's Council and Delegate Coalitions of the People's Council, specialized authorities, other administrative organizations, public service providers affiliated to the People's Committee are available, they shall be converted into those of the new administrative division.

**Article 47. Organization of local governments in case of establishment of a new administrative division on the basis of modification of part of natural area and residential areas of other administrative divisions**

1. In case of establishment of a new administrative division on the basis of modification of part of natural area and residential areas of same-level administrative divisions, delegates of the People's Council at that level who have been elected or are working in geographical borders of such administrative divisions shall jointly become those of the People's Council of the new one and continue their tenure.

2. Organization and operation of the local government of the newly-established administrative division shall comply with regulations laid down in Article 45 hereof.

3. The People's Council and the People's Committee of the administrative division of which its natural area is partially adjusted to establish a new one shall continue its operations until the end of tenure; the election of additional delegates shall be carried out in accordance with regulations of the law on election.

**Article 48. Operations of the People's Council's delegates in case of modification of administrative division's geographical border or relocation of residential collective**

1. In case part of the natural area and residential areas of an administrative division is modified to become another exact administrative division, delegates of the People's Council that are residing or working in the administrative division's geographical border shall be considered as delegates of the People's Council at the equivalent level of the administrative division that receives the natural area and residential areas and continue their operations till the end of their tenure.

2. In case a residential collective is relocated, its delegates of the People's Council will be delegates of the People's Council at the equivalent level of the administrative division to which the residential collective relocates and such delegates shall continue their tenure.



3. The People's Council and the People's Committee at the administrative division that receives part of the natural area and residential areas or the residential collective shall continue their operations till the end of their tenure.

**Article 49. Term of the People's Council at administrative division after establishment, merger, division and modification of geographical border and operations conducted by local government in case of the deficiency in two thirds of total delegates of the People's Council**

1. Term of the People's Council at an administrative division after establishment, merger, division and modification of its geographical border:

a) The term of the People's Council of the new administrative division after establishment, merger, division and modification of its geographical border shall be the same as that of the People's Council of the old administrative division that had the same name as the new administrative division.

b) The term of the People's Council of the new administrative division after establishment, merger, division and modification of its geographical border shall be term 1 from the time of establishment in case the name or type of the administrative division is changed.

2. Operations conducted by the local government in case of the deficiency in two thirds of total delegates of the People's Council:

a) In case there is a deficiency in two thirds of delegates of the People's Council elected in accordance with this Law and the remaining period of their tenure is more than 18 months, delegates of the People's Council shall be additionally elected in accordance with the law on election;

b) In case the remaining period of their tenure is less than or equal to 18 months, the election of additional delegates of the People's Council is not required.

In case the number of delegates of the People's Council of the administrative division is greater than or equals one third of total delegates elected in accordance with this Law, the People's Council shall elect incumbents to the People's Council and the People's Committee in accordance with regulations laid down in Article 36 hereof. They shall hold their tenure until the new-term People's Council has been elected. Upon decision on tasks within the People's Council's duties and powers, more than two thirds of total delegates of the People's Council vote in favor of them.

Organization and operations of the local government at the administrative division with the number of delegates of the People's Council smaller than one third of total number of delegates elected in accordance with regulations of this Law shall comply with regulations issued by the National Assembly Standing Committee.

## **Article 50. Dissolution of the People's Council**

1. The People's Council causing serious harm to the People's interests shall be dissolved.

2. Power to dissolve the People's Council shall be stipulated as follows:

The National Assembly Standing Committee has power to dissolve the provincial-level People's Council;

b) The provincial-level People's Council has power to dissolve the commune-level People's Council.

3. The provincial-level People's Council's resolution on dissolution of the commune-level People's Council shall be submitted to the National Assembly Standing Committee for approval.

4. The provincial-level People's Council that is dissolved shall terminate its operations as from the effective date of the resolution on dissolution of the provincial-level People's Council issued by the National Assembly Standing Committee.

The commune-level People's Council that is dissolved shall terminate its operations as from the date on which the resolution on dissolution of the commune-level People's Council is passed by the National Assembly Standing Committee.

When the People's Council that is dissolved terminates its operations, the People's Committee at the same level shall terminate its operations.

5. In case the commune-level People's Council is dissolved, the Chairperson of the provincial-level People's Committee shall appoint the Acting Chairperson of the commune-level People's Committee or the provisional commune-level People's Committee; in case the provincial-level People's Council is dissolved, the Prime Minister shall appoint the Acting Chairperson of the provincial-level People's Committee or the provisional provincial-level People's Committee in order to implement duties and powers of the Chairperson of the People's Committee or the People's Committee in accordance with regulations laid down in this Law until the new-term People's Council and People's Committee are elected.

6. The National Assembly Standing Committee shall decide and announce the polling date to elect delegates of the People's Council in case of dissolution of the provincial-level People's Council; the provincial-level standing People's Council shall decide and announce the polling date to elect delegates of the People's Council in case of dissolution of the commune-level People's Council. Election of delegates of the People's Council shall be held in accordance with regulations of law on election. The newly-elected People's Council shall carry out their duties till the end of the tenure of the dissolved People's Council.

## **Chapter VII**

### **IMPLEMENTATION CLAUSES**

#### **Article 51. Effect**

1. This Law takes effect from the date on which it is ratified.
2. The Law on Organization of Local Government No. 65/2025/QH15 will cease to have effect from the effective date of this Law.
3. People's Councils, authorities affiliated to People's Councils, People's Committees, Chairpersons of People's Committees, specialized authorities, other administrative organizations affiliated to People's Committees of suburban, urban districts and provincial cities, and cities controlled by central-affiliated cities (hereinafter referred to as "district level") shall terminate their operations from July 01, 2025.

#### **Article 52. Amendments and annulment of some relevant laws and resolutions**

1. Clause 3 shall be added after clause 2 Article 7 of the Law on Sea of Vietnam No. 18/2012/QH13 as follows:

“3. The Government shall exactly and clearly divide and determine borders of provincial-level and commune-level administrative divisions at sea in coastal areas; allocate islands under Vietnam's sovereignty to coastal provinces and central-affiliated cities for management; establish geographical borders of administrative divisions of accreted land and reclaimed land.”.

2. Some articles of the Law on the Capital No. 39/2024/QH15 amended by the Law No. 47/2024/QH15, the Law No. 55/2024/QH15, the Law No. 57/2024/QH15 and the Law No. 58/2024/QH15 shall be amended or annulled as follows:

Point a clause 4 Article 9 shall be amended as follows:

“a) Decide the number of full-time delegates of the People's Council of the City; decide the number, names and scope of fields under the management of the Committees of the People's Council of the City;”.

b) Points a and b clause 1 Article 14 shall be amended as follows:

“a) Based on work requirements, implementation capabilities, and specific conditions and situation of the City, the People's Committee of the City is entitled to delegate one or several duties and powers within their jurisdiction to specialized authorities or other administrative organizations affiliated to the People's Committee of the City or the commune-level People's Committees for continuous and regular performance; delegate one or several duties within their jurisdiction to public service providers under their

management for enhancement of autonomy of public service providers in management and provision of public services;

b) In necessary cases, the People's Committee of the City may authorize specialized authorities or other administrative organizations, or public service providers affiliated to the People's Committee of the City; the Chairperson of the People's Committee of the City may authorize their Vice Chairperson(s), or heads of specialized authorities, other administrative organizations, or public service providers affiliated to the People's Committee of the City to carry out certain duties and/or powers within their jurisdiction for a specified period of time with specific conditions;”.

c) Clause 2 Article 15 shall be amended as follows:

“2. Heads of specialized authorities or other administrative organizations affiliated to the People's Committee of the City may sign fixed-term contracts with people who meet professional conditions to hold certain common professional positions in specialized authorities or other administrative organizations affiliated to the People's Committee of the City”.

d) Articles 8, 11, 12, 13, point d clause 4 Article 9, clauses 2, 3, 4, 5 and 6 Article 14 shall be annulled.

Responsibilities, fulfillment of implementation conditions, and use of documents and seals upon delegation or authorization shall comply with regulations of this Law.

3. Clauses and articles in the following Resolutions shall be annulled:

a) Annulment of the Resolution No. 131/2020/QH14 dated November 16, 2020 of the National Assembly.

b) Annulment of clauses 2 and 3 Article 9 and Article 10 of the Resolution No. 98/2023/QH15 dated June 24, 2023 of the National Assembly.

c) Annulment of Articles 7 and 8 of the Resolution No. 136/2024/QH15 dated June 26, 2024 of the National Assembly.

d) Annulment of clause 2 Article 6 of the Resolution No. 137/2024/QH15 dated June 26, 2024 of the National Assembly.

dd) Annulment of the Resolution No. 169/2024/QH15 dated November 30, 2024 of the National Assembly.

**Article 53. Organization of local governments at wards affiliated to Hanoi city, Ho Chi Minh city and Da Nang city for the 2021 - 2026 tenure**

1. From July 01, 2025, local governments at wards established on the basis of arrangement of wards in Hanoi city, Ho Chi Minh City, and Da Nang City applying the urban government model according to regulations of the Law of the Capital, the Resolution No. 131/2020/QH14 dated November 16, 2020 and the Resolution No. 136/2024/QH15 dated June 26, 2024 of the National Assembly include People's Councils and People's Committees of wards.

People's Councils and People's Committees of wards shall be organized and operate in accordance with regulations of this Law.

2. Delegates of the People's Council of ward specified in clause 1 of this Article shall be identified as follows:

a) Delegates of the district-level People's Council for the 2021 – 2026 tenure shall be identified as delegates of the People's Council of ward in accordance with regulations of clause 4 Article 54 of this Law and delegates of the People's Council for the 2021 - 2026 tenure of communes and commune-level towns that are merged into the same ward;

b) If delegates of the People's Council of ward are not available or the number of delegates of the People's Council identified in accordance with point a of this clause is sufficient, the standing People's Council of the city may designate additional personnel that are not delegates of the People's Council as delegates of the People's Council to establish the provisional People's Council of ward, making sure that there is at least one-third of total number of delegates of the People's Council as prescribed at point d, clause 2, Article 30 of this Law to perform duties and powers of the People's Council of ward as prescribed in this Law until the People's Council of ward for the 2026-2031 tenure is elected.

3. Designation of position holders of the People's Council and the People's Committee of the ward shall comply with the Resolution No. 203/2025/QH15 dated June 16, 2025 of the National Assembly.

#### **Article 54. Transition clauses**

1. By March 01, 2027, legislative documents containing regulations on organization, duties, powers and other those related to local governments at all levels shall be amended so as to make sure that they are consistent with organization of administrative divisions, principles, duties and powers of local governments at all levels specified in this Law.

From the effective date of this Law, in order to promptly organize provincial-level and commune-level local governments in accordance with regulations of this law and promote delegation and devolution of powers to local governments over some urgent fields, the Government is assigned to promulgate legislative documents within its power to re-distinguish duties and powers of local governments and amend other regulations related to performance of duties and powers of local governments for uniform application during the period on which laws, ordinances and resolutions of the National Assembly

and the National Assembly Standing Committee have not yet been amended, and send periodic reports to the National Assembly Standing Committee; regarding laws and resolutions of National Assembly, reports shall be sent to the National Assembly in the next session.

2. If competent authorities have not yet issued legislative documents to adjust duties and powers of local governments according to regulations in clause 1 of this Article, applicable legislative documents related to responsibilities for performance of duties and powers of local governments shall remain valid until competent authorities issue amending or replacing legislative documents.

3. From July 1, 2025, provincial-level People's Committees shall inherit international agreements signed by district-level People's Committees before July 1, 2025; and be responsible for adjusting and updating new names of administrative divisions mentioned in such international agreements.

4. When district-level local governments terminate their operations in accordance with regulations in clause 3 Article 51 of this Law, provincial-level standing People's Councils shall identify delegates of district-level People's Councils for the 2021 – 2026 tenure who are elected or performing duties of delegates at geographical borders of commune-level administrative divisions established after the arrangement or transferred or allocated by competent authorities to work at authorities, organizations and units at such commune-level administrative divisions so as to act as delegates of People's Councils for the 2021-2026 tenure of corresponding commune-level administrative divisions, except for the case prescribed in clause 5 of this Article.

5. Delegates of district-level and commune-level People's Councils at administrative divisions that are rearranged into a special zone in the case specified in clause 1 Article 28 of this Law shall terminate their operations from July 01, 2025.

6. From the effective date of this Law, the number of Vice Chairpersons of People's Councils or People's Committees, deputy heads of authorities or units affiliated to People's Councils or People's Committees at provincial-level administrative divisions established after the arrangement may exceed the prescribed number. Within 05 years from the effective date of this Law, the number of and allocation of leaders and managers at administrative divisions after the arrangement shall comply with regulations.

7. By June 30, 2025, standing People's Councils, authorities affiliated to People's Councils, People's Committees, Chairpersons of People's Committees, specialized authorities affiliated to People's Committees at district level shall completely hand over tasks, documents, finances, budgets, head offices, assets, and other relevant facilities to competent authorities, organizations and units in order to maintain normal, continuous and transparent operations of authorities, avoid interrupting or overlapping tasks, omitting duties, fields or areas or adversely affecting socio-economic development and normal operations of people, enterprises and society, and ensure national defense and security, social order and safety within local areas. Chairpersons of provincial-level

People's Committees shall decide to establish working groups to direct, provide guidance on and organize handover of tasks, documents, finances, budgets, head offices, assets, and facilities specified in this clause.

8. If ongoing administrative tasks, procedures, petitions and complaints (hereinafter referred to as “tasks and procedures”) of authorities affiliated to district-level local governments, by July 01, 2025 have not been completely processed or have been completely processed but then relevant issues arise and they are required to be resolved, authorities receiving functions, duties and powers of district-level local governments or newly established commune-level local governments where these tasks and procedures were started shall cooperate with relevant authorities to continue to process them, ensuring that tasks are not interrupted and normal operations of society, people and enterprises are not affected; in case tasks and procedures involve at least 02 commune-level administrative divisions newly established after the arrangement or contain complicated contents, Chairpersons of provincial-level People's Committees shall, according to regulations at point g, clause 2 and clause 3, Article 11 of this Law, be responsible for directing the processing of such tasks and procedures.

If the Government's legislative documents on devolution, delegation of powers to or distinction of powers of local governments in accordance with clause 1 of this Article contain regulations on processing of tasks and procedures specified in this clause, they shall be processed according to the Government’s regulations.

9. When provincial-level and commune-level local governments are organized according to regulations of this Law, issues arising shall be resolved as follows:

- a) The Government shall consider issuing or authorize issuance of documents on resolution of issues arising within the power of the National Assembly, and quarterly report to the National Assembly Standing Committee and the National Assembly in the next session;
- b) The National Assembly Standing Committee, the Government, the Prime Minister, Ministers, Heads of ministerial authorities, provincial-level People's Councils, and provincial-level People's Committees shall consider issuing or authorize issuance of documents to resolve issues arising within their duties and powers.
- c) Competent authorities and persons specified in points a and b of this clause may issue administrative documents to provide guidance on resolution of issues arising; at the same time, organize formulation and issuance of legislative documents within their powers or request competent authorities and persons to amend or issue legislative documents to adjust the contents specified in these administrative documents or the contents of documents issued by authorization.

Administrative documents and documents issued by authorization shall be annulled by competent authorities and persons that have issued such documents after legislative documents issued by competent authorities and persons take effect;

d) Documents issued by competent authorities and persons specified in points a, b and c of this clause shall cease to have effect from March 01, 2027 or from the effective date of legislative documents issued by competent authorities and persons to replace such documents, whichever comes first.

10. The issuance of administrative documents specified in point c clause 9 of this Article shall meet the following conditions:

a) Administrative documents shall be issued to promptly provide guidance on resolution of issues arising due to organization of provincial-level and commune-level local governments according to regulations of this Law;

b) Contents of such documents shall be consistent with functions, duties and powers of competent authorities and persons that have issue documents;

c) Documents must not introduce additional regulations or conditions, nor cause delays in processing, thereby causing increased costs or difficulties for organizations and individuals.

d) Documents shall be published on web portals or websites of document issuers and by other appropriate forms; at the same time, they shall be published on web portals of provincial-level People's Committees in case documents contain information on provincial-level authorities, or on web portals of commune-level People's Committees in case documents contain information on commune-level authorities.

*This Law was passed by the 15<sup>th</sup> National Assembly of the Socialist Republic of Vietnam, 9<sup>th</sup> session, on June 16, 2025.*

**CHAIRMAN OF THE NATIONAL  
ASSEMBLY**

**Tran Thanh Man**

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