

and using gene sources and animal, plant and micro-organism genes and breeds and repeal the previous provisions on the management, preservation and storage of gene funds which are contrary to this Decision.

*Article 3.-* The heads of the concerned units attached to the Ministry of Science, Technology and Environment, the heads of the agencies and units involved in preserving and storing gene sources under the ministries, branches and localities shall have to implement this Decision.

*Article 4.-* This Decision takes effect 15 days after its signing.

*For the Minister of Science,  
Technology and Environment  
Vice Minister  
PHAMKHOINGUYEN*

**THE MINISTRY OF SCIENCE,  
TECHNOLOGY AND ENVIRONMENT**

**DECISION No.2117/1997/QD-BKHCN&MT OF DECEMBER 30, 1997 TO ISSUE THE REGULATION ON THE MANAGEMENT AND PRESERVATION OF PLANT, ANIMAL AND MICRO-ORGANISM GENE SOURCES**

**THE MINISTER OF SCIENCE,  
TECHNOLOGY AND ENVIRONMENT**

*Pursuant to Decree No. 22-CP of May 22, 1993 of the Government on the tasks, powers and organizational structure of the Ministry of Science, Technology and Environment;*

*At the proposals of the Directors of the Department of Technology Management, the Department of Science Management and the Department of Planning;*

**DECIDES:**

*Article 1.-* To issue together with this Decision the "Regulation on the Management and Preservation of Plant, Animal and Micro-organism Gene Sources."

*Article 2.-* This Decision shall replace Decision No. 582/QD-NSY of November 2, 1987 of the Chairman of the State Commission for Sciences and Techniques issuing a provisional regulation on the tasks and powers of the agencies involved in preserving, storing

**REGULATION ON THE MANAGEMENT AND PRESERVATION OF THE PLANT, ANIMAL AND MICRO-ORGANISM GENE SOURCES**

*(issued together with Decision No. 2117/1997/QD-BKHCN&MT of December 30, 1997)*

The preservation and storage of the animal, plant and micro-organism gene sources mean to protect genetic resources in order to supply original materials for the scientific research, to improve breeds and ensure the preservation of bio-diversity and essential prerequisites in the field of biological resources for the sustainable agricultural development today as well as in future.

**1. GENERAL PROVISIONS**

1. The gene source referred to in this Regulation include living creatures in whole or their live parts carrying biological hereditary information capable of creating or involved in the creation of new breeds of plants, animals and micro-organisms.

2. The source of plant, animal and micro-organism genes constitute is the nation's resources and an integral part of the protection of biological diversity, serving the scientific and economic research and development in agriculture, forestry, aquatic resources, food industry and health.

3. The preservation and storage of natural genetic resources are carried out in various forms (Insitu,

Exsim, On-Farm, in viro, in vitro) at various establishments and organizations as well as other economic sectors (including the private sector) which are joined together into a network under the uniform management by the Ministry of Science, Technology and Environment.

## II. CONTENTS OF THE MANAGEMENT OVER THE PRESERVATION AND STORAGE OF GENE SOURCES

1. To conduct survey and gather gene sources suited to the nature and characteristics of each kind of plant, animal or micro-organism.

2. To safely preserve for a long time already collected gene sources suited to the specific biological characteristics of each object that needs to be preserved, the technical level and equipment capability of the agency in charge of storing and the scope of preservation.

3. To assess the gene sources according to the specific biological criteria suited to each object.

4. Documentation: The already assessed gene sources must all be documented in the forms of survey cards, description cards, evaluation cards, drawings, distribution maps, pictures, publications, catalogues or a database should be created for this purpose.

5. The exchange of information, materials on gene sources should be conducted regularly among the agencies participating in the preservation and storing network and, at the same time, information and materials on gene sources should be made available to scientific agencies and production establishments at their request. In case of necessity, such information and materials may be exchanged with foreign countries if it is so approved by competent bodies.

## III. OBJECTS THAT NEED TO BE PRESERVED AND STORED

1. Priority shall be given to the gene sources which are precious, rare and typical of Vietnam and which are in danger of extinction.

2. The gene sources which have been assessed in terms of biological criteria.

3. The gene sources which are needed for the research work, cross-breeding and training.

4. The gene sources imported from abroad which have been stabilized and domesticated in Vietnam, being of important significance for production.

## IV. ORGANIZATION OF IMPLEMENTATION

1. The management of the preservation and storage of gene sources shall be effected nationwide. The system of agencies involved in the preservation and storage of gene sources under the ministries, branches and localities shall be joined together into a network of gene source- preserving and storing agencies and placed under the uniform management of the Ministry of Science, Technology and Environment.

2. The management and administration of the network of gene source-preserving and storing agencies cover the following:

- Providing professional guidance, drawing up plans and organizing the annual evaluation of gene source preservation and storage projects before submitting them to the leading officials of the ministries, branches, localities and the Ministry of Science, Technology and Environment for consideration and approval.

- Organizing the registration of types of genes being preserved and stored at the agencies within the network according to the general plan already approved and the annual plan on specific quantity and quality criteria.

- Elaborating annual examination norms for the plan on the gene source preservation and storage so as to guide the ministries, branches and localities to make their own plans.

- Annually, the Ministry of Science, Technology and Environment shall provide guidance for the plans on science, technology and environment, including the plan on the preservation and storage of the gene sources of plants, animals and micro-organisms. On this basis, the ministries, branches and localities shall provide guidance, sum up the requirements related to gene source preservation and storage from the implementing agencies and send them together with the following year's plan on science, technology and environment to the Ministry of Science, Technology and Environment. The gene source preservation and storage plans shall be debated at the meetings discussing the annual plans of the ministries, branches and localities, summed up and submitted together with the other contents of the plan on science, technology and environment to the leading officials of the Ministry of Science, Technology and Environment for approval.

- Overseeing various activities of the agencies participating in the preservation and storage network. In case of necessity, if the agencies fail to abide by the provisions in this Regulation or are incapable of fulfilling their tasks, a proposal can be made to the leading officials of the Ministry of Science, Technology and Environment to suspend their activities or assign these tasks to other agencies.

3. The provincial/municipal Science, Technology and Environment Departments that have a need to preserve and store their local unique gene sources shall

perform the following tasks:

- Assisting the provincial/municipal People's Committees in drawing up plans and incorporating into the local plans on science, technology and environment the work of gene source preservation and storage within their respective territories and manage such work in a comprehensive manner after the plans are approved.

- Coordinating with the responsible unit under the Ministry of Science, Technology and Environment to ensure the uniform management of the gene source preservation and storage according to branch and territory.

4. Tasks of the agencies participating in the gene source preservation and storage network

- Managing and organizing the implementation of the provisions in Part II of this Regulation regarding the whole quantity and the quality of gene sources already approved in their respective projects (including the gene sources preserved and stored together with other agencies).

5. The ministries, branches and localities:

- Elaborating master plans for the preservation and storage of gene sources in the fields under their charge.

- The responsible ministries and branches, the provincial/municipal People's Committees shall have to register with the Ministry of Science, Technology and Environment the specific quantities of different types of gene sources being stored at various establishments according to the technical criteria set for each type.

- Annually, drawing up concrete plans and reports on the management of gene sources preserved and stored by establishments and send them to the Ministry of Science, Technology and Environment.

- Providing training and guidance on the gene source management techniques and skills for technical cadres and coordinating agencies.

- Making periodical reports at the request of the managing agencies.

6. The science and technology agencies, business and production establishments, individuals... under the ministries, branches and localities that have material, scientific and technical conditions can assume the task of preserving and storing gene sources of animals, plants and micro-organisms in the specialized fields under the management of the ministries and localities if they obtain the approval from the responsible agencies and place themselves under the latter's specialized management and direction.

## V. FINANCIAL SOURCE

Annually, the ministries, branches and localities shall draw up financial plans for the gene source preservation and storage with allocations from the

budget for science, technology and environment The Ministry of Science, Technology and Environment shall consider and assign annual quotas to various gene source preservation and storage projects under the ministries, branches and localities as one content of the plan on science, technology and environment.

- The ministries, branches and localities should create conditions for the attraction of other funding sources for the gene source preservation and storage.

- To make use of the financial support of international organizations for training cadres, exchanging specialists, holding international seminars, to cooperate with international organizations, countries in the region and the world in surveying, collecting and exchanging gene sources and in providing additional equipment, surveying, preserving, storing, documenting and exchanging relevant information and materials.

## VI. IMPLEMENTATION PROVISIONS

1. The Director of the Technology Management Department of the Ministry of Science, Technology and Environment shall have to oversee and make periodical reports on the implementation of this Regulation to the Minister of Science, Technology and Environment.

2. The ministers, the heads of the ministerial-level agencies, the heads of the agencies attached to the Government, the presidents of the provincial/municipal People's Committee shall base themselves on this Regulation to designate the agencies in charge and to issue regulations on the management of the preservation and storage of the plant, animal and micro-organism gene sources of their own agencies.

3. This Regulation takes effect 15 days after its signing.

*For the Minister of Science,  
Technology and Environment*  
*Vice Minister*  
**PHAM KHOI NGUYEN**