

**THE NATIONAL
ASSEMBLY**

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**THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness**

Hanoi, November 20, 2018

LAW

AMENDMENTS TO SOME ARTICLES CONCERNING PLANNING OF 37 LAWS

Pursuant to the Constitution of Socialist Republic of Vietnam;

The National Assembly hereby promulgates the Law on amendments to some Articles concerning planning of the Law on Road Traffic No. 23/2008/QH12, Vietnam Maritime Code No. 95/2015/QH13, Law on Railway Transport No. 06/2017/QH14, Law on Inland Waterway Transport No. 23/2004/QH11 whose Articles are amended by the Law No. 48/2014/QH13 and Law No. 97/2015/QH13, Law on Water Resources No. 17/2012/QH13 whose Articles are amended by the Law No. 08/2017/QH14, Law on Land No. 45/2013/QH13, Law on Environmental Protection No. 55/2014/QH13, Law on Minerals No. 60/2010/QH12, Law on Hydrometeorology No. 90/2015/QH13, Law on Biodiversity No. 20/2008/QH12, Law on Natural Resources and Environment Of Sea and Islands No. 82/2015/QH13, Law on Measurement No. 04/2011/QH13, Law on Technical Standards and Regulations No. 68/2006/QH11, Law on Quality of Products and Goods No. 05/2007/QH12, Law on Cyberinformation Security No. 86/2015/QH13, Law on Publishing No. 19/2012/QH13, Press Law No. 103/2016/QH13, Law on National Defense and Security Education No. 30/2013/QH13, Law on Management and Utilization of State Capital Invested in the Enterprises' Manufacturing and Business Operations No. 69/2014/QH13, Law on Thrift Practice and Waste Combat No. 44/2013/QH13 whose Articles are amended by the Law No. 21/2017/QH14, Law on Securities No. 70/2006/QH11 whose Articles are amended by the Law No. 62/2010/QH12, Law on Cinematography No. 62/2006/QH11 whose Articles are amended by the Law No. 31/2009/QH12, Law on Advertising No. 16/2012/QH13, Law on Construction No. 50/2014/QH13 whose Articles are amended by the Law No. 03/2016/QH14, Law on Urban Planning No. 30/2009/QH12 whose Articles are amended by the Law No. 77/2015/QH13, Law on Petroleum 1993 whose Articles are amended by the Law No. 19/2000/QH10 and the Law No. 10/2008/QH12, Labor Code No. 10/2012/QH13 whose Articles are amended by the Law No. 92/2015/QH13, Law on Social Insurance No. 58/2014/QH13, Law on Health Insurance No. 25/2008/QH12 whose Articles are amended by the Law No. 32/2013/QH13, Law No. 46/2014/QH13 and Law No. 97/2015/QH13, Law on Prevention and Control of Infectious Diseases No. 03/2007/QH12, Law on Judicial Expertise No. 13/2012/QH13 and Law on Protection of Consumers' Rights No. 59/2010/QH12.

Article 1. Amendments to some Articles of the Law on Road Traffic

1. Article 6 is amended as follows:

“Article 6. Road network planning

1. Road network planning means the national sector planning, includes a system of national highways and expressways and serves as a basis for orientating traffic network development and determining resources available for the implementation of the road traffic infrastructure planning, regional planning, provincial planning, urban planning and rural planning.

2. The formulation of road network planning shall comply with regulations of the law on planning and ensures the connection between road transport and other modes of transport.

3. The Ministry of Transport shall organize the formulation of road network planning and submit it to the Prime Minister for approval in accordance with regulations of the law on planning.

4. The People's Committee of the province shall organize the formulation of road network development plan and include it in the provincial planning according to the road network planning and regional planning.”.

2. Article 6a is added to Article 6 as follows:

“Article 6a. Road traffic infrastructure planning

1. Road traffic infrastructure planning means the detailed planning that is aimed at realizing road network planning and determining plans for development of road works and other road traffic infrastructures according to each road.

2. The road traffic infrastructure planning contains at least:

a) Directions, main points of horizontal control, length and scale of roads running through each area and region; quantity, scope and main specifications of major works, including bridges, tunnels and ferry landing stages on roads; points of intersection, roadside stations and other auxiliary works;

b) A plan for connection with railway, inland waterway, maritime and air transport, which is tailored for each area and road; connection with the system of urban areas, economic zones, tourism areas, industrial parks and export-processing zones;

c) Demand for land use, demand for investment and roadmap for implementation of planning in order of investment priority;

d) Detailed solutions for implementing the planning.

3. The road traffic infrastructure planning covers a period of 10 years. The orientations of the planning cover a period of 20 - 30 years.

4. The road traffic infrastructure planning shall be reviewed every 05 years so that adjustments can be made in conformity with the socio-economic development during each period.

5. The Ministry of Transport shall organize the formulation of road traffic infrastructure planning and submit it to the Prime Minister for approval.

6. The road traffic infrastructure planning shall be published as prescribed by the laws on planning and road traffic.

7. The Government shall elaborate the formulation, appraisal, approval, publishing, implementation, assessment and adjustment of the road traffic infrastructure planning.”.

3. Clause 2 of Article 46 is amended as follows:

“2. The road traffic infrastructure shall be constructed in conformity with road network planning, road traffic infrastructure planning, regional planning, provincial planning, urban planning and rural planning approved by a competent authority, and in compliance with construction procedures, other regulations of law, technical standards and regulations, requirements for landscape, environmental protection and biodiversity conservation.”.

4. Clauses 2, 3 and 4 of Article 51 are amended as follows:

“2. Bus stations, parking lots and roadside stations must be built according to technical standards.

3. The toll plaza where road vehicles have to pay the toll is built according to the investment project approved by a competent authority. Toll plaza must operate in a manner that ensures continuous and safe transport.

4. The weigh station where a road authority collects, analyzes and assesses the impacts of vehicle weight and size on road safety, inspects and takes actions against vehicles exceeding the dimensional limit and capacity of the road, and tracked vehicles on public roads is built according to the decision given by a competent authority.”.

5. Clause 7 of Article 61 is amended as follows:

“7. Diving tests for issuance of driving licenses must be organized in driving test centers. Driving test centers must have sufficient infrastructure that satisfies driving test requirements as prescribed.”.

6. Clause 3 of Article 54 is repealed.

7. Clause 1 of Article 84 is amended as follows:

“1. Formulate road network planning, road traffic infrastructure planning, road traffic development plans and policies; design and direct the implementation of the national road traffic safety program.”.

Article 2. Amendments to some Articles of the Vietnam Maritime Code

1. Clause 2 of Article 7 is amended as follows:

“2. Prioritize development of maritime infrastructure by adopting preferential policies applied to the comprehensive planning for seaport system development, detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters, detailed planning for development of seaport land and waters and planning for development of inland port system, and attraction of capital invested in construction and operation of such maritime infrastructure.”.

2. Clause 12 of Article 12 is amended as follows:

“12. Illegally build and operate seaports and other structures within the boundaries specified in the comprehensive planning for seaport system development, detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters, detailed planning for development of seaport land and waters, planning for development of inland port system and other relevant planning in accordance with regulations of the law on planning, and within navigational channels and safety perimeter of maritime works.”.

3. Clause 1 of Article 77 is amended as follows:

“1. Seaport, offshore oil port, port terminal, wharf, mooring buoy and dedicated waters must be given a name during the process of planning or construction project formulation. Such name must be utilized as requested by the project owner or relevant agencies or organizations.”.

4. Article 81 is amended as follows:

“Article 81. Comprehensive planning for seaport system development

1. Comprehensive planning for seaport system development is the national sector planning.

2. The formulation of the comprehensive planning for seaport system development shall comply with regulations of the law on planning and be based on national defense and security tasks, demands, resources and world maritime development trends.

3. Whilst preparing the planning to a seaport, Ministries, ministerial agencies and People’s Committees of provinces shall seek written advice from the Ministry of Transport.”.

5. Article 82 is amended as follows:

“Article 82. Responsibilities for formulating and managing the comprehensive planning for seaport system development

1. The Ministry of Transport shall organize the formulation of comprehensive planning for seaport system development and submit it to the Prime Minister for approval in accordance with regulations of the law on planning.

2. Ministries, ministerial agencies and People’s Committees of provinces shall:

- a) cooperate with the Ministry of Transport in organizing management of the comprehensive planning for seaport system development;
- b) Reserve an adequate amount of land lots and dedicated waters for seaport system development according to the approved planning.”.

6. Article 82a is added to Article 82 as follows:

“Article 82a. Detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters, detailed planning for development of seaport land and waters

1. Detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters means the detailed planning aimed at realizing the comprehensive planning for seaport system development.

2. The detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters contains at least:

- a) Forecast of demand for goods moving through and distribution of goods to each port and port area in the cluster of seaports;
- b) Type of port; plan for regulating goods flow; assistance in development of economic zones, tourism areas, industrial parks and export-processing zones;
- c) Quantity of wharfs, ports, port areas and prioritized projects during each planning period;
- d) Preliminary space layout of the ports and port areas in the cluster of seaports;
- dd) Solutions for organizing the implementation of the planning.

3. The detailed planning for development of seaport land and waters contains at least:

- a) Forecast of demand for goods moving through and distribution of goods to each port and port area in the cluster of seaports;
- b) Location, scale, capacity and area of land, dedicated waters, warehouses, yards and port logistics areas; arrangement of dedicated areas of seaport within the planned land dedicated waters; design capacity of wharfs and ports; basic specifications of navigation channel and size of maritime ships on the channel;
- c) Location and basic specifications of wharfs, ports and public maritime infrastructure; scale and location of works serving state management purpose;
- d) Demand for land use, demand for investment and roadmap for implementation of planning in order of investment priority;

dd) Solutions for organizing and managing the implementation of the planning; expected investment for construction of channels and ports.

4. The Ministry of Transport shall organize the formulation of the detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters and submit it to the Prime Minister for approval. The Minister of Transport shall approve the detailed planning for development of seaport land and waters contains.

5. Detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters, and detailed planning for development of seaport land and waters shall be published as prescribed by the law on planning and maritime laws.

6. The Government shall elaborate the formulation, appraisal, approval, publishing, implementation, assessment and adjustment of detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters, detailed planning for development of seaport land and waters.”.

7. Clause 1 of Article 83 is amended as follows:

“1. Seaports and navigational channels shall be constructed in conformity with the comprehensive planning for seaport system development, detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters, detailed planning for development of seaport land and waters, and planning for development of inland port system in accordance with regulations of this Code, laws on investment and construction and other relevant regulations of law.”.

8. Clause 1 of Article 88 is repealed and Clause 3 of Article 88 is amended as follows:

“3. Invest in construction and development of port infrastructure according to the comprehensive planning for seaport system development, detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters, and detailed planning for development of seaport land and waters that have been approved.”.

9. Clause 1 of Article 92 is amended as follows:

“1. Get involved in formulating comprehensive planning for seaport system development, detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters, detailed planning for development of seaport land and waters, and plans for seaport development within the areas under his/her management and conduct oversight of implementation of such planning after obtaining approval from competent authorities.”.

10. Article 102 is amended as follows:

“Article 102. Planning for inland port system development

1. The planning for inland port system development means the detailed planning aimed at realizing the national planning, regional planning and provincial planning. The formulation of the planning for inland port system development shall be based on the socio-economic development strategy, national defense and security tasks, national planning, regional planning and provincial planning.

2. The planning for inland port system development contains at least:

a) Forecast of demand for goods moving through and distribution of goods to transportation corridors and goods zones;

b) A plan for transport connection between ports; plan for regulating goods flow in association with development of economic zones, tourism areas, industrial parks and export-processing zones, thereby facilitating socio - economic development;

c) Location, scale, capacity and area of ports; capacity of each port within the planned land; layout of works serving state management;

d) Demand for land use, demand for investment and roadmap for implementation of planning in order of investment priority;

dd) Solutions for organizing and managing the implementation of the planning; expected investment for construction of ports.

3. The Ministry of Transport shall organize the formulation of planning for inland port system development and submit it to the Prime Minister for approval.

4. The Ministry of Transport shall announce, provide guidelines and inspect the implementation of approved planning for inland port system development in accordance with regulations of the law on planning and maritime laws.

5. Ministries, ministerial agencies and People's Committees of provinces shall:

a) Cooperate with the Ministry of Transport in managing the implementation of planning for inland port system in accordance with regulations of this Code and other relevant regulations of law;

b) Reserve an adequate amount of land lots for inland port development according to the approved planning for inland port system development.

6. The Government shall elaborate the formulation, appraisal, approval, publishing, implementation, assessment and adjustment of the planning for inland port system development.”.

11. Clause 2 of Article 108 is amended as follows:

“2. Conduct and management of maritime safety assurance refer to establishment and operation of a maritime safety assurance system, including formulation of the planning and management of infrastructure construction, and conduct of operation of maritime safety assurance system; standardization, evaluation and control of quality of maritime safety assurance service.”.

12. Point dd Clause 1 of Article 126 is amended as follows:

“dd. As for the aerial and underground parts of maritime works, the safety perimeter of these parts is specifically determined in respect of each work on the basis of the comprehensive planning for seaport system development, detailed planning for a cluster of seaports, ports, wharves, mooring buoys and dedicated waters, technical standards and relevant regulations of law.”.

13. Article 44, Article 46 and Clause 1 of Article 48 are repealed.

Article 3. Amendments to some Articles of the Law on Railway Transport

1. Article 7 is amended as follows:

“Article 7. Railway network planning

1. The railway network planning means the national sector planning and serves as a basis for orientating investment, development and operation of railway network.

2. The Ministry of Transport shall organize the formulation of railway network planning and submit it to the Prime Minister for approval in accordance with regulations of the law on planning.”.

2. Article 7a is added to Article 7 as follows:

“Article 7a. Railway line and railway station planning

1. The railway line and railway station planning means the detailed planning aimed at realizing the national comprehensive planning and railway network planning and is tailored for national railway lines, national railway stations in urban areas, major national railway stations international railway stations.

2. The railway line and railway station planning contains at least:

a) Railway line, starting point, ending point, line length, track gauges, main points of horizontal control, bridges, tunnels, points of intersection; location of railway stations and depots;

b) A plan for connection with modes of road, inland waterway, maritime and air transport; connection with the system of urban areas, economic zones, tourism areas, industrial parks and export-processing zones;

c) Demand for land use, demand for investment and roadmap for implementation of planning in order of investment priority

d) Solutions for organizing the implementation of the planning.

3. The Ministry of Transport shall organize the formulation of railway line and railway station planning and submit it to the Prime Minister for approval.

4. The railway line and railway station planning shall be published as prescribed by the law on planning and law on railway transport.

5. The Government shall elaborate the formulation, appraisal, approval, publishing, implementation, assessment and adjustment of the railway line and railway station planning.”.

3. Clause 1 of Article 27 is amended as follows:

“1. The railway network planning and Vietnam industry development strategy in every period must be conformed to.”.

4. Clause 2 of Article 29 is amended as follows:

“2. The provision of training in railway industry must be conformable to the railway network planning and synchronize with the transferred technology.”.

5. Clause 1 of Article 70 is amended as follows:

“1. Development of urban railways must be conformable to the regional planning, provincial planning and urban planning, and facilitate urban development.”.

6. Clause 1 of Article 83 is amended as follows:

“1. Formulate and organize the implementation of railway network planning, railway line planning, railway station planning and other relevant planning prescribed by the law on planning; formulate and organize the implementation of railway development plans and policies.”.

Article 4. Amendments to some Articles of the Law on Inland Waterway Transport

1. Clause 1 of Article 3 is amended as follows:

“1. *Inland waterway transport* involves activities of people and vehicles participating on inland waterways; inland waterway infrastructure planning, construction, operation and protection of inland waterway infrastructure; search and rescue operations on inland waterways and state management of inland waterway transport.”.

2. Clause 3 of Article 4 is amended as follows:

“3. The development of inland waterway transport must conform to the inland waterway infrastructure planning and other relevant planning prescribed by the law on planning and ensure national defense and security.

Inland waterway infrastructure shall be developed in a manner that ensures modernization and uniformity in channels, routes, ports, docks and cargo handling management and handling technology; ensures transport safety, natural disaster management, environmental protection and resilience to climate change.

It is required to ensure the connection with other modes of transport upon development of inland waterway transport.”.

3. Article 10 is amended as follows:

“Article 10. Inland waterway infrastructure planning

1. The inland waterway infrastructure planning is the national sector planning.

2. The formulation and approval of the inland waterway infrastructure planning shall comply with regulations of the law on planning and conform to the water resources planning, planning for natural disaster management and irrigation and other relevant planning prescribed by the law on planning.

Ministries, ministerial agencies and People’s Committees of provinces shall seek written advice from inland waterway transport authorities when formulating planning and plans for construction of works serving inland waterway transport, except for works serving natural disaster management and dike protection.

3. The Ministry of Transport shall organize the formulation of inland waterway infrastructure planning and submit it to the Government for approval in accordance with regulations of the law on planning; organize the creation of orientations for development of inland waterway infrastructure and include them in the regional planning.

4. People’s Committees of provinces shall organize the formulation of inland waterway infrastructure planning and submit it to the Government for approval in accordance with regulations of the law on planning; organize the creation of orientations for development of inland waterway infrastructure and include them in the regional planning.”.

4. Clause 3 of Article 13 is amended as follows:

“3. The construction of inland waterway ports and landing stages shall conform to the inland waterway infrastructure planning and other relevant planning in accordance with regulations of the law on planning and other relevant regulations of law.

Any organization and individual that wishes to construct inland waterway ports or landing stages must obtain the written consent from an inland waterway transport authority.”.

5. Clauses 4 and 5 of Article 99 are amended as follows:

“4. The Ministry of Agriculture and Rural Development shall take charge and cooperate with the Ministry of Transport in formulating the planning for development of the system of fishing ports, anchorages and storm shelters in accordance with regulations of the law on planning and direct the adoption of measures for ensuring transport safety in the areas where fishing operations are carried out and of fishing vessels on inland waterways.

5. The Ministry of Agriculture and Rural Development shall take charge and cooperate with the Ministry of Transport and relevant Ministries in formulating dike and irrigation work development planning and natural disaster management plans relating to inland waterway transport; direct the installation and maintenance of inland navigation aids into irrigation works and prompt removal of irrigation works that are no longer usable but affect channels and safety perimeter of channels.”.

6. Clause 2 of Article 100 is amended as follows:

“2. Organize the implementation of inland waterway infrastructure planning within its power; formulate and organize the implementation of the inland waterway infrastructure development plan included in the provincial planning.”.

7. The phrase “kết cấu hạ tầng giao thông đường thủy nội địa” (“inland waterway transport infrastructure”) in Clause 2 Article 4, Article 5, Clause 3 Article 8, title of Chapter II, Article 9, Article 11, Article 14, title of Article 18, Article 19, Clause 1 Article 22, Clause 4 Article 98h, Clause 1 Article 100 and Clause 1 Article 101 is replaced with “kết cấu hạ tầng đường thủy nội địa” (“inland waterway infrastructure”).

Article 5. Amendments to some Articles of the Law on Water Resources

1. Clause 8 of Article 3 is amended as follows:

“8. Relevant planning prescribed by the law on planning, plans, programs and projects on socio - economic development, national defense and security must be associated with watercourses capacity and water resource protection, and ensure that the flow on rivers does not exceed the threshold in extraction of water from aquifers and measures for improving people’s life must be taken.”.

2. Article 11 is amended as follows:

“Article 11. Comprehensive planning for baseline survey of water resources

1. The comprehensive planning for baseline survey of water resources is the detailed planning. The formulation of comprehensive planning for baseline survey of water resources shall comply with the following requirements:

a) Satisfy requirements for formulation of socio - economic development, national defense and security strategy and plan, national comprehensive planning, regional planning and water resources strategies;

b) Serve as a basis for baseline survey of water resources.

2. Bases for formulating comprehensive planning for baseline survey of water resources include:

a) Socio - economic development, national defense and security strategy and plan, water resources strategies;

b) Planning at a higher level;

c) Result of implementation of the comprehensive planning for baseline survey of water resources in the previous period.

3. The comprehensive planning for baseline survey of water resources contains at least:

a) Information and data on water resources, extraction and exploitation of water resources nationwide;

b) Review and assessment of result of implementation of the baseline survey or result of implementation of the comprehensive planning for baseline survey of water resources in the previous period;

c) Baseline surveys of water resources that need to be carried out in river basins, regions and watercourses licensed for baseline surveys during the planning period;

d) Order of priority given to baseline surveys specified in Point c of this Clause;

dd) Solutions, funding, plans and progress of implementation.

4. The comprehensive planning for baseline survey of water resources covers a period of 10 years. The orientations of the planning cover a period of 20 years.”.

3. Point a Clause 1 of Article 14 is amended as follows:

“a) Conform to the socio - economic development, national defense and security strategy and plan, and national comprehensive planning;”.

4. Article 15 is amended as follows:

“Article 15. Water resources planning

1. The water resources planning includes:

- a) Water resources planning, which is the national sector planning;
- b) Comprehensive planning for inter-provincial river basins and watercourses, which is the detailed planning aimed at realizing national comprehensive planning, water resources planning and regional planning. The planning covers a period of 10 years and its orientations cover a period of 20 - 30 years;
- c) Planning for protection, extraction and use of international water resources is the detailed planning that is formulated with the cooperation between countries sharing watercourses and contents of the planning shall be based on the agreement between countries sharing watercourses.

2. Subjects of the water resources planning are surface water and underground water.

3. People's Committees of provinces shall direct water resources authorities to organize formulation of plan for extraction, use and protection of water resources and remedial actions against damages caused by water and include it in the provincial planning according to the national planning, regional planning and comprehensive planning for inter-provincial river basins and watercourses.”.

5. Article 16 is amended as follows:

“Article 16. Rules for formulating water resources planning

1. The water resources planning and comprehensive planning for inter-provincial river basins and watercourses shall be formulated under regulations of the law on planning and the following rules:

a) The balance between surface water and underground water, between extraction and use of water resources and protection of water resources, prevention and remedy against damages caused by water is ensured;

b) Even distribution of benefits of water use among local authorities and ministries, between upstream and downstream is ensured;

c) Results of baseline surveys of water resources are based on.

2. International planning for protection, extraction and use of water resources shall be formulated under the agreement between countries sharing watercourses and the rules specified in Points a and b Clause 1 of this Article.

3. In the cases where the planning that involves extraction and use of water resources is inconsistent with the approved comprehensive planning for inter-provincial river basins and watercourses, it shall be adjusted and implemented according to the water resources planning.”.

6. Article 17 is amended as follows:

“Article 17. Bases for formulating comprehensive planning for inter-provincial river basins and watercourses

1. Water resources strategy and water resources planning.
2. Natural and socio-economic characteristics and specific conditions of each river basin and region, true potentials of watercourses and forecast of impacts of climate change on water resources.
3. Demand for extraction and use of water by departments, local authorities and environmental protection authorities.
4. Results of baseline surveys of water resources.
5. Technical norms, standards and regulations promulgated by the competent authority.
6. Regulations of international treaties to which the Socialist Republic of Vietnam is a signatory in the cases where the planning is related to international watercourses.
7. Tasks of formulating the approved planning.”.
7. Article 18 is repealed.
8. Article 20 is amended as follows:

“Article 20. Tasks of formulating comprehensive planning for inter-provincial river basins and watercourses

1. Tasks of formulating comprehensive planning for inter-provincial river basins and watercourses:
 - a) Carry out overall assessment of natural and socio - economic characteristics, current status of water resources, protection, extraction and use of water resources, and prevention and remedy against damages caused by water;
 - b) Preliminarily determine functions of watercourses, demand for water use and drainage, issues that arise from the protection, extraction and use of water resources, and prevention and remedy against damages caused by water;
 - c) Determine subjects, scope and contents of the planning to ensure functions of watercourses, and address issues specified in Point b of this Clause;
 - d) Determine solutions, funding, plans and progress of formulation of the planning.
2. The authority in charge of organizing formulation of comprehensive planning for inter-provincial river basins and watercourses shall approve planning tasks.”.

9. Article 21 is amended as follows:

“Article 21. The power to formulate and approve comprehensive planning for inter-provincial river basins and watercourses

1. The Ministry of Natural Resources and Environment shall take charge and cooperate with the Ministry of Agriculture and Rural Development, Ministry of Industry and Trade, Ministry of Construction and relevant Ministries, ministerial agencies and People’s Committees of provinces in organizing the formulation of comprehensive planning for inter-provincial river basins and watercourses and submitting it to the Prime Minister for approval.

2. Before submitting the comprehensive planning for inter-provincial river basins and watercourses to a competent authority for approval, it is required to seek written advice from relevant Ministries, ministerial agencies and People’s Committees of provinces, river basin organizations and relevant organizations.

3. The authority in charge of organizing formulation of comprehensive planning for inter-provincial river basins and watercourses is entitled to hire a planning consultancy.

4. The Ministry of Natural Resources and Environment shall decide on norms, prices, technical standards and documents about comprehensive planning for inter-provincial river basins and watercourses.”.

10. Article 22 is amended as follows:

“Article 22. Adjustment of comprehensive planning for inter-provincial river basins and watercourses

1. The comprehensive planning for inter-provincial river basins and watercourses shall be adjusted in the following bases:

a) Adjustments to socio - economic development, national defense and security strategy and plan, national planning, regional planning or water resources strategy change the objectives of the approved planning;

b) The approved planning fails to comply with the rules specified in Clause 1 Article 16 of this Law;

c) New key national projects or works severely affect water resources;

d) Changes to natural conditions severely affect water resources.

2. The adjustments to the comprehensive planning for river basins and water sources shall be conformable to the water resources planning and regional planning, and based on the result of analysis and assessment of implementation of the approved planning, factors affecting

adjustments to the planning. The planning shall be adjusted according to the original one. When the abovementioned changes occur, the adjustment shall be made.

3. The authority in charge of approving the comprehensive planning for inter-provincial river basins and watercourses shall decide to adjust the approved planning.

4. Procedures for formulating, seeking written advice and appraising the adjustments to the comprehensive planning for inter-provincial river basins and watercourses are the same as those for formulating the planning.

11. Article 23 is amended as follows:

“Article 23. Eligibility requirements to be satisfied by the consultancy providing advice on formulation of comprehensive planning for inter-provincial river basins and watercourses

1. The consultancy providing advice on formulation of comprehensive planning for inter-provincial river basins and watercourses shall have a legal status and satisfy requirements for quantity and qualifications of consultants, managerial capability and technical requirements applied to assigned tasks.

2. The Government shall elaborate qualification requirements to be satisfied by the consultancy.”.

12. Article 24 is amended as follows:

“Article 24. Publishing and organizing implementation of comprehensive planning for inter-provincial river basins and watercourses

1. Within 15 days from the date on which it is approved, the Ministry of Natural Resources and Environment shall announce the comprehensive planning for inter-provincial river basins and watercourses. The planning shall be published as prescribed by the law on planning.

2. The river basin organization shall propose measures for implementation of comprehensive planning for inter-provincial river basins and watercourses to a competent authority and request it to address issues that arise during the implementation of the planning.

3. Organizations, individuals and residential communities are enabled to exercise their right to supervise and propose measures for the implementation of comprehensive planning for inter-provincial river basins and watercourses.

4. The Ministry of Natural Resources and Environment shall provide guidelines, inspect and organize the implementation of comprehensive planning for inter-provincial river basins and watercourses.

5. Regarding the detailed planning involving extraction and use of water resources and approved by a Ministry or ministerial agency, it is required to obtain a written consent from the Ministry of Natural Resources and Environment.”.

13. Clause 1 of Article 26 is amended as follows:

“1. The water resources shall be extracted and used according to relevant planning in accordance with regulations of the law on planning. If the extraction and use results in degraded watercourses, land subsidence, pollution or salinization, remedial actions shall be taken. If any damage is caused, compensation therefor shall be provided.”.

14. Clause 2 of Article 47 is amended as follows:

“2. Hydropower structures shall be constructed according to relevant planning in accordance with regulations of the law on planning, Article 53 of this Law and other relevant regulations of law.”.

15. Clause 2 of Article 48 is amended as follows:

“2. Organizations and individuals are only allowed to use water that has satisfied technical regulations and standards in quality of water for aquaculture. Water resources for aquaculture shall be extracted and used according to relevant planning in accordance with regulations of the law on planning without polluting, degrading and exhausting water sources, obstructing water flow, damaging works on river, impeding waterway transport and salinizing watercourses.”.

16. Clause 3 of Article 50 is amended as follows:

“3. Waterway works and routes shall be constructed according to relevant planning in accordance with regulations of the law on planning.”.

17. Clause 3 of Article 52 is amended as follows:

“3. The extraction of underground water shall be licensed according to the water resources planning, comprehensive planning of inter-provincial river basins and watercourses, provincial planning and results of baseline surveys and exploration of underground water, potential and reserves of underground water and regulations in Clause 4 of this Article.”.

18. Some Clauses and Points of Article 53 are amended as follows:

a) Clause 1 is amended as follows:

“1. The planning that includes a plan for construction of reservoirs on rivers and streams shall be formulated according to the water resources planning and comprehensive planning for inter-provincial river basins and watercourses and contain at least:

- a) The necessity of constructing reservoirs versus other solutions for performing planning tasks specified in the planning;
- b) Water flow that needs to be maintained on rivers and streams as if such water flow is maintained in the lower reservoir to be included in the planning;
- c) Tasks to be performed in the order of priority in each reservoir to be included in the planning and level at which water is supplied to perform each task;
- d) Volume of reservoirs used for implementation of each task of reservoirs in normal and abnormal weather conditions with climate change taken into account;
- dd) Role of current reservoirs in river basins in ensuring implementation of each task of reservoirs to be included in the planning;
- e) During the formulation of the planning, it is required to seek written advice from beneficiaries and entities that may be at risk from extraction and use of water resources due to the construction of reservoirs to be included in the planning. Responses to the written advice shall be included in the report submitted to the authority that has the power to appraise the planning.”;

b) Point a of Clause 2 is amended as follows:

“a) Conform to the water resources planning, comprehensive planning for inter-provincial river basins and watercourses, provincial planning and other relevant planning prescribed by the law on planning;”.

19. Point b Clause 1 of Article 55 is amended as follows:

“b) Water resources planning, comprehensive planning for inter-provincial river basins and watercourses, provincial planning and other relevant planning prescribed by the law on planning, socio - economic development plans of local authorities and sectors related to the extraction and use of water in river basins;”.

20. Points a and b Clause 2 of Article 70 are amended as follows:

“a) Promulgate or propose the promulgation and organize the implementation of legislative documents about water resources; promulgate technical standards, norms and prices applied to comprehensive planning for inter-provincial river basins and watercourses, comprehensive planning for baseline survey of water resources and for baseline survey, exploration, extraction, use and protection of water resources;

b) Organize the formulation, request the Prime Minister’s approval for or approve and organize the implementation of the water resources strategy, water resources planning, comprehensive planning for inter-provincial river basins and watercourses, comprehensive planning for baseline survey of water resources; procedures for operation of inter-reservoirs, list of river basins, list of

watercourses, plan for baseline survey, regulation and distribution of water resources, restoration of polluted and exhaustible watercourses;”.

21. Point a Clause 1 of Article 71 is amended as follows:

“b) Organize the formulation and implementation of the plan for extraction, use and protection of water resources and remedial actions against damages caused by water and include it in the provincial planning, and of the plan for baseline survey, regulation and distribution of water resources, restoration of polluted and exhaustible watercourses.”.

22. The title of Chapter II, title of Section 2 of Chapter II and phrases in the following Articles and Clauses are replaced:

a) The phrase “quy hoạch tài nguyên nước” (“water resources planning”) in Clause 3 Article 3, Clauses 2 and 5 Article 1, and Clause 1 Article 54 is replaced with “quy hoạch tài nguyên nước và quy hoạch khác có liên quan” (“water resources planning and other relevant planning”);

b) The phrase “quy hoạch tài nguyên nước lưu vực sông liên tỉnh, nguồn nước liên tỉnh và quy hoạch tài nguyên nước của tỉnh, thành phố trực thuộc trung ương” (“planning for water resources of inter-provincial river basins and watercourses and water resources planning of provinces and central-affiliated cities”) in Article 19 is replaced with “quy hoạch tổng hợp lưu vực sông liên tỉnh, nguồn nước liên tỉnh (”comprehensive planning for inter-provincial river basins and watercourses”). The phrase “Quy hoạch tài nguyên nước bao gồm” (“Water resources planning includes”) in Article 19 is replaced with “Quy hoạch tổng hợp lưu vực sông liên tỉnh, nguồn nước liên tỉnh bao gồm” (“Comprehensive planning for inter-provincial river basins and watercourses includes”);

c) The phrase “quy hoạch tài nguyên nước lưu vực sông ” (“river basin water resources planning”) in Clause 2 Article 54 is replaced with “quy hoạch tài nguyên nước và quy hoạch khác có liên quan theo quy định của pháp luật về quy hoạch” (“water resources planning and other relevant planning prescribed by the law on planning”);

d) The phrase “quy hoạch tài nguyên nước” (“water resources planning”) in Clause 10 Article 9, title of Chapter II and title of Section 2 Chapter II is replaced with “quy hoạch về tài nguyên nước” (“planning related to water resources”).

Article 6. Amendments to some Articles of the Law on Land

1. Chapter IV is amended as follows:

“Chapter IV

LAND USE PLANNING AND PLANS

Article 35. Rules for formulating land use planning and land use plans

1. Land use planning shall be formulated under regulations of law on planning and the following rules:

a) The national land use planning ensures specific characteristics and connectedness of regions district land use planning demonstrate contents of commune land use planning;

b) Paddy land, protection forest land reserve forest land are strictly protected;

c) Balance between demands for land use by sectors, fields and local authorities and land usability and land of the nation is ensured with a view to using land in an economical and effective manner;

d) Natural resources are extracted reasonably; resilience to climate change is demonstrated;

dd) The allocation and use of land included in the national sector planning, regional planning and provincial planning conforms to the national land use planning.

2. A land use plan shall be formulated under the following rules:

a) The socio - economic development, national defense and security strategy and plan are conformed to;

b) The land use plan conforms to the approved land use planning at the same level. The provincial land use plan conforms to the plan for allocation and zoning of land included in the provincial planning;

c) Land is used in an economical and effective manner;

d) Natural resources are extracted reasonably and environment is protected; resilience to climate change is demonstrated;

dd) Historical sites/monuments and scenic landscapes are protected and restored;

e) The plan of the sector, field or local authority that uses land conforms to the land use plan and planning approved by the competent authority.

Article 36. System of land use planning and land use plans

1. Land use planning includes:

a) National land use planning;

b) District land use planning;

c) Planning for use of land for national defense purpose;

d) Planning for use of land for security purpose.

The provincial planning includes the plan for allocation and zoning of land by purpose and type of land up to district level.

2. Land use plans include:

a) National land use plan;

b) Provincial land use plan;

c) District land use plan;

c) Plan for use of land for national defense purpose;

dd) Plan for use of land for security purpose

Article 37. Land use planning and plan period

1. The land use planning covers a period of 10 years. The orientations of the national and district land use planning cover a period of 30 - 50 years and 20 - 30 years respectively.

2. The national land use plan, provincial land use plan, plan for use of land for national defense purpose and plan for use of land for security purpose cover a period of 05 years. The district land use plan is formulated on an annual basis.

Article 38. National land use planning and plan

1. Bases for formulating the national land use planning are the same as those prescribed by the law on planning and include the followings:

a) Natural conditions and socio - economic conditions;

b) Current use of land, land potential and result of implementation of the national land use planning in the previous period;

c) Demands for land use by sectors, fields and provinces;

2. Contents of the national land use planning are specified by the law on planning.

3. Bases for formulating the national land use plan include:

a) National land use planning;

b) National 05 year and annual socio - economic development plan;

- c) Demands for land use by sectors, fields and provinces for 05 years;
 - b) Result of implementation of the national land use plan in the previous period;
 - dd) Capacity for investment and mobilization of resources for the implementation of the land use plan.
4. A national land use plan contains at least:
- a) Results of assessment and analysis of implementation of the national land use plan in the previous period;
 - b) Area of types of land mentioned in the land use planning in each 05 year period of land use plan;
 - c) 05 year land use plan tailored for each socio - economic region and provincial administrative division;
 - d) Solutions for implementation of the land use plan.

Article 39. Plan for allocation and zoning of land by purpose and type of land up to district level to be included in the provincial planning; provincial land use plan

1. Bases for formulating a plan for allocation and zoning of land by purpose and type of land up to district level to be included in the provincial planning are the same as those for formulating planning as prescribed by the law on planning and include:

- a) Land potential and result of implementation of the provincial land use planning in the previous period;
- b) Demands for land use by sectors, fields and districts;
- c) Land use restriction;
- d) Scientific and technological advances related to land use.

2. Contents of a plan for allocation and zoning of land by purpose and type of land up to district level to be included in the provincial planning are specified by the law on planning.

3. Bases for formulating the provincial land use plan include:

- a) National land use plan; allocation and zoning of land included in the provincial planning;
- b) 05 year and annual provincial socio - economic development plan;
- c) Demands for land use by sectors, fields, province and districts for 05 years;

d) Result of implementation of the provincial land use plan in the previous period;

dd) Capacity for investment and mobilization of resources for the implementation of the land use plan.

4. A provincial land use plan contains at least:

a) Results of assessment and analysis of implementation of the provincial land use plan in the previous period;

b) Area of types of land mentioned in the plan for allocation and zoning of land under the provincial planning in the land use plan period on an annual basis and up to the district level;

c) Area of types of land that needs repurposing as specified in Points a, b, c, d and e Article 57 of this Law in the land use plan period on an annual basis and up to the district level;

d) Scale and location of national and provincial works and projects that use land for the purposes specified in Articles 61 and 62 of this Law in the land use plan period on an annual basis and up to the district level; Regarding the projects on infrastructure, construction and renewal of urban areas and rural residential areas, it is required to determine location and area of expropriated land in the vicinity with a view to auctioning the right to use land for executing projects related to houses, commerce, services and business operation;

dd) Provincial land use plan map;

e) Solutions for implementation of the land use plan.

Article 40. District land use planning and plan

1. Bases for formulating the district land use planning include:

a) Provincial planning;

b) Natural conditions and socio - economic conditions of the suburban district, urban district, district-level town or provincial-affiliated city;

c) Current use of land, land potential and result of implementation of the district land use planning in the previous period;

b) Demands for land use by sectors, fields, district and communes;

dd) Land use restriction;

e) Scientific and technological advances related to land use.

2. The district land use planning contains at least:

- a) Orientations for use of land for 10 years;
- b) Quotas for use of land by type of land, including quotas for use of land allocated by the provincial planning to the district planning and quotas for use of land by demand for land use by the district and the commune;
- c) Areas using land by purpose up to commune level;
- d) Area of types of land specified in Point b of this Clause up to commune level;
- dd) District land use planning map; regarding the area included in the planning for paddy land and area included in the planning for repurposing of land specified in Points a, b, c, d and e Clause 1 Article 57 of this Law, the map is required to show each administrative division of the commune in detail;
- e) Solutions for implementation of the land use planning.

3. Bases for formulating the district land use plan include:

- a) Provincial land use plan;
- b) District land use planning;
- c) Demands for land use by sectors, fields, district and communes during the plan year;
- d) Capacity for investment and mobilization of resources for implementation of the land use plan.

4. A district land use plan contains at least:

- a) Results of assessment and analysis of implementation of the land use plan in the previous year;
- b) Area of types of land mentioned in the provincial land use plan for allocation and area of types of land by demands for land use by the district and commune during the plan year;
- c) Location and area of land that has to be expropriated to execute projects that use land for the purposes specified in Articles 61 and 62 of this Law during the plan year up to commune level. Regarding the projects on infrastructure, construction and renewal of urban areas and rural residential areas, it is required to determine location and area of expropriated land in the vicinity with a view to auctioning the right to use land for executing projects related to houses, commerce, services and business operation;
- d) Area of the land that needs repurposing as specified in Points a, b, c, d and e Article 57 of this Law during the plan year up to commune level;

dd) Annual district land use plan map; regarding the area included in the planning for repurposing of land specified in Points a, b, c, d and e Clause 1 Article 57 of this Law, the map is required to show each administrative division of the commune in detail;

e) Solutions for implementation of the land use plan.

5. Regarding the district whose urban planning has been approved by a competent authority, only annual land use plan shall be formulated. In the event that the urban planning of the district is not conformable with the area of land mentioned in the provincial planning, it is required to adjust it so that it is conformable with the provincial planning.

Article 41. Planning and plan for use of land for national defense purpose, planning and plan for use of land for security purpose

1. Bases for formulating the planning for use of land for national defense purpose and planning for use of land for security purpose are those prescribed by the law on planning and include:

a) Natural conditions and socio - economic conditions;

b) Current use of land, land potential and result of implementation of the planning for use of land for national defense purpose and planning for use of land for security purpose in the previous period;

c) Demand for use of land for national defense and security purposes;

c) Land use restriction;

2. Contents of the planning for use of land for national defense purpose and planning for use of land for security purpose are specified by the law on planning.

3. Bases for formulating the plan for use of land for national defense purpose and plan for use of land for security purpose include:

a) National land use plan, planning for use of land for national defense purpose and for use of land for security purpose;

b) Demand for use of land for national defense and security purposes for 05 years;

c) Results of implementation of the plan for use of land for national defense purpose and plan for use of land for security purpose in the previous period;

d) Capacity for investment and mobilization of resources for implementation of the plan for use of land for national defense purpose and plan for use of land for security purpose.

4. The plan for use of land for national defense purpose and plan for use of land for security purpose contains at least:

- a) Results of assessment and analysis of the plan for use of land for national defense purpose and plan for use of land for security purpose in the previous period;
- b) Areas and area of land used for national defense and security purposes during the 05 year plan period and for each year;
- b) Location and area of land for national defense and security purposes that is transferred to the local government during the 05 year plan period;
- d) Solutions for implementation of the plan for use of land for national defense purpose and plan for use of land for security purpose.

Article 42. Responsibility for organizing formulation of land use planning and land use plans

1. The Government shall organize the formulation of national land use planning and plans. The Ministry of Natural Resources and Environment shall take charge of assisting the Government in formulation of national land use planning and plans.

2. People's Committees of provinces shall organize the formulation of plans for allocation and zoning of land by purpose and type of land up to district level and include it in the provincial planning and of provincial land use plans. People's Committees of districts shall organize the formulation of district land use planning and plans.

Land authorities of provinces shall formulate plans for allocation and zoning of land by purpose and type of land up to district level and include it in the provincial planning and formulate provincial land use plans. Land authorities of districts shall formulate district land use planning and plans.

3. The Ministry of National Defense shall organize the formulation of planning and plans for use of land for national defense. The Ministry of Public Security shall organize the formulation of planning and plans for use of land for security purpose.

4. National land use planning, planning for use of land for national defense purpose, planning for use of land for security purpose and plan for allocation and zoning of land by purpose and type of land up to district level under the provincial planning shall be formulated as prescribed by the law on planning.

5. The Government shall elaborate this Article.

Article 43. Seeking opinions on land use planning

1. Opinions on national land use planning, planning for use of land for national defense purpose and planning for use of land for security purpose shall be sought as prescribed by the law on planning.

2. Opinions on district land use planning shall be sought as follows:

- a) People's Committees of districts shall seek opinions on district land use planning;
- b) Opinions of organizations, individuals and residential community on district land use planning shall be sought through conferences, written communication and publishing of contents of the land use planning on the websites of People's Committees of provinces and People's Committees of districts;
- c) Opinions on the district land use planning include ones on land use planning norms and projects executed during the land use planning period;
- d) Opinions on district land use planning shall be sought within 30 days from the date on which the competent authority decides to seek opinions;
- dd) People's Committee of districts shall prepare a report on consolidation of received/explained collections of the people and submit complete district land use planning to the appraisal council.

Article 44. Appraisal of land use planning and land use plans

- 1. National land use planning, planning for use of land for national defense purpose and planning for use of land for security purpose shall be appraised as prescribed by the law on planning.
- 2. The power to establish a council in charge of appraising national land use plan, provincial land use plans, plans for use of land for national defense purpose, provincial land use plans and district land use plans:

a) The Government shall establish a council in charge of appraising national land use plan.

The Ministry of Natural Resources and Environment shall assist the appraisal council in the process of appraising national land use plan;

b) The Minister of Natural Resources and Environment shall establish a council in charge of appraising provincial land use plans, plans for use of land for national defense purpose and provincial land use plans.

The central land authority shall assist the appraisal council in the process of appraising land use plans;

c) Presidents of People's Committees of provinces shall establish a council in charge of appraising district land use planning and plans.

Land authorities of provinces and districts shall assist the appraisal council in the process of appraising district land use planning and plans.

3. The appraisal council specified in Clause 2 of this Article shall appraise and notify the appraisal result to the authority in charge of organizing formulation of land use plans and planning specified in Article 42 of this Law. The authority in charge of organizing formulation of land use plans and planning shall respond to the notification of appraisal result.

Where necessary, the appraisal council shall carry out site inspection and survey of areas where land is expected to be repurposed, especially areas where paddy land, protection forest land and reserve forest land are expected to be repurposed.

4. The appraisal of district land use planning shall focus on:

- a) Legal and scientific bases for formulating land use planning;
- b) Conformity of the land use planning with the socio - economic development strategy, national planning, regional planning and provincial planning;
- c) Socio - economic and environmental efficiency;
- d) Feasibility of the land use planning.

5. The appraisal of a land use plan shall focus on:

- a) Conformity of the land use plan with the land use planning;
- b) Conformity of the land use plan with the socio - economic development plan;
- c) Feasibility of the land use plan.

6. The funding for organizing the appraisal of national land use plan, plans for use of land for national defense purpose, plans for use of land for security purposes, provincial land use plans, district land use planning and plans shall be separately specified in the funding for formulating corresponding land use plans and planning.

Article 45. The power to decide or approve land use planning and land use plans

1. The power to decide or approve land use planning:

- a) The decision on and approval for national land use planning, planning for use of land for national defense purpose and planning for use of land for security purpose shall comply with the law on planning;
- b) The People's Committee of the province shall approve the district land use planning.

The People's Committee of the district shall submit the district land use planning to the People's Council at the same level for adoption before submitting it to the People's Committee of the province for approval.

2. The power to decide or approve a land use plan:

a) The National Assembly shall decide on the national land use plan;

b) The Prime Minister shall decide on the plan for use of land for national defense purpose, plan for use of land for security purpose and provincial land use plan;

c) The People's Committee of the province shall approve the district land use plan.

The People's Committee of the province shall request the People's Council at the same level to adopt the list of projects for which land needs expropriating as prescribed in Clause 3 Article 62 of this Law before approving the district land use plan.

Article 46. Adjustments to land use planning and plans

1. National land use planning, planning for use of land for national defense purpose and planning for use of land for security purpose shall be adjusted as prescribed by the law on planning.

2. Adjustments to the district land use planning shall be made if one of the following bases is available:

a) Adjustments to any socio - economic development, national defense and security strategy, national planning, regional planning or provincial planning change the land use structure;

b) Natural disasters or war change the land use purposes, structure, locations and area;

c) Adjustments to administrative divisions are made.

3. Adjustments to the land use plan shall be only made if adjustments to the land use planning or changes to the capacity for implementing the land use plan are made.

4. Adjustments to the land use planning are part of the approved land use planning. Adjustments to the land use plan are part of the approved land use plan.

Adjustments to the district land use planning, and land use plans shall be made as prescribed in Articles 42, 43, 44 and 48 of this Law.

5. Any authority that has the power to decide or approve land use planning and land use plan at a certain level also has the power to decide or approve adjustments thereto.

Article 47. Consultancies giving advice on formulation of land use planning and land use plans

1. During the formulation of land use planning or land use plan, the authority in charge of formulation is entitled to hire a consultancy.

2. The selection of a consultancy giving advice on formulation of national land use planning, planning for use of land for national defense purpose and planning for use of land for security purpose shall comply with the law on planning.

3. The Government shall provide for conditions to be satisfied by consultancies.

Article 48. Publishing of land use planning and land use plans

1. National land use planning, planning for use of land for national defense purpose and planning for use of land for security purpose shall be published as prescribed by the law on planning.

2. All contents of the approved district land use planning shall be published as follows:

a) The People's Committees of the district shall publish the district land use planning at the committee and on its web portal; publish contents of the district land use planning that involves communes at the People's Committee of the commune;

b) Planning shall be published within 15 days from the date on which it is approved by the competent authority;

c) The publishing shall be carried out during the land use planning period.

3. All contents of an approved land use plan shall be published as follows:

a) The Ministry of Natural Resources and Environment shall publish the national land use plan at the Ministry and on its website. The People's Committee of the province shall publish provincial land use plan at the committee and on its web portal. The People's Committee of the district shall publish district land use plan at the committee and on its web portal, and publish contents of the district land use plan that involves communes at the People's Committee of the commune;

b) The plan shall be published within 15 days from the date on which it is approved by the competent authority;

c) The publishing shall be carried out during the land use plan period.

Article 49. Implementation of land use planning and land use plans

1. National land use planning, planning for use of land for national defense purpose and planning for use of land for security purpose shall be implemented in accordance with regulations of the law on planning and relevant regulations of law.

2. The Government shall organize and direct the implementation of the national land use plan.

3. The Prime Minister shall allocate quotas for land use to provinces and central-affiliated cities, Ministry of National Defense and Ministry of Public Security on the basis of the quotas for land use decided by the National Assembly.

4. People's Committees of provinces and People's Committees of districts shall implement their land use planning and land use plan.

5. People's Committees of communes shall implement their land use planning and land use plan.

6. The Ministry of National Defense and Ministry of Public Security shall implement plans for use of land for national defense purpose and plans for use of land for security purpose.

7. In the cases where the land use planning has been published but a district land use plan is not available, the land user is entitled to keep using land and exercise the rights of a land user as prescribed by law.

In the cases where the district land use plan is available, the land user in the area where land has to be repurposed and expropriated according to the planning is entitled to keep exercising the rights of a land user but is not allowed to build new residential houses or works or grow perennials. Any land user that wishes to renovate or repair existing residential houses or works must obtain permission from a competent authority as prescribed by law.

8. In the cases where the land specified in the published annual district land use plan has to be expropriated to execute a project or has to be repurposed but the expropriation decision has not been issued or land repurposing has not been granted permission, the authority that has the power to approve the land use plan shall adjust, cancel and publish the adjustment or cancellation of expropriation or repurposing of the land specified in the land use plan.

In the cases where the authority in charge of approving the land use plan fails to adjust or cancel or adjusts or cancels but fails to publish the adjustment or cancellation, the land user is not limited to rights as prescribed in Clause 7 of this Article.

9. After the land use planning period, if the quotas for land use have not yet been fulfilled, they continue to be fulfilled until the land use planning for the next period is approved by a competent authority.

10. The Government shall elaborate the formulation of land use planning and plans.

Article 50. Reporting results of implementation of land use planning and land use plans

1. Results of implementation of national land use planning, planning for use of land for national defense purpose, planning for use of land for security purpose and plan for allocation and zoning of land by purpose and type of land up to district level under the provincial planning shall be reported as prescribed by the law on planning.

2. People's Committees of communes and People's Committees of districts shall submit reports on results of implementation of land use planning and plans to the supervisory People's Committees. By October 31, People's Committees of provinces shall submit reports on implementation of land use planning and plans to the Ministry of Natural Resources and Environment.

3. The Ministry of Natural Resources and Environment shall:

a) submit reports on results of implementation of land use planning as prescribed by the law on planning;

b) consolidate results of implementation of the land use plans nationwide and submit a report thereon to the Government in the last year of the land use planning period.

Article 51. Addressing land use planning and plan issues that arise as of January 01, 2019

1. Any national land use planning, planning for use of land for national defense purpose, planning for use of land for security purpose or provincial land use planning that has been approved before January 01, 2019 or formulated and appraised before January 01, 2019 but has not yet been decided or approved shall be governed by the law on planning.

2. Any land use plan that has been approved by a competent authority before January 01, 2019 shall be implemented until the end of the land use plan period, except in the case specified in Article 46 of this Law.

3. Any district land use planning and land use plan that has been formulated, adjusted and appraised before January 01, 2019 shall continue to be formulated, adjusted, appraised and approved as prescribed by the Law on Land No. 45/2013/QH13 and documents elaborating the Law on Land No. 45/2013/QH13 but shall be approved before July 01, 2019.”.

2. Clause 1 of Article 151 is amended as follows:

“1. Land used for economic zones includes land used for construction of economic zones or border checkpoint economic zones which is established according to the Prime Minister's decision. Land used for economic zones is the land used for dedicated areas, including free-trade zones, bonded zones, export-processing zones, industrial parks, entertainment areas, tourism areas, urban areas, residential areas, administrative areas and other dedicated areas relevant to characteristics of each economic zone with a view to providing a favorable investment and business environment for investors.”.

3. The phrase “cấp quốc gia” (“national level”) in Clause 1 Article 21 is replaced with “quốc gia” (“national”).

Article 7. Amendments to some Articles of the Law on Environmental Protection

1. Clause 21 of Article 3 is amended as follows:

“21. “*Environmental protection planning*” means the national sector planning, spatial arrangement and distribution, zoning of environmental zoning, nature and biodiversity conservation; waste management, environmental monitoring and warning in a defined territory in order to protect the environment and serve sustainable development for a definite period of time.”.

2. Article 8 is amended as follows:

“Article 8. Bases for formulating and period of environmental protection planning

1. Bases for formulating environmental protection planning are those prescribed by the law on planning and include the following:

- a) Environmental protection strategy during the same development period;
- b) Climate change scenario during the same development period.

2. The environmental protection planning covers a period of 10 years. The orientations of the planning cover a period of 30 - 50 years.”.

3. Article 9 is amended as follows:

“Article 9. Environmental protection planning and contents related to environmental protection in regional planning and provincial planning

1. The formulation, appraisal, approval and adjustment of environmental protection planning and inclusion of contents related to environmental protection in regional planning and provincial planning shall comply with regulations of the law on planning.

2. The Ministry of Natural Resources and Environment shall organize the formulation of environmental protection planning; include contents related to environmental protection in the regional planning; instruct provinces and central-affiliated cities to include contents related to environmental protection in the provincial planning.

3. Environment authorities of provinces shall include contents related to environmental protection in the provincial planning.”.

4. Clause 1 of Article 13 is amended as follows:

“1. Planning and strategies subject to a strategic environmental assessment:

a) Strategy for extraction and use of national natural resources; national and regional strategies for industry distribution and development that significantly affect the environment;

b) National comprehensive planning; national marine spatial planning; national land use planning; national sector planning, urban planning, rural planning and detailed planning that significantly affect the environment; regional planning; provincial planning; special administrative-economic unit planning;

c) Adjustments to the strategies and planning specified in Points a and b of this Clause result in changes to the objectives of such strategies and planning.”.

5. Point a Clause 3 of Article 21 is amended as follows:

“a) Conform to the decision on approval for the environmental impact assessment report for the period of constructing infrastructure of concentrated production, business and service zones;”.

6. Article 40 is amended as follows:

“Article 40. Integration of climate change response into strategies and planning

1. The climate change response shall be specified in the strategies and planning that are subject to a strategic environmental assessment as prescribed in Article 13 of this Law.

2. The integration of climate change response into the strategies and planning that are subject to a strategic environmental assessment shall be based on the assessment of correlation of activities described in the strategies and planning with the environment and climate change, and a range of measures to be taken for the environmental protection and response to climate change.”.

7. Clause 5 of Article 49 is amended as follows:

“5. Strategies and plans for extraction of natural resources from sea, islands, protected areas, mangrove forests and natural heritage sites must be conformable with the environmental protection strategies and planning.”.

8. Clause 1 of Article 74 is amended as follows:

“1. Traffic transport shall comply with regulations of the law on environmental protection.”.

9. Clause 1 of Article 88 is amended as follows:

“1. Formulate, approve and organize the implementation of planning that involves local waste treatment infrastructure.”.

10. Article 94 is amended as follows:

“Article 94. Hazardous waste management mentioned in environmental protection planning

Hazardous waste management is mentioned in the environmental protection planning and carried out in accordance with regulations of the law on planning, law on environmental protection and relevant international treaties to which the Socialist Republic of Vietnam is a signatory.”.

11. Article 98 is amended as follows:

“Article 98. Conventional solid waste management specified in environmental protection planning

Conventional solid waste management is mentioned in the environmental protection planning and carried out in accordance with regulations of the law on planning and law on environmental protection.”.

12. Clause 121a is added after Article 121 as follows:

“Article 121a. Comprehensive planning for national environmental monitoring

1. The comprehensive planning for national environmental monitoring is the detailed planning and contains at least:

- a) Analysis and assessment of current status of the national environmental monitoring network; system of environmental analysis laboratories and environmental monitoring data management system;
- b) Viewpoints, objectives and selection of the comprehensive planning for national environmental monitoring that shall be conformable with environmental zoning, motoring orientations and environmental warning specified in the environmental protection planning;
- c) National environmental monitoring network, including orientations for land, water and air monitoring points, parameters and frequency nationwide and automatic monitoring stations; orientations for development of system of environmental analysis laboratories and environmental monitoring data management system;
- d) List of national environmental monitoring projects;
- d) Orientations for connection of national environmental monitoring network and database with provincial environmental monitoring network and connection of environmental monitoring network;
- e) Roadmap and resources available for the implementation of the planning.

2. The Ministry of Natural Resources and Environment shall formulate, appraise and submit comprehensive planning for national environmental monitoring. Provinces and central-affiliated cities shall include the environmental monitoring network in the provincial planning in a manner that ensures connectedness, authorization and cooperation.”.

13. Clause 10 of Article 141 is amended as follows:

“10. Participate in formulating national comprehensive planning and regional planning; direct and provide guidelines for inclusion of environmental protection in the provincial planning and special administrative - economic unit planning.”.

14. Point a Clause 3 of Article 142 is amended as follows:

“a) The Minister of Planning and Investment shall take charge and cooperate with the Minister of Natural Resources and Environment, other Ministers, heads of ministerial agencies and People’s Committees of provinces in satisfying environmental protection requirements specified in the social-economic development strategies and plans nationwide, national comprehensive planning, regional planning, works and works that are decided by the National Assembly, the Government, and the Prime Minister, and in attracting investment and organizing the implementation of the law on environmental protection in the fields under their management;”.

15. Point dd Clause 1 of Article 143 is amended as follows:

“dd) appraise and approve environmental impact assessment reports, endorse completion of environmental protection works, provide guidance and organize the inspection of environmental protection plans within its power;”.

16. Articles 10, 11 and 12 and Clause 1 of Article 52 are repealed.

Article 8. Amendments to some Articles of the Law on Minerals

1. Clause 8 is added to Article 2 as follows:

“8. *Mineral planning* includes planning for geological baseline surveys of minerals, planning for exploration, extraction, processing and use of minerals, planning for exploration, extraction, processing and use of radioactive ores, planning for exploration, extraction, processing and use of minerals used as building materials.”.

2. Clause 1 of Article 4 is amended as follows:

“1. Mineral activities must be conformable with mineral strategy and planning, plan for protection, exploration, extraction and use of minerals in the provincial planning, and associated with protection of environment, natural landscapes, historical and cultural sites/movements, scenic landscapes and other natural resources, and assurance of national defense, security and social order.”.

3. Point a Clause 1 of Article 9 is amended as follows:

“a) Conform to the socio - economic development, national defense and security strategy and plan and national comprehensive planning;”.

4. Article 11 is amended as follows:

“Article 11. Planning for geological baseline survey of minerals

1. The planning for geological baseline survey of minerals is the national sector planning.

2. Bases for formulating the planning for geological baseline survey of minerals are those prescribed by the law on planning and include the followings:

a) Result of implementation of the planning for geological baseline survey of minerals in the previous period;

b) Geological premises and mineral evidences related to newly discovered minerals.

3. Formulation, appraisal, approval, publishing and implementation of the planning for geological baseline survey of minerals shall comply with regulations of the law on planning.”.

5. Article 13 is amended as follows:

“Article 13. Planning for exploration, extraction, processing and use of minerals, planning for exploration, extraction, processing and use of radioactive ores, planning for exploration, extraction, processing and use of minerals used as building materials

1. Planning for exploration, extraction, processing and use of minerals, planning for exploration, extraction, processing and use of radioactive ores and planning for exploration, extraction, processing and use of minerals used as building materials are national sector planning.

2. Bases for formulating planning for exploration, extraction, processing and use of minerals, planning for exploration, extraction, processing and use of radioactive ores and planning for exploration, extraction, processing and use of minerals used as building materials are national sector planning are those prescribed by the law on planning and include the followings:

a) Mineral demand from various industries;

b) Result of geological baseline survey of minerals;

c) Scientific and technological advances in mineral exploration and extraction;

d) Results of implementation of the planning in the previous period; results of strategic environmental assessment as prescribed by the law on environmental protection.

3. The formulation, appraisal, approval, publishing and implementation of the planning for exploration, extraction, processing and use of minerals, planning for exploration, extraction, processing and use of radioactive ores and planning for exploration, extraction, processing and use of minerals used as building materials shall comply with the law on planning.”.

6. Article 14 is amended as follows:

Article 14. Adjustments to mineral planning

Adjustments to the mineral planning shall be made if one of the following bases is available:

1. One of the bases for adjusting planning prescribed by the law on planning is available;

2. New discoveries of minerals affect the nature and contents of the planning;

3. Cases specified in Clause 4 Article 28 of this Law occur.”.

7. Clause 3 of Article 17 is amended as follows:

“3. The authority in charge of organizing formulation of inter-district construction planning, district construction planning, urban planning and rural residential area construction planning shall, upon submission of such planning for approval, enclose the enquiry completed by the licensing authority as prescribed in Article 82 of this Law.”.

8. Clause 1 of Article 26 is amended as follows:

“1. An area where mineral activities are carried out is an area where a geological baseline survey of minerals is carried out and is delineated by a competent authority in relevant planning in accordance with regulations of the law on planning.”.

9. Clause 4 of Article 28 is amended as follows:

“4. In case it is necessary to explore and extract minerals within an area where mineral activities are prohibited or temporarily prohibited, the licensing authority specified in Article 82 of this Law shall request the Prime Minister to consider deciding to adjust relevant planning as prescribed by the law on planning.”.

10. Point b Clause 2 of Article 40 is amended as follows:

“b) Set up an exploration project that is conformable with relevant planning as prescribed by the law on planning. In case of exploration of hazardous minerals, it is required to obtain written permission from the Prime Minister;”.

11. Point b Clause 1 of Article 47 is amended as follows:

“b) The mineral exploration project must be conformable with relevant planning as prescribed by the law on planning;”.

12. Point a Clause 2 of Article 53 is amended as follows:

“a) Have a mineral extraction project executed in the area where mineral exploration has been carried out and mineral reserves have been approved in conformity with relevant planning as prescribed by the law on planning. The mineral extraction project must include a plan for employing professional personnel, advanced and appropriate equipment, technology and mining methods. In case of extraction of hazardous minerals, it is required to obtain written permission from the Prime Minister;”.

13. Some Clauses and Points of Article 80 are amended as follows:

a) Point b of Clause 2 is amended as follows:

“b) Formulate and submit mineral strategy to the Prime Minister for approval; organize the formulation of planning for geological baseline survey of minerals and submit it to the Prime Minister for approval in accordance with regulations of the law on planning;”;

b) Clause 3 is amended as follows:

“3. Relevant Ministries and ministerial agencies shall, within their jurisdiction, perform state management and cooperate with the Ministry of Natural Resources and Environment in state management of minerals.

The Ministry of Industry and Trade shall organize the formulation of planning for exploration, extraction, processing and use of minerals and planning for exploration, extraction, processing and use of radioactive ores and submit them to the Prime Minister for approval in accordance with regulations of the law on planning.

The Ministry of Construction shall organize the formulation of planning for exploration, extraction, processing and use of minerals used as building materials and submit it to the Prime Minister for approval in accordance with regulations of the law on planning.”.

14. Point c Clause 1 of Article 81 is amended as follows:

“c) Develop a plan for protection, exploration, extraction and use of mineral resources to include it in the provincial planning and submit it to a competent authority for approval;”.

15. Articles 10, 12 and 15 are repealed.

Article 9. Amendments to some Articles of the Law on Hydrometeorology

1. Article 11 is amended as follows:

Article 11. National hydrometeorological station network planning

1. The national hydrometeorological station network planning is the national sector planning.

2. The national hydrometeorological station network planning shall be formulated under regulations of the law on planning and the following rules:

a) The monitoring reflects spatial and temporal variations in hydrometeorological elements to be monitored, serves the obtainment and use of hydrometeorological information and data, national background data on weather and climate, hydrometeorological forecast and warning, determination, assessment and zoning of risks of hydrometeorological disasters, monitoring of hydrometeorological disasters and climate change, national defense and security maintenance and socio - economic development;

b) Uniformity is ensured to satisfy requirements for sharing data between monitoring networks and use the state budget in an effective and economical manner.

3. Bases for formulating national hydrometeorological station network planning are those prescribed by the law on planning and include the followings:

a) National climate change strategy; natural disaster management strategy; national water resources strategy; national information technology and communication development strategy; national land use planning; national marine spatial planning; national information and communication infrastructure planning and other relevant strategies and plans;

b) Results of implementation of meteorology and hydrology development, national climate change strategy, national hydrometeorological station network planning in the previous period, results of determination, assessment and zoning of risks of hydrometeorological disasters and demands for obtainment and use of hydrometeorological information and data for other relevant fields, sectors and local governments;

c) Scientific and technological advances in hydrometeorological monitoring, measurement, news broadcasting, hydrometeorological forecast and warning, climate change monitoring.

4. The period, contents and adjustments of the national hydrometeorological station network planning are specified by the law on planning.

5. The Ministry of Natural Resources and Environment shall organize the formulation of national hydrometeorological station network planning and submit it to the Prime Minister for approval in accordance with regulations of the law on planning.”.

2. Point dd is added to Clause 5 of Article 32 as follows:

“dd) Serve the formulation of planning as prescribed by the law on planning.”.

3. Point d Clause 2 of Article 52 is amended as follows:

“d) The Minister of Information and Communications shall take charge and cooperate with the Minister of Natural Resources and Environment in organizing formulation of planning, prioritizing allocation of frequency to serve hydrometeorological activities and climate change monitoring in accordance with regulations of this Law and the law on radio frequencies; formulate strategies for comprehensive development of telecommunications and information technology infrastructure and appropriate planning for information and communication infrastructure aimed at serving hydrometeorological activities; direct the publishing of hydrometeorological and climate change monitoring data and information on mass media as in accordance with regulations of this Law and the law on press;”.

Article 10. Amendments to some Articles of the Law on Biodiversity

1. Clause 31 is added to Article 3 as follows:

“31. *“Comprehensive planning for biodiversity conservation”* means the national sector planning, spatial arrangement and distribution of high-biodiversity areas, important ecological

landscapes; nature reserves, biodiversity corridors and biodiversity conservation establishments in a defined territory in order to conserve nature and biodiversity in service of sustainable development for a definite period of time.”.

2. Article 8 is amended as follows:

“Article 8. Bases for formulating and period of comprehensive planning for biodiversity conservation

1. Bases for formulating the comprehensive planning for biodiversity conservation are those prescribed by the law on planning and include the followings:

- a) Environmental protection strategy and biodiversity conservation strategy during the same period;
- b) Environmental protection planning;
- c) Results of implementation of comprehensive planning for biodiversity conservation in the previous period; current status and demand for extraction and use of biodiversity.

2. The comprehensive planning for biodiversity conservation covers a period of 10 years. The orientations of the planning cover a period of 30 - 50 years.”.

3. Article 10 is amended as follows:

“Article 10. Organizing formulation, approval and adjustment of comprehensive planning for biodiversity conservation, and biodiversity conservation mentioned in the provincial planning

1. The Ministry of Natural Resources and Environment shall organize the formulation and adjustment of comprehensive planning for biodiversity conservation and submit it to the Prime Minister for approval in accordance with regulations of the law on planning; instruct provinces and central-affiliated cities to include contents related to biodiversity conservation in the provincial planning.

2. People’s Committees of provinces shall organize the inclusion of contents related to biodiversity conservation in the provincial planning in accordance with regulations of the law on planning.”.

4. Article 11 is amended as follows:

“Article 11. Publishing and provision of information, implementation and assessment of comprehensive planning for biodiversity conservation, and biodiversity conservation mentioned in the provincial planning

The publishing and provision of information, implementation and assessment of comprehensive planning for biodiversity conservation, and biodiversity conservation mentioned in the provincial planning.”.

5. The phrase “quy hoạch bảo tồn đa dạng sinh học của tỉnh, thành phố trực thuộc trung ương” (“biodiversity conservation planning of a province or central-affiliated city”) in Clause 3 Article 18, Clause 3 Article 19, Clause 3 Article 20 and Clause 1 Article 24 is replaced with “nội dung bảo tồn đa dạng sinh học trong quy hoạch tỉnh” (“biodiversity conservation mentioned in the provincial planning”).

6. Article 9 and Section 2 of Chapter II are repealed.

Article 11. Amendments to some Articles of the Law on Natural Resources and Environment of Sea and Islands

1. Some Clauses of Article 3 are amended as follows:

a) Clause 5 is amended as follows:

“5. “*National sea use planning*” is specified in national marine spatial planning and implemented as prescribed by the law on planning.”;

b) Clause 7 is amended as follows:

“7. “*Comprehensive planning for sustainable extraction and use of natural resources in coastal areas*” means the national sector planning aimed at realizing national comprehensive planning and national marine spatial planning, orientation and spatial arrangement of extraction and use of natural resources and environmental protection within coastal areas.”.

2. Article 26 is amended as follows:

“Article 26. Rules and bases for comprehensive planning for sustainable extraction and use of natural resources in coastal areas

1. The comprehensive planning for sustainable extraction and use of natural resources in coastal areas shall be formulated under regulations of the law on planning and the following rules:

a) The planning conforms to the strategy for sustainable extraction and use of natural resources and protection of environment of sea and islands, and national marine spatial planning; associates with the planning that involves extraction and use of natural resources and sector planning within coastal areas;

b) Harmony of extraction and use of natural resources, environmental protection and sustainable development of coastal areas, and protection of national sovereignty, defense and security is ensured;

c) The people's right of access to the sea is protected.

2. Bases for formulating the comprehensive planning for sustainable extraction and use of natural resources in coastal areas are those prescribed by the law on planning and include the followings:

a) Natural and socio - economic conditions and specific characteristics of each region within coastal areas, natural resource potential, current condition of coastal area environment; forecast of impacts of climate change and sea level rise;

b) Results of baseline surveys of natural resources and environment of coastal areas; statistical reports on natural resources in coastal areas;

c) Demand for extraction and use of natural resources and requirements for protecting environment in coastal areas;

d) Result of implementation of the comprehensive planning for sustainable extraction and use of natural resources in coastal areas in the previous period.”.

3. Article 27 is amended as follows:

“Article 27. Scope and period of the comprehensive planning for sustainable extraction and use of natural resources in coastal areas

1. The comprehensive planning for sustainable extraction and use of natural resources in coastal areas involves the entire coastal areas across the country.

2. The comprehensive planning for sustainable extraction and use of natural resources in coastal areas covers a period of 10 years. The orientations of the planning cover a period of 30 years.”.

4. Clause 1 of Article 28 is amended as follows:

“1. Comprehensive planning for sustainable extraction and use of natural resources in coastal areas shall be adjusted as prescribed by the law on planning.”.

5. Article 29 is amended as follows:

“Article 29. Formulation and approval for comprehensive planning for sustainable extraction and use of natural resources in coastal areas

The Ministry of Natural Resources and Environment shall take charge and cooperate with other Ministries, ministerial agencies, People's Committees of central-affiliated coastal cities and provinces in organizing the formulation of comprehensive planning for sustainable extraction and use of natural resources in coastal areas and submit it to the Prime Minister for approval in accordance with regulations of the law on planning.”.

6. Article 30 is amended as follows:

“Article 30. Collection of opinions on and publishing of comprehensive planning for sustainable extraction and use of natural resources in coastal areas

Collection of opinions on and publishing of comprehensive planning for sustainable extraction and use of natural resources in coastal areas shall comply with the law on planning.”.

7. Article 31 is amended as follows:

“Article 31. Implementation of comprehensive planning for sustainable extraction and use of natural resources in coastal areas

Comprehensive planning for sustainable extraction and use of natural resources in coastal areas shall be implemented as prescribed by the law on planning.”.

8. Article 32 is amended as follows:

“Article 32. Relation between comprehensive planning for sustainable extraction and use of natural resources in coastal areas and national sector planning, regional planning and provincial planning

1. In the cases where the national sector planning, regional planning and provincial planning that involve extraction and use of water resources in coastal areas is inconsistent with the approved comprehensive planning for extraction and use of water resources in coastal areas, they shall be adjusted and implemented according to the national marine spatial planning, national land use planning and national comprehensive planning.

2. Ministries, ministerial agencies and People’s Committees of central-affiliated coastal cities and provinces shall, within their jurisdiction, review and propose amendments to the national sector planning, regional planning and provincial planning that involve extraction and use of natural resources in coastal areas under the rules specified in Clause 1 of this Article.”.

9. Clause 3 of Article 57 is amended as follows:

“3. Sea areas used for dumping must conform to the national marine spatial planning and comprehensive planning for sustainable extraction and use of natural resources in coastal areas.”.

10. Point b Clause 2 of Article 73 is amended as follows:

“b) Formulate and submit the strategy for sustainable extraction and use of natural resources and protection of environment of sea and islands to the Government for approval and organize the implementation thereof; organize the formulation of and submit the comprehensive planning for extraction and use of natural resources in coastal areas and inter-provincial program for general management of natural resources in coastal areas to the Government for approval and organize the implementation thereof;”.

11. The phrase “quy hoạch, kế hoạch sử dụng biển” (“sea use planning and plan”) in Clause 1 Article 5, Clause 2 Article 8, Clause 1 Article 39, Point g Clause 1 Article 68, Point b Clause 1 Article 74 and Point b Clause 2 Article 76 is replaced with “quy hoạch không gian biển quốc gia, kế hoạch sử dụng biển” (“national marine spatial planning and sea use plan”).

12. Clause 3 of Article 79 is repealed.

Article 12. Amendments to some Articles of the Law on Plant Protection and Quarantine

1. Point b Clause 2 of Article 7 is amended as follows:

“b) Formulate and direct the implementation of plant protection and quarantine strategy and plan;”.

2. Point a Clause 1 of Article 8 is amended as follows:

“a) Promulgate or propose the promulgation of legislative documents concerning plant protection and quarantine; establish and fulfill the target of establishing zones free of harmful organisms within provinces and districts;”.

Article 13. Amendments to some Articles of the Law on Dikes

1. Clause 3 of Article 5 is amended as follows:

“3. Stick to planning for natural disaster management and irrigation planning, planning for flood control on river routes with dikes and dike planning that have been approved; ensure systematicity, uniformity, synchronism and capacity for flood drainage on the entire rivers; uniformly combine overall solutions for the planting and protection of headwater forests, the construction of water reservoirs upstream, the removal of obstacles, dredging of river channels, flow clearance, and flood diversion and slowing.”.

2. Clause 2 of Article 6 is amended as follows:

“2. Encourage and enable domestic and foreign organizations and individuals to invest in researching and applying advanced technologies and traditional solutions to constructing, renovating, solidifying and protecting dikes with a view to adopting proactive measures upon implementation of planning.”.

3. Article 8 is amended as follows:

“Article 8. Rules and bases for formulating planning for flood control on river routes with dikes

1. Planning for flood control on river routes with dikes shall be formulated under regulations of the law on planning and the following rules:

a) The national comprehensive planning, national defense and security targets, national strategy for natural disaster management, planning for natural disaster management and irrigation are conformed to;

b) Design floods and historic floods on river routes are drained;

c) Conformity with each region nationwide and inheritance of the planning for flood control on river routes with dikes is ensured.

2. Bases for formulating planning for flood control on river routes with dikes include:

a) Long-term flood warning;

b) Natural conditions and socio - economic conditions;

c) Condition of the dike system;

d) National comprehensive planning, national land use planning, planning for natural disaster management and irrigation and other relevant planning.”.

4. Article 9 is amended as follows:

“Article 9. Contents for planning for flood control on river routes with dikes

The planning for flood control on river routes with dikes is the detailed planning that is tailored for inter-provincial rivers. It contains at least:

1. Orientations, objectives and technical standards for flood control on rivers that serve as the basis for formulating and implementing the planning for flood control on river routes with dikes;

2. Design flood on rivers, including design flood discharge and design flood water level;

3. Technical solutions specified in the planning for flood control on river routes with dikes include:

a) Construction of upstream reservoirs;

b) Planting of watershed protection forests and planting of mangroves for dike protection;

c) Dike construction and renovation;

d) Flood diversion and slowing areas, capacity for diversion of flood into other rivers;

dd) Flow clearance;

e) Dike management and protection;

4. Possible effects of the implementation of the planning for flood control on rivers with dikes on the environment and proposed solutions for reducing bad effects on the environment;

5. Solutions for implementation of the planning for flood control on river routes with dikes.”

5. Clause 1 of Article 10 is amended as follows:

“1. The planning for flood control on river routes with dikes shall be reviewed every five years or in case of changes caused by a natural disaster or changes to the national comprehensive planning, national defense and security targets, national strategy for natural disaster management, planning for natural disaster management and irrigation.”.

6. Article 12 is amended as follows:

“Article 12. The power to organize formulation, approval and adjustment of the planning for flood control on river routes with dikes

1. The Ministry of Natural Resources and Environment shall organize the formulation of the planning for flood control on river routes with dikes and submit it to the Prime Minister for approval.

2. The Government shall elaborate the formulation, appraisal, approval and adjustment of the planning for flood control on river routes with dikes.”.

7. Article 13 is amended as follows:

“Article 13. Publishing and implementation of planning for flood control on river routes with dikes

1. Within 15 days from the date on which the planning for flood control on river routes with dikes or adjusted planning for flood control on river routes with dikes is approved, the Ministry of Agriculture and Rural Development shall announce the planning or adjusted planning. The planning shall be published as prescribed by the law on planning.

2. The planning for flood control on river routes with dikes shall be implemented as follows:

a) The Ministry of Natural Resources and Environment shall take charge and cooperate with other Ministries, ministerial agencies and People’s Committees of provinces in organizing the implementation of planning for flood control on river routes with dikes ;

b) People’s Committees of provinces shall organize the development and review of contents of plan for flood control on river routes with dikes under the management of the local government and include the plan in the provincial planning in accordance with regulations of the law on planning;

c) According to the approved planning for flood control on river routes with dikes, Ministries, ministerial agencies and People's Committees of provinces concerned shall direct and cooperate in the implementation of such planning.”.

8. Article 13a is added before Article 14 in Section 2 Chapter II as follows:

“Article 13a. Dike planning

Dike planning is the detailed planning aimed at realizing national comprehensive planning and regional planning and is tailored for the dike system that involves at least two provinces.”.

9. Some Clauses and Points of Article 14 are amended as follows:

a) Clause 1 is amended as follows:

“1. Dike planning shall be formulated under regulations of the law on planning and the following rules:

a) The planning conforms to the national comprehensive planning, national defense and security targets, national strategy for natural disaster management, planning for natural disaster management and irrigation, regional planning, planning for flood control on river routes with dikes, and ensures uniformity in the dike system and inheritance of the dike planning;

b) Sea dikes are required to prevent storm and sea level rise according to technical standards for sea dike design and provide space for mangroves;

c) River dikes are required to ensure safety corresponding to design flood water level and solutions for ensuring dike safety upon occurrence of a historic flood. Local governments in the same basin shall cooperate with each other without affecting the planning for flood control on river routes with dikes, and entire river system.

b) Points b and c of Clause 2 are amended as follows:

“b) National strategy for natural disaster management;

c) Planning for natural disaster management and irrigation; planning for flood control on river routes with dikes;”.

10. Clause 1 of Article 16 is amended as follows:

“1. The dike planning shall be reviewed every five years or in case of changes caused by a natural disaster or changes to the national comprehensive planning, national defense and security targets, planning for natural disaster management and irrigation, regional planning and planning for flood control on river routes with dikes.”.

11. Article 17 is amended as follows:

“Article 17. The power to organize formulation, approval and adjustment of the dike planning

1. The Ministry of Natural Resources and Environment shall organize the formulation and adjustment of dike planning and submit it to the Prime Minister for approval.
2. The Government shall elaborate the formulation, appraisal, approval and adjustment of the dike planning.”.

12. Article 19 is amended as follows:

“Article 19. Publishing and implementation of dike planning

1. Within 15 days from the date on which the dike planning or adjusted dike planning is approved, the Ministry of Agriculture and Rural Development shall announce the planning or adjusted planning. The planning shall be published as prescribed by the law on planning.
2. The dike planning shall be implemented as follows:
 - a) The Ministry of Natural Resources and Environment shall take charge and cooperate with other Ministries, ministerial agencies and People’s Committees of provinces in organizing the implementation of dike planning;
 - b) People’s Committees of provinces shall organize the development and review of contents of dike system development plan and include the plan in the provincial planning in accordance with regulations of the law on planning; organize planting of boundary markers and protected zone of dikes

13. Point b Clause 3 of Article 26 is amended as follows:

“b) Stick to the planning for natural disaster management and irrigation, planning for flood control on river routes with dikes, dike planning, provincial planning, district land use planning and construction planning that have been approved by a competent authority;”.

14. Clause 1 of Article 27 is amended as follows:

“1. According to the planning for flood control on river routes with dikes and provincial planning that have been approved by a competent authority, People’s Committees of provinces shall organize the formulation and adjustment of the district land use planning and construction planning that involves protected zone of dikes and river terraces and submit them to a competent authority for approval or approve them within their power.

15. Some Points of Article 42 are amended as follows:

a) Point a of Clause 2 is amended as follows:

“a) Take charge and cooperate with Ministries, ministerial agencies and People’s Committees of provinces in organizing the formulation and implementation of the planning for natural disaster management and irrigation, planning for flood control on river routes with dikes, dike planning and plans for construction, renovation, improvement, solidification, protection and use of dikes;”;

b) Point a of Clause 3 is amended as follows:

“a) Organize hydrometeorological forecasting; direct and provide guidelines for formulation of land use planning within the safety perimeter of dikes, dike protection jetties, dike culverts and river terraces as prescribed by this Law, law on planning and law on land;”;

c) Point a of Clause 5 is amended as follows:

“a) Planning for inland waterway infrastructure, construction of river bridges to ensure capacity for flood drainage, construction of works serving waterway transport and renovation of dikes in association with road construction;”.

16. Some Points of Article 43 are amended as follows:

a) Point a of Clause 1 is amended as follows:

“a) Organize the development of contents of plan for dike system development and plan for flood control on river routes with dikes and include the plan in the provincial planning; organize the construction, renovation, improvement and solidification of dikes, and management and assurance of safety of dikes within provinces in conformity with the dike planning, planning for flood control on river routes with dikes and provincial planning; ensure uniformity in the dike system nationwide;”;

b) Point b of Clause 2 is amended as follows:

“b) Direct People’s Committees of communes to cooperate with relevant authorities in implementing the plan for dike system management, plan for flood control on river routes with dikes within districts specified in the provincial planning, and plan for construction, renovation, improvement, solidification, protection and use of dikes;”.

17. Clause 2 of Article 11, and Article 18 are repealed.

Article 14. Amendments to some Articles of the Law on Irrigation

1. Point a Clause 1 of Article 5 is amended as follows:

“a) In the course of formulating planning for irrigation and construction of irrigation works, the watershed solution or the solution to water source generation, water loss control, local water use, water reuse and connection to the inter-regional irrigation system shall be proposed and selected;

2. Article 11 is amended as follows:

“Article 11. Irrigation planning

1. Irrigation planning is the detailed planning aimed at realizing national planning and regional planning and serves as a basis for construction, management, operation and protection of irrigation works.

2. Irrigation planning includes:

a) Irrigation planning intended for inter-provincial river basins;

b) Irrigation planning intended for systems of irrigation works that involve at least 02 provinces.

3. The irrigation planning intended for systems of irrigation works that involve at least 02 provinces must be conformable with the irrigation planning intended for inter-provincial river basins.

4. The irrigation planning covers a period of 10 years. The orientations of the planning cover a period of 30 - 50 years. It is reviewed every 05 years.

5. The irrigation planning is adjusted whenever there is any adjustment to the socio - economic development, national defense and security strategy, irrigation strategy, national comprehensive planning, planning for natural disaster management and irrigation, water resources planning and regional planning or any significant change to main objectives of the irrigation planning.”.

3. Article 12 is amended as follows:

“Article 12. Rules for formulating irrigation planning

Irrigation planning shall be formulated under regulations of the law on planning and the following rules:

1. Conform to irrigation planning, national comprehensive planning, planning for natural disaster management and irrigation, water resources planning, regional planning and socio - economic development, national defense and security plan;

2. Attach to the national infrastructure planning and relevant planning;

3. Perform the overall management of water resources and ensure consistency with river basins and systems of irrigation works, adaptability to impacts resulting from climate change and socio-economic development activities occurring in river basins and sustainable development;

4. Serve multiple objectives, ensure the compatibility between extraction and protection of natural resources, environment and natural disaster management. Give special emphasis on

supplying water to islands, coastal regions, boundary areas, mountainous areas, highland areas and areas surrounding hydropower reservoirs;

5. Ensure balanced distribution of water nationwide, within specific regions, river basins, systems of irrigation works or administrative divisions; transfer water from areas with an abundant volume of water to those with a shortage of water; store water occurring in rainy season and water-abundant years for later use in dry season and water-deficit years, respectively.”.

4. Article 13 is amended as follows:

“Article 13. Contents of irrigation planning

1. The irrigation planning shall define developmental orientation, spatial arrangement and distribution of irrigation resources by the extent specified in the planning.

2. Irrigation planning intended for inter-provincial river basins contains at least:

a) Analysis and assessment of natural and water resource conditions, socio-economic conditions, available resources; assessment of current irrigation conditions and results of implementation of the planning in the previous planning period;

b) Forecast of developmental tendencies and scenarios, water sources in the situation where they are impacted by climate change and natural disasters; forecast of technological and scientific advances and resources directly affecting irrigation matters;

c) Assessment of sectoral and regional connection; identification of socio-economic development requirements concerning irrigation aspects; opportunities and challenges for irrigation development within river basins;

d) Determination of irrigation development viewpoints and objectives within river basins;

dd) Analysis, calculation and formulation of irrigation plans based on developmental scenarios that may occur within river basins. The planning shall certainly help create, store, balance, regulate and distribute water resources, minimize risks of drought, saltwater intrusion, desertification, flood, inundation, waterlogging, pollution and degradation to watercourses and other water-related disasters within river basins;

e) Proposed solutions, list of works, projects and order of priority;

g) Anticipation of demands for land used for development, construction, modification and improvement of irrigation works; demands for land used as the ground for storage of materials produced from dredging and expansion of channels or canals;

h) Solutions and resources available for implementation of the irrigation planning;.

i) Zoning drawings or plans.

3. Irrigation planning intended for systems of irrigation works that involve at least 02 provinces contain at least:

a) Analysis and assessment of natural and water resource conditions, socio-economic conditions, available resources; assessment of current irrigation conditions and results of implementation of the irrigation planning in the previous planning period in systems of irrigation works;

b) Forecast of developmental tendencies and scenarios, water sources in the situation where they are impacted by climate change and natural disasters; forecast of technological and scientific advances and resources directly affecting irrigation matters;

c) Assessment of sectoral and regional connection; identification of socio-economic development requirements concerning irrigation aspects; opportunities and challenges for irrigation development in systems of irrigation works;

d) Determination of irrigation development viewpoints and objectives in systems of irrigation works;

dd) Analysis, calculation and formulation of irrigation plans based on developmental scenarios that may occur within river basins; irrigation solutions intended for each subject in systems of irrigation works; plan for cooperation in operation between irrigation works in systems of irrigation works. The planning shall certainly help create, store, balance, regulate and distribute water resources, minimize risks of drought, saltwater intrusion, desertification, flood, inundation, waterlogging, pollution and degradation to watercourses and other water-related disasters in systems of irrigation works;

e) Proposed solutions, list of works, projects and order of priority;

g) Anticipation of demands for land used for development, construction, modification and improvement of irrigation works; demands for land used as the ground for storage of materials produced from dredging and expansion of channels or canals;

h) Solutions and resources available for implementation of the irrigation planning;.

i) Zoning drawings or plans.”.

5. Article 14 is amended as follows:

“Article 14. Formulation, approval, adjustment, publishing, management and implementation of irrigation planning

1. The Ministry of Natural Resources and Environment shall organize the formulation and adjustment of irrigation planning and submit it to the Prime Minister for approval.

2. The irrigation planning shall be published, managed and implemented as follows:

a) Within 15 days from the date on which the irrigation planning or adjusted irrigation planning is approved, the Ministry of Agriculture and Rural Development shall publish the planning or adjusted planning as prescribed by the law on planning. Contents of the irrigation planning shall be published during the planning period;

b) The Ministry of Natural Resources and Environment shall manage and organize the implementation of the irrigation planning;

c) People's Committees of provinces shall organize the development of contents of irrigation development plan and include the plan in the provincial planning in accordance with regulations of the law on planning and organize the implementation thereof;

d) Organizations and individuals are enabled to supervise the implementation of the irrigation planning.

3. The Government shall elaborate the formulation, appraisal, approval and adjustment of the irrigation planning.”.

6. Point a Clause 2 of Article 56 is amended as follows:

“a) Promulgate or propose the promulgation of strategies, plans, policies and legislative documents concerning irrigation and organize the implementation thereof; organize the formulation, adjustment, publishing, management and implementation of the planning for natural disaster management and irrigation and irrigation planning;”.

7. Some Points of Article 57 are amended as follows:

a) Point b of Clause 1 is amended as follows:

“b) Organize the development of contents of the irrigation development planning and include it in the provincial planning; approve and organize the implementation of irrigation work construction projects and plans according to the planning approved by a competent authority;”;

b) Point b of Clause 2 is amended as follows:

“b) Organize the implementation of the irrigation development plan according to the planning approved by a competent authority;”.

Article 15. Amendments to some Articles of the Law on Atomic Energy

1. Clause 1 of Article 9 is amended as follows:

“1. The National Council for Atomic Energy Development and Application is an agency in charge of providing the Prime Minister with counseling on strategies, policies and plans for

development and application of atomic energy for peaceful purposes and assisting the Prime Minister in directing and addressing important and inter-agency issues concerning atomic energy.”.

2. Article 13 is amended as follows:

“Article 13. Atomic energy development and application planning

1. Atomic energy development and application planning is the detailed planning that is formulated according to the socio - economic development strategy, strategy for application of atomic energy for peaceful purposes and relevant national sector planning, and aimed at proposing basic long-term orientations and determining overall and specific objectives of developing and applying atomic energy for peaceful purposes.

2. The atomic energy development and application planning contains at least: viewpoints on atomic energy development and application, overall objectives and general targets for atomic energy development and application with respect to radiation and radioisotope development and application, nuclear power development, exploration, extraction, processing and use of radioactive ores; specific objectives of developing and applying atomic energy in health, meteorology, hydrology, geology, minerals, environmental protection, agriculture, industry and other economic and technical branches; orientations for development of research institutes, application and training centers; solutions and resources available for implementation.

3. The Ministry of Science and Technology shall take charge and cooperate with the Ministry of Health, Ministry of Agriculture and Rural Development, Ministry of Industry and Trade, relevant Ministries, ministerial agencies and People’s Committees of provinces in organizing the formulation of atomic energy development and application planning; organize, provide guidelines and inspect the implementation of the approved atomic energy development and application planning.

4. The Government shall elaborate the formulation, appraisal, approval, publishing, implementation, assessment and adjustment of the atomic energy development and application planning.”.

3. Clause 13a is added after Article 13 as follows:

“Article 13a. Nuclear power development planning

1. Nuclear power development planning is the detailed planning that is formulated according to the comprehensive national energy planning, nuclear energy development and application planning and other relevant planning prescribed by the law on planning, and aimed at proposing basic long-term orientations and determining overall and specific objectives of developing nuclear power.

2. The nuclear power development planning contains development viewpoints, objectives, targets, main tasks, solutions for implementation and approved strategic environmental assessment.

3. Ministries and ministerial agencies shall organize the formulation of nuclear power development planning and submit it to the Prime Minister for approval.

4. The Government shall elaborate the formulation, appraisal, approval, publishing, implementation, assessment and adjustment of the nuclear power development planning.”.

4. Article 14 is amended as follows:

“Article 14. Planning for exploration, extraction, processing and use of radioactive ores

1. Planning for exploration, extraction, processing and use of radioactive ores is the national sector planning and aimed at proposing long-term orientations and determining specific objectives of exploration, extraction, processing and use of radioactive ores.

2. The Ministry of Industry and Trade shall organize the formulation of planning for exploration, extraction, processing and use of radioactive ores and submit it to the Prime Minister for approval in accordance with regulations of the law on planning, law on minerals and law on atomic energy.”.

5. Article 15 is amended as follows:

“Article 15. Adjustments to the atomic energy development and application planning and nuclear power development planning

Atomic energy development and application planning and nuclear power development planning shall be adjusted when adjustments made to the socio - economic development objective, strategy or plan, relevant sector strategy and sector planning change contents of such planning.”.

6. Clause 8a is added after Clause 8 of Article 25 as follows:

“8a. National radioactive waste repository and radioactive waste burial sites shall be specified in the environmental protection planning, regional and other relevant planning in accordance with regulations of the law on planning, law on environmental protection and law on atomic energy.”.

Article 16. Amendments to some Articles of the Law on Measurement

1. Some Clauses of Article 12 are amended as follows:

a) Clause 2 is amended as follows:

“2. National measurement standards shall be established according to the national measurement standard development plan.”;

b) Clause 5 is amended as follows:

“5. The Prime Minister shall approve the national measurement standard development plan.”.

2. Clause 1 of Article 41 is amended as follows:

“1. Give advice and participate in developing legislative documents and projects on measurement in accordance with regulations of law.”.

3. Clause 1 of Article 54 is amended as follows:

“1. Take charge and cooperate with relevant Ministries and ministerial agencies in promulgating or proposing the promulgation of national measurement standard policies, national measurement standard policy plans and legislative documents concerning measurement and organize the implementation thereof.”.

4. Point a Clause 1 of Article 55 is amended as follows:

“a) Participate in developing and organizing the implementation of policies and legislative documents concerning measurement and national measurement standard development plans;”.

5. Points a and b Clause 2 of Article 56 are amended as follows:

“a) Propose, prepare and propose the promulgation of legislative documents concerning measurement; prepare measurement plans;

“b) Organize the implementation of plans and legislative documents concerning measurement;”.

Article 17. Amendments to some Articles of the Law on Technical Standards and Regulations

1. Article 14 is amended as follows:

“Article 14. National standard establishment plans

1. National standard establishment plans include five year plans and annual plans that are formulated on the following bases:

a) Conformity with international standards laid down in international treaties or agreements to which the Socialist Republic of Vietnam is a signatory;

b) Requirements for socio - economic development;

c) At the request of organizations/individuals.

2. The Ministry of Science and Technology shall take charge and cooperate with relevant Ministries, ministerial agencies and Governmental agencies in formulating and publishing national standard establishment plans to seek public opinions before the approval.

The Minister of Science and Technology shall approve national standard establishment plans and publish them within 30 days from the date of approval.

3. Where necessary, national standard establishment plans shall be amended according to the decision of the Minister of Science and Technology. National standard establishment plans shall be amended as prescribed in Clause 2 of this Article.”.

2. The phrase “quy hoạch” (“planning”) is removed from Clause 1 Article 15, Point a Clause 3 Article 16, Article 29, Clause 1 Article 31, Point a Clause 2 Article 59, Points b and c Clause 1, Points b and d Clause 2 Article 60.

Article 18. Amendments to some Articles of the Law on Cyberinformation Security

1. Clause 1 of Article 51 is amended as follows:

“1. Formulating strategies, plans and policies on cyberinformation security; formulating, and directing the implementation of national cyberinformation security program; organizing the formulation of infrastructure development plan aimed at ensuring cyberinformation security and including it in the information and communication infrastructure planning and other relevant planning in accordance with regulations of the law on planning.”.

2. Point a Clause 2 of Article 52 is amended as follows:

“a) Promulgate or formulate or propose the promulgation of legislative documents, strategies, plans, national technical standards and regulations on cyberinformation security; organize the formulation of infrastructure development plan aimed at ensuring cyberinformation security and including it in the information and communication infrastructure planning and other relevant planning in accordance with regulations of the law on planning;”.

3. The phrase “quy hoạch” (“planning”) is removed from Point a Clause 1 of Article 42 and Point a Clause 3 of Article 52.

Article 19. Amendments to some Articles of the Law on Publishing

1. Point a Clause 1 of Article 6 is amended as follows:

“a) Formulate and organize the implementation of publishing development strategies, plans and policies; organize the development of contents of publisher development plan and include it in the planning for developing a network of press agencies, broadcasting and electronic information establishments and publishers, regional planning and provincial planning; promulgate legislative documents concerning publishing and copyright in the publishing industry;”.

2. Clause 1 of Article 7 is amended as follows:

“1. The State shall introduce a strategy for developing a network of publishers, printers, publication releaser establishments, publisher development plan mentioned in the planning for developing a network of press agencies, broadcasting and electronic information establishments and publishers, regional planning and provincial planning; provide assistance in human resource training, provide tax incentives to publishing as prescribed by law; have policies on attracting social resources to publishing.”.

3. Clause 4 of Article 13 is amended as follows:

“4. Conform to the State’s strategies, plans and policies on publishing development.”.

4. Point d Clause 1 of Article 32 is amended as follows:

“d) Conform to the planning for developing a network of press agencies, broadcasting and electronic information establishments and publishers, and other relevant planning in accordance with regulations of law on planning.”.

Article 20. Amendments to some Articles of the Law on Press

1. Clause 1 of Article 5 is amended as follows:

“1. Introduce a strategy for press development and management, developing and managing a network of publishers, printers, publication releasing establishments, publisher development plan mentioned in the planning for developing a network of press agencies, broadcasting and electronic information establishments and publishers, regional planning and provincial planning.”.

2. Clause 1 of Article 6 is amended as follows:

“1. Formulate, direct and organize the implementation of press development strategies and plans; organize the formulation of press agency development plans and include them in the planning for developing a network of press agencies, broadcasting and electronic establishments, and publishers, regional planning and provincial planning.”.

3. Point c Clause 2 of Article 8 is amended as follows:

“c) Contribute opinions on formulating press development strategies, plans and policies, press agency development plans specified in the planning for developing a network of press agencies, broadcasting and electronic information establishments and publishers, and legislative documents concerning press;”.

4. Clause 5 of Article 17 is amended as follows:

“5. Conform to the planning for developing a network of press agencies, broadcasting and electronic information establishments and publishers that is approved by the Prime Minister.”.

5. Clause 1 of Article 33 is amended as follows:

“1. The license to edit the foreign program channels on the paid broadcasting and television services shall be issued to each program channel and conform to the State’s strategies, plans and policies on press development and management across the nation.”.

6. Some Points of Article 51 are amended as follows:

a) Point b of Clause 2 is amended as follows:

“b) Conform to the State's strategies, plans and policies on press, transmission, radio and television broadcasting and development of radio and television services;”;

b) Point b of Clause 3 is amended as follows:

“b) Introduce a plan for service provision in conformity with the State's strategies, plans and policies on transmission and radio and television broadcasting service development;”.

Article 21. Amendments to Clause 3 Article 8 of the Law on National Defense and Security Education

Clause 3 of Article 8 is amended as follows:

“3. The planning for system of national defense and security education centers must be conformable with the planning for a network of higher education institutions and pedagogical institutions and satisfy demands for national defense and security education.”.

Article 22. Amendments to some Articles of the Law on Management and Utilization of State Capital Invested in the Enterprises’ Manufacturing and Business Operations

1. Clause 2 of Article 5 is amended as follows:

“2. Conform to the socio - economic development, national defense and security strategy and plan for, and national comprehensive planning.”.

2. Clause 2 of Article 8 is amended as follows:

“2. Formulate corporate investment and development strategy according to the socio - economic development, national defense and security strategy and plan for, and national comprehensive planning.”.

3. Point d Clause 1 of Article 12 is amended as follows:

“d) Assess socio - economic impacts made by the enterprise establishment upon relevant types of planning in accordance with regulations of the law on planning and industry distribution and development and economic region strategy;”.

4. Clause 2 of Article 19 is amended as follows:

“2. State capital investment in partial or complete acquisition of an enterprise as stipulated in Clause 1 of this Article must conform to the socio-economic development strategy and plan, and national sector planning in each period.”.

5. Clause 1 of Article 36 is amended as follows:

“1. According to the scope of state capital investment in enterprise establishment stipulated in Article 10 of this Law, the Government shall specify the roadmap for the divestment of state capital in enterprises, which must conform to the socio-economic development strategy and plan and national sector planning.”.

Article 23. Amendments to some Articles of the Law on Thrift Practice and Waste Combat

1. Clause 10 of Article 27 is amended as follows:

“10. Issue the license to establish schools and health facilities against the education and health development strategies and plans and relevant planning in accordance with regulations of the law on planning and other relevant regulations of law.”.

2. Clause 1 of Article 46 is amended as follows:

“1. Conform to relevant planning prescribed by the law on planning and approved plan related to extraction and protection of natural resources.”.

3. Point a Clause 1 of Article 48 is amended as follows:

“a) Comply with relevant planning prescribed by the law on planning and water resources plan;”.

4. Point a Clause 1 of Article 49 is amended as follows:

“a) Conform to the strategy for exploration, extraction, processing and use of minerals and relevant planning prescribed by the law on planning;”.

5. Point a Clause 1 of Article 50 is amended as follows:

“a) Conform to the forestry development strategies, planning and plans, and relevant planning in accordance with regulations of law on planning;”.

6. Clause 1 of Article 64 is amended as follows:

“1. Manufacturing and business investment projects must be implemented according to relevant planning prescribed by the law on planning, land use plan and regulations on landscape protection promulgated by the competent authority.”.

7. The phrase “quy hoạch,” (“planning,”) is removed from Clauses 1, 3 and 4 of Article 22, and Clauses 5 and 7 of Article 27.

Article 24. Amendments to some Articles of the Law on Customs

1. Clause 4 of Article 22 is amended as follows:

“4. Competent organizations and individuals shall arrange a place where customs procedures followed and a storage for imports and exports to satisfy requirements for customs inspection and supervision in accordance with this Law when they engage in planning, design and construction related to land border checkpoints, international railway stations, international civil airports; seaports and inland waterway ports where import, export, exit, entry and transit activities are carried out; inland ports of import or export of goods; economic zones, industrial parks, non-tariff zones and other places where import, export, exit, entry and transit activities are carried out.”.

2. Clause 1 of Article 99 is amended as follows:

“1. Formulate and direct the implementation of the Vietnam Customs development strategy and plan;”.

Article 25. Amendments to Clause 2 of Article 7 of the Law on Securities

1. Point a Clause 2 of Article 7 is amended as follows:

“a) Request the Government and the Prime Minister to promulgate securities market development strategies, plans and policies;”.

2. Point c Clause 2 of Article 7 is amended as follows:

“c) Direct the State Securities Commission to implement securities market development strategies, plans, projects and policies and policies on management and supervision of securities and securities market.”.

Article 26. Amendments to some Articles of the Law on Cinematography

1. Clause 6 of Article 5 is amended as follows:

“6. The Government shall elaborate the implementation of policies specified in this Article.”.

2. Clause 1 of Article 8 is amended as follows:

“1. Formulate and organize the implementation of cinematography development strategies, plans and policies; include orientations for development of cinematography companies in the planning for a network of culture and sports facilities; promulgate legislative documents concerning cinematography.”.

Article 27. Amendments to Clause 2 of Article 4 of the Law on Advertising

Clause 2 of Article 4 is amended as follows:

“2. Formulate and direct the implementation of advertising development strategies, plans and policies and outdoor advertising planning.”.

Article 28. Amendments to some Articles of the Law on Construction

1. Some Clauses of Article 3 are amended as follows:

a) Clause 25 is amended as follows:

“25. *Dedicated areas* include economic zones, industrial parks, export-processing zones, hi-tech zones, tourism areas, research and training centers and sports zone.”;

b) Clause 31 is amended as follows:

“31. *Inter-district construction planning and district construction planning* means the organization of the system of urban areas, rural areas, dedicated areas and technical and social infrastructure within multiple districts or a district of a province, satisfying requirements for socio - economic development in each period.”;

c) Clause 32 is amended as follows:

“32. *Dedicated area construction planning* means the spatial arrangement of landscape architecture and technical and social infrastructure system within a dedicated area specified in Clause 25 of this Article. Dedicated area construction planning includes general construction planning, construction zoning planning and detailed construction planning.”.

2. Article 13 is amended as follows:

“Article 13. Construction planning

1. Inter-district construction planning, district construction planning and dedicated area construction planning is the detailed planning.

2. Urban planning is the planning mentioned in the national planning and includes the one specified by the Law on Urban Planning.

Formulation, appraisal, approval, adjustment and implementation of the urban planning shall comply with regulations of the law on planning.

3. Rural planning is the planning mentioned in the national planning and includes the one specified in Clause 2 Article 29 of this Law.

4. Bases for formulating construction planning include:

a) Socio - economic development, national defense and security strategies and plans; industry distribution and development strategies during the same period;

b) National planning, regional planning and provincial planning;

c) Planning in the previous planning;

d) Technical standards for urban planning and other relevant standards;

dd) Maps, documents and data on local current socio - economic conditions and natural conditions.”.

3. Some Points of Article 14 are amended as follows:

a) Point a of Clause 1 is amended as follows:

“a) Conform to socio - economic development strategy and industry distribution and development strategy; conform to national planning, regional planning and provincial planning; ensure national defense and security, facilitate sustainable socio - economic development; industry distribution and development strategies during the same period; ensure publicity, transparency and harmony of interests between the State, the public and individuals;”;

b) Point a of Clause 2 is amended as follows:

“a) The construction, and management of space, architecture and landscape and execution of programs therefor shall comply with the planning mentioned in the national planning prescribed by the law on planning and approved construction planning, and conform to available resources;”.

4. Clause 1 of Article 15 is amended as follows:

“1. Construction planning shall be periodically considered and reviewed, and the implementation thereof shall be assessed in order to make prompt adjustments relevant to the socio - economic development in each period. Inter-district construction planning and district construction planning, general planning and zoning planning, and detailed planning shall be reviewed every 10 years, 05 years and 03 years respectively from the date on which the construction planning is approved.”.

5. Clause 2 of Article 20 is amended as follows:

“2. Conduct field investigations and surveys; collect maps, documents and data on natural conditions, current socio-economic conditions, national planning, regional planning and provincial planning concern to set up a construction planning project.”.

6. Section 2 of Chapter II is amended as follows:

“Section 2

INTER-DISTRICT CONSTRUCTION PLANNING AND DISTRICT CONSTRUCTION PLANNING

Article 22. Responsibility for organizing formulation of inter-district construction planning and district construction planning

1. People’s Committees of provinces shall organize the formulation of construction planning tasks and projects for districts under their management.

2. People’s Committees of districts shall organize the formulation of district construction planning tasks and projects.

Article 23. Tasks of inter-district construction planning and district construction planning and contents of inter-district construction planning and district construction planning projects

1. Tasks of inter-district construction planning and district construction planning cover:

a) Determining bases for inter-district planning boundaries;

b) Determination of development objective;

c) Forecast of population size, demand for technical and social infrastructure in each development period;

d) Determination of requirements for spatial organization of the system of urban areas, rural areas and main dedicated areas, and system of technical and social infrastructure within the scope of planning in each period.

2. Inter-district construction planning and district construction planning that have been approved serve as a basis for formulating rural planning and inter-district and district technical infrastructure projects.

3. The Government shall elaborate inter-district construction planning and district construction planning tasks and projects.”.

7. Article 24 is amended as follows:

“Article 24. Responsibility for formulating dedicated area construction planning

1. The Ministry of Construction shall organize the formulation of dedicated area construction planning tasks and projects at the request of the Prime Minister according to the principle: the planning is tailored for a dedicated area only. Regarding national tourism areas, the Prime Minister shall decide on formulation of planning.

2. People's Committees of provinces shall organize the formulation of dedicated area construction planning tasks and projects and dedicated area zoning planning tasks and projects, except the planning specified in Clause 1 of this Article.

3. People’s Committees of districts shall organize the formulation of tasks and projects on detailed planning for construction of areas under their management. Construction project owners shall organize the formulation of detailed planning for the area in which they are assigned to invest.”.

8. Point a Clause 4 of Article 33 is amended as follows:

“a) Conformity of the construction planning tasks with socio - economic development, national defense and security, environmental protection and climate change response strategies, national planning, regional planning and provincial planning and with land use plan;”.

9. Article 34 is amended as follows:

“Article 34. The power to approve construction planning tasks and projects

1. The Prime Minister shall approve tasks and projects on the following construction planning:

- a) General economic zone construction planning, general hi-tech zone construction planning;
- b) General tourism area construction planning, research and training centers, national sports centers.

2. People’s Committees of provinces shall approve tasks and projects on the following construction planning:

- a) Inter-district construction planning and district construction planning;
- b) General dedicated area construction planning, except the planning prescribed in Clause 1 of this Article.

3. People’s Committees of districts shall approve tasks and projects on zoning planning, detailed construction planning and rural planning within the areas under their management after obtaining

written consent of the authority in charge of planning management affiliated to People's Committee of a province.

4. People's Committees at all levels shall organize formulation of construction planning and submit it to People's Councils at the same level before a competent authority considers and approves it.

5. Construction planning tasks and projects shall be approved as follows:

a) Construction planning tasks and projects shall be approved in writing;

b) The written approval for construction planning shall contain main contents of the construction planning projects specified in Articles 23, 26, 27, 28, 30 and 31 of this Law and enclose an approved list of drawings.”.

10. Article 35 is amended as follows:

“Article 35. Bases for adjusting construction planning

1. Inter-district construction planning and district construction planning shall be adjusted in one of the following cases:

a) Adjustments to the objectives of the socio - economic development strategy and industry distribution and development strategy change contents of the planning;

b) Adjustments to the planning at a higher level change contents of the planning or there is inconsistency with the planning at the same level;

c) Changes or adjustments to an administrative division affect the nature and scale of space of the planning;

d) Natural disasters, climate change and war change the objectives, orientations and spatial organization of the planning;

dd) Random fluctuations of the socio-economic situation limit the resources for the implementation of the planning;

e) Development of science and technology considerably changes the implementation of the planning;

g) Assurance of nation defense and security is required.

2. Dedicated area construction planning shall be adjusted in one of the following cases:

a) Adjustments to the planning at a higher level change contents of the planning or there is inconsistency with the planning at the same level;

b) Setting up a key project of national significance greatly affects land use, environment and spatial composition of the dedicated area;

c) Construction planning fails to be implemented or the implementation thereof exert adverse effects on socio - economic development, national defense, security, social security, historical - cultural sites/monuments or environmental ecology, which is determined through the review and assessment of implementation of construction planning and the community's opinion;

d) Natural disasters, climate change and war change the objectives, orientations and spatial organization of the planning;

dd) The planning serves national interests and community interests.

3. Rural planning shall be adjusted in one of the following cases:

a) Adjustments to the planning at a higher level change are made;

b) Changes to natural geographical conditions are made;

c) Changes to an administrative division are made.”.

11. Clause 2 of Article 37 is amended as follows:

“2. Partial adjustments to dedicated area construction planning shall be made when the expected adjustments do not change the nature, functions, scale and main planning solutions of the area mentioned in the planning and do not overburden technical and social infrastructure of the area expected to be mentioned in the adjusted planning.”.

12. Article 39 is amended as follows:

“Article 39. Bases for partially adjusting construction planning

1. The authority in charge of organizing formulation of construction planning shall:

a) prepare a report on contents and plan for partial adjustment to the construction planning;

b) seek opinions of the residential community in the area expected to be mentioned in the adjusted planning and surrounding areas under the direct influence of the contents and plan for partial adjustment to the construction planning as prescribed in Articles 16 and 17 of this Law.

2. The authority in charge of planning management specified in Article 32 of this Law shall appraise bases, conditions and contents related to partial adjustment to the planning.

3. The authority in charge of approving the construction planning shall consider deciding on partial adjustment to the construction planning in the opinion of the authority in charge of appraising the construction planning.

The decision on partial adjustment to construction planning shall contain adjustments and enclose a drawing.

4. The authority in charge of organizing formulation of the construction planning shall update and specify adjustments in the planning documentation. Partial adjustments to the construction planning shall be published as prescribed in Articles 40, 41 and 42 of this Law.”.

13. Clauses 1 and 2 of Article 40 are amended as follows:

“1. Within 15 days from the date on which the planning is approved by a competent authority, the construction planning project shall be published.

2. It is required to publish all contents of the construction planning project and regulatory regulations laid down according to the promulgated construction planning project, except contents related to national defense, security and state secrets.”.

14. Clause 1 of Article 41 is amended as follows:

“1. Regarding inter-district construction planning and district construction planning:

a) People’s Committees of districts shall publish inter-district construction planning;

b) People’s Committees of districts or People’s Committees of communes shall publish district construction planning.”.

15. Clause 1 of Article 42 is amended as follows:

“1. The approved construction planning project shall be regularly posted and updated on websites of the authority in charge of organizing formulation of the planning, authority in charge of formulating planning and construction planning authority and on mass media.”.

16. Article 43 is amended as follows:

“Article 43. Provision of information about construction planning

1. Information about construction planning shall be provided:

a) by publishing construction planning project documentation on websites and mass media;

b) by providing direct provide direct explanations at the request of an organization or individual;

c) through physical or electronic documents at the request of an organization or individual;

d) by releasing publications about the planning.

2. People's Committees at all levels shall organize the receipt, processing and provision of information upon request. The authority in charge of planning management shall provide information about building site, construction boundary, red line boundary, construction elevation and other information relating to the construction planning at the request of an organization or individual within the scope of the construction planning project under its management.

In the cases where information is provided in writing, within 15 days from the date of receiving request, the authority in charge of planning management shall provide information to the applicant.

3. The information provider shall be responsible to law for the time of information provision and the accuracy of the provided documents and data.”.

17. Clause 1 of Article 51 is amended as follows:

“1. Conform to national planning, regional planning, provincial planning, construction planning, land use plan and planning in the area where the investment project is executed.”.

18. Phrases mentioned in the section title, Articles, Clauses and Points are replaced as follows:

a) The phrase “quy hoạch xây dựng nông thôn” (“rural construction planning”) in Clause 33 Article 3, title of Section 4 Chapter II and Article 29 is replaced with “quy hoạch nông thôn” (“rural planning”).

b) The phrase “khu chức năng đặc thù” (“particular dedicated area”) in Clause 30 Article 3, Point đ Clause 1 Article 14, Clause 3 Article 18, title of Section 3 Chapter II, Articles 25, 26, 27 and 28, Clause 1 Article 38, Clauses 2 and 3 Article 41, Clause 2 Article 46, Article 47 and Clause 1 Article 48 is replaced with “khu chức năng” (“dedicated area”).

c) The phrase “các cấp độ sau” (“the following levels”) in Clause 2 Article 29 is replaced with “các loại quy hoạch sau đây” (“the following types of planning”).

19. Clause 45 of Article 3, Clause 5 of Article 41, and Article 47 are repealed.

Article 29. Amendments to some Articles of the Law on Urban Planning

1. Clause 2 of Article 3 is amended as follows:

“2. *New rural area* is an urban area expected to be formed in the future according to the urban and rural system planning and is gradually constructed to satisfy criteria applied to an urban area as prescribed by law.”.

2. Clause 1 of Article 6 is amended as follows:

“1. Realize urban and area system planning, regional planning and provincial planning; conform to socio - economic development, national defense and security strategy; conform to national

planning, regional planning and provincial planning; ensure publicity and transparency, and harmony of national interests, community interests and individual interests.”.

3. Point a Clause 1 of Article 18 is amended as follows:

“a) General planning is tailored for central-affiliated cities, provincial-affiliated cities, district-level towns, commune-level towns and new rural areas.

General planning for a central-affiliated city that is formulated according to the provincial planning in a central-affiliated city in terms of spatial organization, system of technical and social infrastructure and residential houses;”.

4. Clause 2 is repealed and Clause 1 of Article 24 is amended as follows:

“1. Socio - economic development, national defense and security strategy, national planning, regional planning, provincial planning and detailed planning at a higher level that have been approved.”.

5. Clauses 2 and 3 of Article 41 are amended as follows:

“2. The provincial authority in charge of managing urban planning shall appraise urban planning tasks and project that are subject to approval of the People’s Committee at the same level.

3. The district authority in charge of managing urban planning shall appraise urban planning tasks and project that are subject to approval of the People’s Committee at the same level.”.

6. Point a Clause 1 of Article 43 is amended as follows:

“a) Conformity of urban planning tasks with requirements for socio - economic development, national defense and security maintenance, and planning at a higher level;”.

7. Article 44 is amended as follows:

“Article 44. The power to approve urban planning tasks and projects

1. The Prime Minister shall approve tasks and projects on the following urban planning:

a) General planning for a central-affiliated city, general planning for a provincial-affiliated city that is an urban area of Class I, general planning for a new urban area whose forecasted population size is equal to that of an urban area of at least Class III and a new urban area that involves two or more provinces;

b) Planning for urban technical infrastructure of a central-affiliated city that is a special-class urban area;

c) General planning, zoning planning and detailed planning for the area of special national political, socio-economic, cultural and historical significance prescribed by the Government.

2. People's Committees of provinces and central-affiliated cities shall approve tasks and projects on the following urban planning:

a) General planning for provincial-affiliated cities, district-level towns, commune-level towns and new rural areas, except for the urban planning specified in Point a Clause 1 of this Article. Regarding projects on general planning for urban areas of Class II, Class III and Class IV and new urban areas, it is required to obtain written consent of the Ministry of Construction before granting approval;

b) Urban technical infrastructure planning for central-affiliated cities, except for the planning specified in Point b Clause 1 of this Article, after obtaining written consent of the Ministry of Construction;

c) Zoning planning for special-class and Class I urban areas; zoning planning and detailed planning for zones within an urban area that involves two or more urban/suburban districts, important zones, zones within new urban areas, except for the planning specified in Point c Clause 1 of this Article.

3. People's Committees of provincial-affiliated cities, district-level towns and urban districts and People's Committees of suburban districts affiliated to central-affiliated city shall approve tasks and projects on zoning planning and detailed planning within the areas under their management, except for the urban planning specified in Clauses 1 and 2 of this Article, after obtaining written consent of the provincial authority in charge of managing urban planning.

4. People's Committees of provincial-affiliated districts shall approve tasks and projects on detailed planning for district-level towns, except for the urban planning specified in Clauses 1 and 2 of this Article, after obtaining written consent of the provincial authority in charge of managing urban planning.

5. People's Committees of cities, commune-level towns and district-level towns shall notify People's Councils at the same level of the general urban planning before a competent authority approves such planning.

Authorities in charge of formulating urban planning shall cooperate with People's Committees of cities, commune-level towns and district-level towns in notifying People's Councils at the same level of their general urban planning.

6. The Government shall specify procedures for approving urban planning tasks and projects.”.

8. Clause 1 of Article 47 is amended as follows:

“1. Adjustments to socio - economic development, national defense and security strategy, national planning, regional planning or provincial planning or adjustments to an administrative

division greatly affect the nature, functions and scale of an urban area or area mentioned in the planning;”.

9. Point a Clause 2 of Article 49 is amended as follows:

“a) Partial adjustment to urban planning shall be made when the expected adjustments do not change the nature, boundary and general orientations for urban area development; nature, functions, scale and main planning solutions of the area mentioned in the zoning planning or detailed planning and do not overburden technical and social infrastructure of the area expected to be mentioned in the adjusted planning;”.

10. Article 51 is amended as follows:

“Article 51. Procedures for partially adjusting urban planning

1. The authority in charge of organizing formulation of urban planning shall:

a) prepare a report on contents and plan for partial adjustment to the urban planning;

b) seek opinions of the residential community in the area expected to be mentioned in the adjusted planning and surrounding areas under the direct influence of the contents and plan for partial adjustment to the urban planning as prescribed in Section 2 Chapter II of this Law.

2. The authority in charge of managing urban planning specified in Article 41 of this Law shall appraise bases, conditions and contents related to partial adjustment to the planning.

3. The authority in charge of approving the urban planning shall consider deciding on partial adjustment to the urban planning in the opinion of the authority in charge of appraising the urban planning.

The decision on partial adjustment to urban planning shall contain adjustments and enclose a drawing.

4. The authority in charge of organizing formulation of the urban planning shall update and specify adjustments in the planning documentation. Partial adjustments to the urban planning shall be published as prescribed in Article 53 of this Law.”.

11. Clause 1 of Article 52 is amended as follows:

“1. In the cases where the boundary or some quotas for use of land specified in the urban planning need adjusting to execute a project on construction of a centralized work or separate work within the area already mentioned in the approved detailed planning, the competent authority shall, according to the Regulation on urban planning, conditions of technical and social infrastructure of the urban area or area, Regulation on management of planning and urban architecture, decide to adjust the planning.

The Government shall elaborate this Clause.”.

12. Clauses 1 and 2 of Article 53 are amended as follows:

“1. Within 15 days from the date on which the planning is approved by a competent authority, the urban planning project shall be published as follows:

a) Publish information about the planning on mass media and websites of the authority in charge of organizing formulation of the planning and authority in charge of formulating planning;

b) Organize conferences and seminars on publishing of urban planning with the participation of representatives of relevant organizations, Vietnamese Fatherland Front and representatives of the people in the area mentioned in the planning and news agencies;

c) Regularly display drawings, models and system of database on urban planning at regulatory authorities at all levels in charge of urban planning, urban planning exhibition and information centers and areas mentioned in the planning;

d) Print and release urban planning maps and regulations on management of approved urban planning.

2. It is required to publish all contents of the urban planning project and regulatory regulations laid down according to the promulgated urban planning project and design, except contents related to national defense, security and state secrets.”.

13. Clauses 2 and 3 of Article 55 are amended as follows:

“2. Information about urban planning shall be provided:

a) by providing direct explanations at the request of an organization or individual;

b) through physical or electronic documents at the request of an organization or individual;

c) through websites of urban planning authorities and mass media;

d) by releasing publications about the planning.

3. People’s Committees at all levels shall organize the receipt, processing and provision of information upon request. Information shall be provided according the approved urban planning and urban design and regulatory regulations laid down according to the promulgated urban planning project and urban design.

In the cases where information is provided in writing, within 15 days from the date of receiving the request, the authority in charge of managing urban planning shall provide information to the applicant.”.

14. Clause 1 of Article 67 is amended as follows:

“1. Underground structures shall be constructed according to the underground space planning specified in the approved urban planning, Regulation on construction of underground structures promulgated by the Ministry of Construction and construction permit.”.

15. Clauses 16 and 17 Article 3, Clauses 5 and 6 Article 16, Articles 17, 56 and 71 are repealed.

Article 30. Removal of phrases from laws

1. The phrase “quy hoạch,” (“planning,”) is removed Articles, Clauses and Points of the following lawssoft:

a) Clause 1 Article 69 and Point a Clause 1 Article 70 of the Law on Quality of Products and Goods;

b) Point a Clause 2 Article 38 of the Law on Petroleum;

c) Clause 2 Article 235 of the Labor Code;

d) Clause 1 Article 10 of the Law on Social Insurance;

dd) Clause 2 Article 6 of the Law on Health Insurance;

e) Clause 1 Article 58 of the Law on Prevention and Control of Infectious Diseases;

g) Clause 1 Article 48 of the Law on Protection of Consumers’ Rights.

2. The phrase “quy hoạch và” (“planning and”) is removed from Clause 1 Article 40 of the Law on Judicial Expertise.

Article 31. Effect

This Law comes into force from January 01, 2019.

This Law is ratified by the 14th National Assembly of Socialist Republic of Vietnam during the 6th session on November 20, 2018.

**PRESIDENT OF THE NATIONAL
ASSEMBLY**

Nguyen Thi Kim Ngan

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