

**MINISTRY OF
AGRICULTURE AND
RURAL DEVELOPMENT
OF VIETNAM**

No. 515/QD-BNN-TCCB

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom – Happiness

Hanoi, February 10, 2023

DECISION

**ON FUNCTIONS, TASKS, POWERS AND ORGANIZATIONAL STRUCTURE OF
THE DEPARTMENT OF WATER RESOURCES (DWR)**

**THE MINISTER OF AGRICULTURE AND RURAL DEVELOPMENT OF
VIETNAM**

Pursuant to Decree No. 105/2022/ND-CP dated December 22, 2022 of the Government of Vietnam on functions, tasks, powers and organizational structure of the Ministry of Agriculture and Rural Development of Vietnam;

Pursuant to Decree No. 123/2016/ND-CP dated September 01, 2016 of the Government on functions, tasks, powers and organizational structure of the Ministries and Ministerial agencies; Decree No. 101/2020/ND-CP dated August 28, 2020 of the Government on amendments to certain Articles of Decree No. 123/2016/ND-CP;

Pursuant to Decree No. 158/2018/ND-CP dated November 22, 2018 of the Government establishment, reorganization and dissolution of administrative organizations;

Considering the request of the General Department of Water Resources in Statement No. 90/TTr-TCTL-VPTC dated January 27, 2023;

At the request of the Director of the Department of Organization and Personnel,

HEREBY DECIDES:

Article 1. Positions and functions

1. Department of Water Resources (Vietnamese name: Cục Thủy Lợi, formerly General Department of Water Resources "Tổng Cục Thủy Lợi") is affiliated to the Ministry of Agriculture and Rural Development. The Department of Water Resources (DWR) shall assist the Minister of Agriculture and Rural Development in managing the State and enforcing laws on irrigation, assurance about water security and safety of water dams and reservoirs, and clean water supply in rural areas of Vietnam.

2. DWR has its own legal entity, account and seal; has operating funds as prescribed by law;

3. The headquarters of the Department is located in Hanoi.

Article 2. Tasks and entitlements

1. The following documents shall be submitted to the Minister of Agriculture and Rural Development of Vietnam which will submit them to the Government and the Prime Minister:

a) Draft laws, draft resolutions of the National Assembly, ordinance projects, draft resolutions of the Standing Committee of National Assembly; draft decrees and resolutions of the Government; draft decisions, directives of the Prime Minister and other legal documents on irrigation, assurance about water security and dam and reservoir safety, and clean water supply in rural areas of Vietnam;

b) Long-term, medium-term and annual development strategies, planning and plans, mechanisms, policies and irrigational works of national importance, programs, projects and schemes on irrigation, assurance about water security and dam and reservoir safety, and clean water supply in rural areas of Vietnam.

2. Formulate national technical regulations, standards and economic-technical norms; national standards on management of specialties and fields under state management of DWR according to assignment of the Minister and regulations of law; provide instructions and inspection after promulgation by competent authorities.

3. Promulgate particular documents and professional instructions under management of DWR.

4. Instruct, inspect and organize implementation of legislative documents, mechanisms, policies, strategies, planning, plans, programs, projects and schemes; disseminate and educate laws on fields under management of DWR.

5. Regarding planning and basic survey:

a) Propose lists requiring planning and basic survey on irrigation, clean water supply in rural areas, water security and dam and reservoir safety;

b) Formulate planning tasks; manage and perform tasks in irrigation planning, irrigation planning contents in the irrigation and natural disaster planning and basic survey on irrigation, clean water supply in rural areas, water security and dam and reservoir safety;

c) Carry out tasks in state management of irrigation planning and basic survey on irrigation and clean water supply, water security and dam and reservoir safety as prescribed by law;

d) Take charge and cooperate with relevant agencies in formulating, reviewing and adjusting irrigation planning and natural disaster and irrigation planning.

6. Regarding irrigation and irrigational works:

a) Submit the following documents to the Minister:

Procedures for operating irrigational works and irrigation systems under management of the Ministry; regulations on hierarchy of management and operation of irrigational works; economic-technical norms of management and operation of irrigational works; consolidated reports on tasks, quantity and quality of public irrigation services and products, proposal to provide financial assistance in provision of public irrigation services and products for irrigational works and irrigation systems under management of the Ministry.

Projects and plans for management and operation of irrigational works serving multiple objectives and purposes to increase efficiency of using water and operating irrigation infrastructure, assurance about water security and socio-economic development; projects for protection of irrigational works; measures for assurance about safety and emergency response intended to irrigational works under management of the Ministry;

Projects and plans for modernization of hydrometeorological monitoring and forecasting techniques specialized in managing and operating irrigational works; projects for implementing policies on private sector involvement and applying public-private partnership investment to management and operation of irrigational works;

Projects and solutions for water conservation, regulation, transfer and distribution, water supply, irrigation and drainage serving agricultural production and domestic use; consolidated demands and proposals for financial assistance in prevention, combat and recovery of drought, water shortage, saline intrusion, flood and inundation throughout the country;

Projects for improvement of region-specific and country-specific management and operation of irrigational works; projects for innovation and increase of operational efficiency of irrigation management modules;

Plans and projects for control of water in hydroelectric reservoirs serving production and daily activities in case of drought, water shortage and saline intrusion;

Plans for implementing policies on irrigation product and service prices in the direction of multiple objectives and multiple values in accordance with particular characteristics of each region; management policies and methods for provision of irrigation products and services to increase revenues and ensure expenses calculated sufficiently and accurately as well as effectively use irrigation infrastructure.

b) Instruct and inspect establishment and implementation of procedures for operating irrigational works, irrigation systems, projects and safety perimeter of irrigational works and propose handling violations as prescribed by law;

c) Instruct and inspect implementation of technical procedures and irrigation policies; irrigation management as well as management and operation of irrigational works;

d) Instruct and inspect management and recovery of drought, water shortage, saline intrusion, desertification, flood and inundation;

dd) Gather, consolidate, supervise and forecast water sources, drought, water shortage, saline intrusion, desertification, flood and inundation, sediment accumulation and erosion of irrigational works, water quantity and quality; survey, assess and inventory water sources and formulate plans for using water for production and domestic use; damage due to effects of drought, water shortage, saline intrusion, desertification, flood and inundation on agricultural production;

e) Instruct and inspect general operation of irrigational works, safe and efficient use of water sources in the irrigation systems;

g) Direct and assess management and operation of irrigational works every 5 years or ad hoc, propose maintenance, upgrading, investment in construction and modernization of works and increase of efficiency in management and operation of irrigational works;

h) Instruct, formulate plans and inspect compliance with regulations on discharging wastewater into irrigational works; cooperate with local authorities and relevant agencies in handling violations against regulations on discharge of wastewater into irrigational works;

i) Instruct, inspect, review and complete policy systems for development of small-scale irrigation and farm irrigation; establish and improve grassroots irrigational organizations towards multiple objectives and increase sustainable operational efficiency thereof; formulate and disseminate technical documents and assist local authorities in implementing policies on assistance in development of small-scale irrigation and farm irrigation, advanced and water-saving irrigation technologies in accordance with regional characteristics and socio-economic conditions;

k) Instruct, inspect and apply advanced and water-saving technologies, advanced and modern irrigation systems;

l) Instruct and inspect provision of public utilities for irrigational works and irrigation systems under management of the Ministry.

7. Regarding management of organizations operating irrigational works affiliated to the Ministry:

a) Submit the following documents to the Minister:

Decisions on hierarchy of management and operation of irrigational works; multi-objective management and operation plans; norms for management, operation and protection of irrigational works; approval of maintenance by units operating irrigational works under management of the Ministry;

Decisions on specific prices of irrigation products and services; plans for maintaining irrigation infrastructure of units operating irrigational works under management of the Ministry;

Decisions or requests submitted to competent authorities for making decisions on transfer of irrigation infrastructure under the management of the Ministry of Agriculture and Rural Development to its affiliated units;

Decisions on promulgation of procedures for purchase and bidding for provision of public irrigation services and products for units operating irrigational works under management of the Ministry;

b) Select and sign sale contracts; commission public irrigation services and products; settle payments for contracts for production and provision of public irrigation services and products with units operating irrigational works affiliated to the Ministry;

c) Instruct and inspect production and provision of irrigation products and services for irrigational works and irrigation systems under management of the Ministry.

8. Regarding water dam and reservoir safety:

a) Submit the following documents to the Minister:

Procedures for operation of water reservoirs; protection plans; maintenance plans, outlines and inspection results; decisions on ad hoc inspection of water reservoirs managed by the Ministry;

Draft reports on the safety of dams and reservoirs to the Prime Minister as prescribed; proposals for provision of funding for dam and reservoir safety management from the central budget to local authorities;

Guidelines on investment in projects for maintenance, repair, upgrading, modernization of dams and reservoirs as assigned by the Minister;

b) Instruct, inspect and assess compliance with regulations of law on dam and reservoir safety management; make consolidated reports on current situation and proposals for solutions to dam and reservoir safety assurance as prescribed; instruct and inspect formulation and implementation of emergency response plans, formulate plans for

general and multi-objective operation and socio-economic development of dams and reservoirs;

c) Instruct and inspect evaluation of dam safety, maintenance, repair and upgrading for dam and reservoir safety assurance, assessment of tasks and capacity of reservoirs, development of capacity of flood prevention and control; evaluation of dam and reservoir safety, maintenance, recovery, upgrading, modernization of dams and reservoirs managed by the Ministry;

d) Instruct and inspect hydrometeorological monitoring and forecasting devices serving direction and operation of dams; provide consultancy for hydrometeorological monitoring, forecasting, warning devices serving direction and operation of dams and reservoirs managed by the Ministry.

9. Regarding clean water supply in rural areas:

a) Propose to the Minister policies and plans for executing programs, schemes and projects for clean water supply, discharge of wastewater and wastewater treatment in rural areas; mechanisms and policies on management of operation and protection of works serving water supply for rural areas; policies on private sector involvement and development of clean water supply services in rural areas;

b) Instruct and inspect basic survey, plans for development of rural clean water supply networks, plans, programs, schemes, projects policies and laws on clean water supply in rural areas;

c) Instruct, inspect and consolidate results of management, recovery and emergency assistance in clean water in rural areas in case of drought, water shortage, saline intrusion, flood and inundation;

d) Instruct and inspect investment, construction, management, operation and protection of works serving clean water supply, sewage discharge and treatment in rural areas and safe water supply in rural areas;

dd) Participate in proposing and adjusting plans for development of rural clean water supply networks in relevant plannings;

e) Comment on plans for development of rural clean water supply networks, programs, schemes and projects for clean water supply, sewage discharge and treatment in rural areas under management of Ministry, central and local authorities.

10. Regarding water security assurance:

a) Act as a focal point or a standing agency responsible for water security, dam and reservoir safety by the Ministry;

- b) Propose to competent authorities the direction of performing essential tasks and solutions to provide assurance about water security, dam and reservoir safety as prescribed;
- c) Preside over consolidation, formulation and implementation of plans for assurance about water security, dam and reservoir safety within the Ministry's jurisdiction; supervise and speed up local authorities and relevant agencies and units to provide assurance about water security and dam and reservoir safety as prescribed;
- d) Take charge in consolidating, assessing and reporting the provision of assurance about water security and safety of dams and reservoir; submitting periodic preliminaries, summaries and reports according to regulations.

11. Regarding communication of irrigation:

- a) Formulate programs, plans, schemes, projects and tasks of information, communication and education to raise legal knowledge and public awareness of the importance of irrigation and clean water supply in rural areas, provide assurance about water security and dam and reservoir safety under its management in accordance with law;
- b) Instruct, inspect and carry out work of information, communication and education to raise legal knowledge and public awareness of the importance of irrigation and clean water supply in rural areas, provide assurance about water security and dam and reservoir safety under its management in accordance with law;

12. Grant, re-grant, renew, modify, suspend and revoke licenses for operations within the safety perimeter of irrigational works under the competence of the Ministry in accordance with law.

13. Manage projects on investment in irrigation and clean water supply in rural areas according to assignment and authorization by the Minister and regulations of law. Perform tasks of construction agencies for specific projects on construction of irrigational works and clean water supply systems in rural areas according to assignment and authorization by the Minister and regulations of law. Propose programs and projects and cooperate in developing medium-term and annual public investment plans of the Ministry under management of DWR.

14. Provide statistics as well as build and manage databases on irrigation and clean water supply in rural areas and assurance about water security and dam and reservoir safety.

15. Carry out digital transformation in irrigation and clean water supply in rural areas and assurance about water security and dam and reservoir safety as prescribed.

16. Organize and cooperate in conducting scientific researches, technology transfer, environmental protection, climate change adaptation in irrigation and clean water supply

in rural areas, assurance about water security and dam and reservoir safety as assigned and authorized by the Minister.

17. Instruct, inspect and perform tasks in the National Target Program on New Rural Development in the field of irrigation and clean water supply in rural areas as assigned and decentralized by the Minister.

18. Seek international cooperation, international economic integration and non-project aid; execute programs and projects funded by assistance and aid provided by foreign governments, agencies, organizations and individuals according to assignment and authorization by the Minister;

19. Provide training, retraining and refresher courses to participants in irrigation and clean water supply, assurance about water security and dam and reservoir safety as prescribed by law.

20. Be in charge of border markers between Vietnam and China, Vietnam and Laos, Vietnam and Cambodia; advise on contents relating to management of inter-country water sources, rivers and streams in border areas serving production and daily activities within the Ministry's jurisdiction according to assignment of the Minister.

21. Carry out administrative reforms according to programs, plans and schemes on administrative reform of the Ministry and regulations of law.

22. Regarding management and provision of public services:

a) Propose to the Ministry mechanisms and policies on public service provision; involvement of the private sector in public service provision; economic-technical norms, criteria, standards, mechanisms for supervision, evaluation and assessment of quality and regulations on public services under management of DWR;

b) Instruct and inspect organizations providing public services related to irrigation and clean water supply according to regulations of law.

23. Manage organizational structure, list of job positions, officials, public employees and employees of DWR according to regulations of law and authorization by the Minister. Implement mechanisms, policies, emulation, reward, disciplinary actions, professional training and retraining for officials, public employees and employees under management of DWR as prescribed.

24. Instruct and inspect activities of associations working under management of DWR; comment on recognition of association establishment campaign committees and articles of associations under DWR's management as prescribed.

25. Carry out technical inspections as prescribed by law; receive citizens; handle complaints and denunciations; prevent and control corruption, negativity and handle violations against law; promote thrift practice within its competence.

26. Manage allocated budget, property and other sources; manage collection and use of fees and charges under management of DWR as prescribed by law.

27. Perform other tasks according to regulations of law and assignment of the Minister.

Article 3. Organizational structure

1. Leaders of DWR include a Director and Deputy Directors appointed and dismissed by the Minister of Agriculture and Rural Development as prescribed.

a) The Director is responsible for submitting regulations on functions, tasks, powers and organizational structure of DWR to the Minister; promulgating working regulations of the DWR; stipulating functions, tasks and powers of advisory organizations of DWR; appointing and dismissing managerial positions of organizations affiliated to DWR according to authorization by the Minister and regulations of law.

b) The Director shall control operations of DWR, be responsible to the Minister and before the law for operations of DWR. The Deputy Directors shall assist the Director in monitoring and directing certain work aspects according to assignment of the Director; be responsible to the Director and before the law for assigned tasks.

2. Advisory organizations:

Organizations affiliated to the General Department of Water Resources shall be rearranged and reorganized to become division-level organizations affiliated to DWR. To be specific:

a) Office of DWR;

b) Department of Planning and Finance;

c) Department of Inspection and Legal Affairs;

d) Department of Water security and International Cooperation;

dd) Department of Planning Management;

e) Department of Dam and Reservoir Safety;

g) Department of Irrigation and Operation Management;

h) Department of Water Quality and Work Protection;

- i) Department of Irrigation Economy;
- k) Department of Rural Clean Water Management;
- l) Department of Construction and Investment Management;

3. Public service providers:

Public service providers affiliated to the General Department of Water Resources shall continue to operate in accordance with applicable regulations until a decision on improvement and reorganization is issued by a competent authority.

Article 4. Effect

This Decision comes into force from the day on which it is signed.

Article 5. Transitional regulations

1. DWR shall take over the status quo of the organizational structure, payroll, manpower resources, funds, property and other sources and inherit related tasks, powers, responsibilities and obligations of the General Department of Water Resources and organizations affiliated to General Department of Water Resources in accordance with regulations of law and international treaties to which the Socialist Republic of Vietnam is a signatory until the competent authority promulgates or amends regulations of relevant laws.

2. DWR shall continue to perform certain tasks of the General Department of Water Resources as assigned and authorized by the Minister for programs, schemes, topics and projects assigned to manage until another decision is issued.

3. The National Center for Rural Clean Water Supply and Sanitation; Irrigation Policy and Technology Center shall continue to operate in accordance with applicable regulations until a decision on improvement and reorganization is issued by the competent authority.

Article 6. Responsibility for implementation

The Director of DWR, Chief of the Ministry Office and Heads of relevant agencies and units are responsible for implementation of this Decision./.

MINISTER

Le Minh Hoan

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