

**Decree of the Government regulating functions, duties,  
authorities and organizational structure of Ministry of  
Fisheries**

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**The Government**

Pursuant to Law on Organization of the Government dated 25 December 2001;

Pursuant to Resolution 02/2002/QH11 dated 5 August 2002 of the National Assembly of the Socialist Republic of Vietnam, Legislature XI, the first session regulating the list of ministries and ministerial-level agencies under the Government;

Pursuant to Decree 86/2002/ND-CP dated 5 November 2002 of the Government regulating the functions, duties, authorities and organizational structure of the ministries and ministerial-level agencies;

Upon the requests of Minister of Fisheries and Minister of Interior;

**Decrees**

**Article 1. Position and functions**

Ministry of Fisheries is an agency of the Government, performing the State management of fisheries including aquaculture, fishing, processing, protection and development of fisheries resources in land and at sea nationwide. It shall perform State management of public services and act as representative of State-owned shares at the State-run enterprises under the management of Ministry of Fisheries in accordance with legislation.

**Article 2. Duties and authorities**

Ministry of Fisheries shall perform the duties and authorities as provided for by the Decree 86/2002/ND-CP dated 5 November 2002 of the Government stipulating the functions, duties, authorities and organizational structures of the ministries and ministerial-level agencies with the following specific duties and authorities:

1. Submitting projects on laws, ordinances and draft legal normative documents of the Government, the Prime Minister regarding fisheries to the Government and Prime Minister.

2. Submitting the strategies and masterplan on development, long-term, five-year and year-to-year plans as well as crucial programmes and projects of the Ministry to the Government and Prime Minister.
3. Issuing the decisions, circulars, directives within the State management authorities of the Ministry.
4. Directing, guiding, checking and being responsible for exercising legal normative documents, strategies, masterplans and plans approved within the State management authorities of the Ministry; informing, advocating and disseminating and training on fisheries.
5. In terms of aquaculture, Ministry of Fisheries shall:
  - a. Manage the aquaculture development in compliance with masterplans and plans. Regulate the import and export of fish fry, the introduction, domestication, preservation, selection of fish fry, recognition of new fish fry; manage the quality of fish fry in unified manner; set up and manage the fish fry system; register national fish fry.
  - b. Unifiedly manage the fish feed used in aquaculture, fish veterinary service, materials, chemicals, bioproducts used in aquaculture. Coordinate with ministries, sectors and localities in controlling the affects of insecticide use and industrial waste on the fish farming environment as stated by legislation.
6. In terms of fishing:

The Ministry shall do the followings:

- a. Unifiedly manage the fishing operations conducted by local and foreign persons and devices in inland and at seas under jurisdiction of Vietnam; instruct the fishing operations in pursuance with masterplans, plans and regulations of the legislation regarding protection and development of fisheries resources.

Manage and decentralize the management of fishing grounds; grant and withdraw the fishing licenses as laid down by legislation.

- b. Make regulations relating to fishery activities, devices, species and fishing seasons.
- c. Unifiedly manage the registration and inspection of fishing devices. Register and inspect the safety techniques of equipments requiring the strict safety standards in fisheries sector such as: boiler, pressure jug, refrigerating facilities; stipulate the titles and

standards of crewmembers; register and grant the crewmember book; grant certificate of master and operator of fishing vessels as stated by legislation.

7. In terms of fish processing:

The Ministry shall do the followings:

- a. Instruct the implementation of masterplans and plan on fish processing industry. Regulate the production conditions, technical and hygiene standards in processing, preservation and transport of fishery products. Manage the quality, safety of fishery products for export; coordinate with relevant ministries in issuance of regulations managing the quality, the safety of imported fishery products and ones for local consumption.
- b. Formulate and issue the quality standards of fishery products. Guide and check the enforcement as stated by legislation.

8. In terms of protection and development of fisheries resources:

The Ministry shall do the followings:

- a. Make regulations relating to species that need protection or rehabilitation, measures to protect fish habitat and ecosystems, preservation of genetic sources and fish biodiversity. Coordinate with Ministry of Environment and Natural Resources and other relevant ministries and sectors to set out the environment protection measures and water resources related to fish habitat.
- b. Set out the closed areas, restriction areas and fish species that are imported to imported or exported.
- c. Organize the surveys, research, assessment, management and protection of fisheries resources in sustainable manner, manage inland protected areas and marine parks.

9. In terms of fisheries logistics service

Ministry of Fisheries shall do the followings:

- a. Manage and develop the fisheries mechanics and systems of fishing port and fish landing place in consistence with masterplans approved by competent authorities.
- b. Unifiedly manage services serving fishing, aquaculture and processing at sea.

10. In terms of fish trade:

Ministry of Fisheries shall do the followings:

- a. Coordinate with relevant ministries to set up policies on fish trade to be submitted to the Government and Prime Minister for decision.
  - b. Develop the market extension, develop the market searching information and trade promotion; support fish production enterprises to search and expand the markets.
11. Organizing and directing the enforcement of fisheries extension work, guidance, information dissemination and transfer of technique, aquaculture technology, fishing, processing, protection of fisheries resources and aquatic ecosystems.
  12. Coordinating with ministries, sectors, province's and city's People's Committees under the Central to organize and direct the prevention and control of floods and storms, search and rescue, seaworthy safety and labor protectorate within fisheries sector; keep security and national defense at sea.
  13. Organizing, directing, appraising, testing, checking and being responsible for the effective implementation of local and foreign-invested projects regarding fisheries under the management of the Ministry.
  14. Conducting international cooperation in fisheries sector as regulated by legislation.
  15. Organizing and directing the implementation of scientific research, application of advanced science and technology in fisheries sector.
  16. Deciding the specific policies and measures and directing the implementation of operation mechanism of the fisheries public service industries as regulated by legislation; managing and directing the operations of organizations under the Ministry.
  17. Exercising the specific duties and authorities as a representative of State-owned share at the State-run enterprises within the management of the Ministry as stated by legislation.
  18. Exercising State management of operations of collective and private economics organizations, the associations and NGOs within the fisheries sector as provided for by legislation.
  19. Inspecting, checking and settling the complaints and denunciation; fighting against corruption, negative practices and taking action to violations committed to fisheries within its competence.

20. Deciding and directing the implementation of administrative reform programme of the Ministry pursuant to the objectives and contents of State administrative reform programme approved by the Prime Minister.
21. Managing and organizing the apparatus and employment; directing the salary and preferential treatment regime, the compliment and reward and sanction applied to the officials and civil servants under the management of the Ministry; training and establishing the officials and civil servants within the fisheries sector.
22. Managing the financial issues and assets as allocated and organizing the budgets allocated as provided for by legislation.

### **Article 3. Organizational structure of the Ministry of Fisheries**

*a. Organizations assisting the Minister in performing the State management functions shall include:*

1. Department of Aquaculture
2. Department of Collective and Private Economics
3. Department of Planning and Finance
4. Department of Science and Technology
5. Department of International Cooperation
6. Department of Legislation
7. Department of Organization and Personnel
8. Department of Fishing and protection of fisheries resources
9. Department of Fish quality and hygiene control and fish veterinary
10. Inspection
11. Cabinet

*b. Administrative organizations under the Ministry of Fisheries shall include:*

1. Research Institute of Marine Products
2. Institute of Economics and Fisheries Planning
3. Research Institute for Aquaculture I
4. Research Institute for Aquaculture II

5. Fisheries Research Center III
6. National Fisheries Extension Center
7. Informatics Center
8. Fisheries Newspaper
9. Fisheries Reviews

The Minister of Fisheries shall chair and coordinate with Minister of Internal Affairs to set up the plan regarding the arrangements of current fisheries schools and universities to submitted to the Prime Minister for approval.

**Article 4. Executive effectiveness**

This Decree shall come into force 15 days after it is posted in the Gazette. This Decree shall replace the Decree 50/CP dated 21 June 1994 of the Government regarding the duties, authorities and organizational structure of Ministry of Fisheries and other regulations that state otherwise.

**Article 5. Enforcement duty**

Minister of Fisheries, Ministers and heads of ministerial-level agencies, heads of agencies under the Government and Chairmen of province's and city's People's Committees under the Central shall be responsible for exercising this Decree./.

**For and On behalf of the Government**

**Prime Minister**

**(signed) Phan Van Khai**