

**THE GOVERNMENT**

**DECREE No. 143/2004/ND-CP OF JULY 12,  
2004 AMENDING AND SUPPLEMENTING  
ARTICLE 14 OF THE GOVERNMENT'S  
DECREE No. 175/CP OF OCTOBER 18, 1994  
WHICH GUIDES THE IMPLEMENTATION OF**

## THE LAW ON ENVIRONMENTAL PROTECTION

### THE GOVERNMENT

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

*Pursuant to the December 27, 1993 Law on Environmental Protection;*

*At the proposal of the Minister of Natural Resources and Environment,*

### DECREES:

**Article 1.-** To amend and supplement Article 14 of the Government's Decree No. 175/CP of October 18, 1994 guiding the implementation of the Law on Environmental Protection as follows:

**Article 14.-** Competence to evaluate and approve environmental impact assessment reports

1. The Ministry of Natural Resources and Environment shall evaluate and approve environmental impact assessment reports for the following projects:

a/ Projects which use part or whole of the land areas of national parks or nature conservation zones, already approved by the Prime Minister, or the historical-cultural relics zones and scenic places already ranked; projects which use the land areas within 2 or more provinces or centrally-run cities;

b/ Projects on building infrastructures of urban centers of class 3 or higher (with a population of 100,000 people or more each); projects on building infrastructures of industrial parks and hi-tech parks of 150 ha or more each; projects on building infrastructures of economic and trade zones of 1,000 ha or more each;

c/ Projects on building permanent bridges of 1,000 m in length or more each, seaports for vessels with a tonnage of 50,000 DWT or more each, airports, and aerodromes; projects on shipyards for building and repairing ships of a

tonnage of 10,000 DWT or more each; projects on petrol and oil depots with a capacity of 50,000 m<sup>3</sup> or more each;

d/ Projects on hydro-electric power plants with reservoirs of a capacity of 100,000,000 m<sup>3</sup> of water or more each; projects on thermo-electric power plants with the capacity of 200 MW or more each;

e/ Projects on oil refinery and petrochemistry; projects on plastic production plants with an output of 10,000 tons of products/year or more each; projects on chemical fertilizer-manufacturing plants with an output of 100,000 tons of products/year or more each; projects on plants for manufacturing paint, base chemicals, plant protection drugs, detergents and additives with an output of 20,000 tons of products/year or more each; projects on rubber latex- and rubber-processing plants with an output of 50,000 tons of products/year or more each; projects on plants for manufacturing inner tubes and tires of automobiles and tractors with an output of 1,000,000 products/year or more each; projects on storage battery plants with an output of 300,000 KWh/year or more each; projects on textile and dyeing plants with an output of 30,000,000 m of fabrics/year or more each;

f/ Projects on alcohol- and liquor-manufacturing plants with an output of 1,000,000 liters of products/year or more each; projects on beer- and beverage-manufacturing plants with an output of 10,000,000 liters of products/year or more each;

g/ Projects on petrol and oil exploitation; projects on exploiting solid minerals (without using chemicals) with an output of 500,000 m<sup>3</sup>/year or more each; projects on exploiting solid minerals containing toxic substances or using toxic chemicals; projects on exploiting underground water with an output of 50,000 m<sup>3</sup> of water/day and night or more each; projects on exploiting surface water with an output of 500,000 m<sup>3</sup> of water/day and night or more each;

h/ Projects on building plants an output of 300,000 tons of products/year or more each;

projects on cement production plants with an output of 1,000,000 tons of cement/year or more each; projects on paper- and paper pulp-manufacturing plants with an output of 50,000 tons of products/year or more each;

i/ Projects on building sites for burying industrial wastes and hazardous wastes; projects on building the concentrated industrial waste-water treatment system with the capacity of 5,000 m<sup>3</sup> of waste water/day and night or more.

On the basis of considering case by case at the proposals of project-managing ministries or branches, the Ministry of Natural Resources and Environment may authorize the ministries and/or branches to evaluate and approve environmental impact assessment reports for the projects prescribed in Clause 1 of this Article.

2. The provincial/municipal Services of Natural Resources and Environment shall evaluate and submit to the provincial/municipal People's Committees for approval the environmental impact assessment reports for the projects not defined in Clause 1 of this Article.

3. The Ministry of Natural Resources and Environment shall have to submit to the Government for consideration the issue of environmental protection of the projects of national importance with investment therein being decided by the National Assembly."

**Article 2.- Implementation effect**

This Decree takes effect 15 days after its publication in the Official Gazette and replaces Article 14 of the Government's Decree No. 175/CP of October 18, 1994 guiding the implementation of the Law on Environmental Protection.

**Article 3.- Implementation organization**

The Minister of Natural Resources and Environment shall have to guide in detail the elaboration and evaluation of environmental impact assessment reports for the projects falling under

the competence of the provincial/municipal People's Committees and the projects authorized to the ministries and/or branches for elaboration and evaluation.

The ministers, the heads of the ministerial-level agencies, the heads of the Government-attached agencies and the presidents of the provincial/municipal People's Committees shall have to implement this Decree

**On behalf of the Government**

**Prime Minister**

**PHAN VAN KHAI**