

**THE MINISTRY OF AGRICULTURE AND
RURAL DEVELOPMENT**

**DECISION No. 114/2008/QĐ-BNN OF
NOVEMBER 28, 2008, ESTABLISHING
VIETNAM FOREST PROTECTION AND
DEVELOPMENT FUND**

**THE MINISTER OF AGRICULTURE AND
RURAL DEVELOPMENT**

*Pursuant to the Government's Decree No. 01/
2008/ND-CP of January 3, 2008, defining the
functions, tasks, powers and organizational
structure of the Ministry of Agriculture and Rural
Development;*

*Pursuant to the Government's Decree No. 05/
2008/ND-CP of January 14, 2008, on forest
protection and development funds;*

At the proposal of the director of the Organization and Personnel Department and the director of the Forestry Department,

DECIDES:

Article 1.- To establish Vietnam Forest Protection and Development Fund

To establish Vietnam Forest Protection and Development Fund at the central level (below referred to as the Fund) to mobilize, receive, manage and use financial resources for forest protection and development activities under the Government's Decree No. 05/2008/ND-CP of January 14, 2008.

Article 2.- The Fund's legal status

1. The Fund is a state financial institution and subject to the Agriculture and Rural Development Ministry's management.

2. The Fund has the legal person status and its own seal and may open state treasury and bank accounts according to law.

3. The Fund's name: *Quy Bao ve va Phat trien Rung Viet Nam (Trung uong - central level)*.

4. The Fund's international transaction name: Vietnam Forest Protection and Development Fund, abbreviated to VNFF.

5. The Fund is headquartered at the Ministry of Agriculture and Rural Development. Address: No. 2, Ngoc Ha street, Ba Dinh district, Hanoi.

Article 3.- The Fund's tasks and powers

1. Tasks

a/ To mobilize, receive and manage compulsory contributions; aid, financial supports, voluntary contributions and entrusted funds of domestic and foreign organizations and individuals; and state budget's financial supports;

b/ To organize according to its financial capacity and competence the evaluation and selection of programs, projects or non-project activities, and submit them to competent authorities for approval or decision;

c/ To finance programs, projects, provincial-level forest protection and development funds or non-project activities;

d/ To direct, guide, inspect and supervise managers and users of financial supports provided by the Fund;

e/ To observe the laws on statistics, accounting, audit and the regulations on reporting to the Ministry of Agriculture and Rural Development;

f/ To preserve and develop the Fund's capital sources and cover management expenses;

g/ To provide guidance and exchange experience on the Fund's management operations;

h/ To perform other tasks assigned by the Minister of Agriculture and Rural Development.

2. Powers

a/ To allocate funds for programs, projects or non-project activities under approved annual plans;

b/ To inspect, assess and check upon take over

implementation outcomes of programs, projects or non-project activities financed by the Fund;

c/ To suspend the operation of, or retrieve provided financial supports from, organizations, households, individuals or village communities that breach fund use commitments or violate relevant laws;

d/ To propose competent state management agencies to promulgate, supplement or amend regulations on eligible recipients of and activities for the Fund's financial supports.

Article 4.- The Fund's organization

1. The Fund Management Council is composed of 9 members as follows:

a/ The Chairman, who is a vice minister of Agriculture and Rural Development in charge of forestry affairs;

b/ The vice chairman, to be appointed among the Council members;

c/ Members, comprising:

- The director of the Forestry Department;

- The director of the Ranger Department;

- Four (04) representatives of departmental-level leaders of the Ministry of Agriculture and Rural Development, including those of the Planning Department; the Finance Department; the Science, Technology and Environment Department; and the International Cooperation Department;

- One (01) representative of a departmental-level leader of the Ministry of Planning and Investment;

- One (01) representative of a departmental-level leader of the Ministry of Finance.

The Fund Management Council operates on a part-time basis. The Council members' working regime, tasks and powers shall be prescribed by the Council Chairman according to the Council's organization and operation charter to be approved by the Minister of Agriculture and Rural Development.

The Fund Management Council is answerable for its all activities before the Minister of Agriculture and Rural Development and law.

2. The Fund Control Board is composed of between 3 and 5 members to be decided by the Fund Management Council and operates on a part-time basis. The Fund Control Board's head shall be appointed or relieved from office by the Minister of Agriculture and Rural Development at the proposal of the Chairman of the Fund Management Council.

The tasks and powers of the Fund Control Board shall be defined by the Fund Management Council.

3. The Fund Administration Board is based at the Forestry Department:

a/ The Board's organizational structure is composed of the director, a deputy director, the chief accountant and assisting divisions.

- The Fund director works on a full-time or part-time basis and shall be appointed or relieved from office by the Minister of Agriculture and Rural Development at the proposal of the Fund Management Council.

- The appointment or relief from office of the deputy director or the chief accountant, and the establishment or dissolution of the Fund Administration Board's assisting divisions comply with the Fund's organization and operation charter.

b/ The Fund Administration Board's tasks and powers are defined in the Fund's organization and operation charter and relevant laws.

Article 5.- The Fund Management Council shall direct the Fund Administration Board; assume the prime responsibility for, and coordinate with functional agencies of the Ministry of Agriculture and Rural Development in, elaborating the Fund's organization and operation charter and submitting it to the Ministry for approval.

Article 6.- This Decision takes effect 15 days after its publication in "CONG BAO."

Article 7.- The director of the Ministry's Office, the director of the Organization and Personnel Department, the director of the Forestry Department, members of the Fund Management Council and the Fund Administration Board, heads of concerned agencies and units under the Ministry, and concerned organizations and individuals shall implement this Decision.

*For the Minister of
Agriculture and Rural Development
Vice Minister
HUA DUC NHI*