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FUNCTIONS, TASKS AND POWERS OF MINISTRY OF INDUSTRY AND TRADE

(According to the Decree No. 95/2012 / ND-CP dated 12 November 2012 of the Government
Defining the functions, tasks, powers and organizational structure of the Ministry of Industry and Trade)

Location and function

The Ministry of Industry and Trade is a government agency that performs the function of state management of industry and commerce, including the following branches and fields: mechanical engineering, metallurgy, electricity, new energy, Petroleum, chemicals, industrial explosive materials, mining and mineral processing industry, consumer industry, food industry and other processing industry, trade and domestic market; Export and import, border trade, overseas market development, market management, trade promotion, e-commerce, trade services, international economic integration, competition management, Safeguard measures, anti-dumping, anti-subsidy, protection of consumer interests; State management of public services in the branches and domains under the Ministry's state management.

Duties and powers

The Ministry of Industry and Trade shall perform the tasks and exercise the powers prescribed in the Government's Decree No. 36/2012 / ND-CP of April 18, 2012, defining the functions, tasks, powers and organizational structure of the Ministry, Ministry-level agencies and the following specific tasks and powers:

1. To submit to the Government bills, draft ordinances, draft resolutions, decrees, mechanisms, policies, projects, schemes and legal documents on branches and domains falling under State management of the Ministry as assigned by the Government, the Prime Minister.
2. To submit to the Government and the Prime Minister for approval and organize the implementation of overall development strategies and plannings; Strategy, sector and sector planning; Regional and territorial planning and development programs, national target programs, economic and technical programs and important projects within the domains managed by the Ministry.
3. To approve strategies, plannings and programs for development of branches and domains under the Ministry's state management, investment projects according to the decentralization and authorization by the Government or the Prime Minister; Check and guide the implementation after approval.
4. Promulgation of circulars, decisions, directives and other documents on state management of branches and domains under the Ministry's management; To direct, guide, inspect and organize the implementation of legal documents under its management; Information, propagation, dissemination and education of industrial and commercial laws.
5. To formulate national standards and promulgate national technical regulations and economic and technical norms in the branches and domains under the Ministry's state management; To organize the management, guidance and inspection of conditional business lines in the industry and trade according to the list prescribed by the Government or the Prime Minister.
6. To grant, adjust, revoke, extend permits and conditional business papers under the Ministry's state management scope according to the provisions of law.
7. To coordinate with the Ministry of Finance and concerned ministries and branches in elaborating plans on national reserves of petrol and oil, industrial explosive materials and other reserves according to the Government's regulations.
8. On technical safety and environmental protection:
 - A) To manage, inspect and organize the implementation of safety and environmental protection in the industry as prescribed by law;
 - B) To propose a list of machines, equipment and supplies subject to specific labor safety requirements of the industry and trade for the Ministry of Labor, War Invalids and Social Affairs;
 - C) To promulgate the process of inspection of machines and equipment subject to specific labor safety requirements of the industry and trade sector after obtaining appraisal opinions of the Ministry of Labor, War Invalids and Social Affairs;

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NEW NOTIFICATION

List of inorganic fertilizers announced by regulation (as of March 31, 2017) 16/05/2017

Invitation to the Fairs and Seminars in South Africa in June, 2017 16/05/2017

List of exporters and importers of gas; List of traders distributing gas to 9/5/2017 15/05/2017

Announcement of submitting applications for selection of ministry-level scientific and technological tasks commenced in the 2018 (1st round) 08/05/2017

To select organizations and individuals to assume the prime responsibility for implementation of the program on "Development of a number of hi-tech industries" 03/05/2017

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Minister Tran Tuan Anh said he would tighten the management of self-cooked wine



Hanoi: Inspection of 36 chemical business establishments in Hoan Kiem District

Car assembly companies should have the link to promote localization

Initial restructuring brings efficiency to the business

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D / To guide, examine and inspect the observance of law provisions on industrial technical safety and environmental protection within the scope of its state management;

E / To assume the prime responsibility for, and coordinate with the Ministry of Natural Resources and Environment and concerned ministries and branches in, directing the development of the environmental industry according to the provisions of law.

9. About mechanics, metallurgy:

A / To formulate and inspect the organization of implementation of strategies, plannings, plans and policies on development of the mechanical engineering industry, metallurgy, development of key mechanical and electronic products; Products with high technology content, combined with mechanical engineering, automation, industrial electronics;

B / Assume the prime responsibility for, and coordinate with concerned ministries and branches in, formulating and submitting to competent authorities for promulgation mechanisms, policies and lists of mechanical products, metallurgy, mechatronics, automation and electricity. Industrial development priorities.

10. About supporting industries:

A / To formulate and inspect the organization of implementation of strategies, master plans, plans and policies for development of supporting industries within the scope of its State management;

B / To assume the prime responsibility for, and coordinate with concerned ministries and branches in, formulating and submitting to competent authorities for promulgation mechanisms, policies and lists of priority industrial development aid products.

11. Regarding electricity, new energy, renewable energy, energy saving and efficiency:

A / To approve and manage the implementation of electricity development plannings in the provinces and centrally-run cities; To publicize the list of electricity works under the electricity development plannings to call for investment in construction;

B) To approve hydropower ladder planning, new energy and renewable energy plannings;

C) Organizing the implementation of the tasks of nuclear power, new energy and renewable energy according to the provisions of law;

D / To organize the performance of tasks related to the electricity regulation activities according to the provisions of law;

E) To manage the thrifty and efficient use of energy in the domains assigned to them for management according to the provisions of law.

12. Oil and gas:

A / To approve plans on early exploitation of oil and gas at mines;

B / To decide to recover the mines in cases where the contractors refrain from mine development and oil and gas exploitation within the prescribed time limit;

C) the decision to allow the burning of associated gas;

D / To sum up and report on the development and results of petroleum prospecting, exploration, exploitation and consumption in the country and for export.

13. Regarding the mining and processing of minerals (except minerals used as construction materials and cement):

A / To formulate and submit to competent authorities for promulgation or promulgate according to its competence legal documents on the mining and processing industry;

B / To assume the prime responsibility for, and coordinate with the Ministry of Natural Resources and Environment and concerned ministries and branches in, elaborating and promulgating the list, conditions and criteria for export of minerals;

C / Assume the prime responsibility for, and coordinate with the Ministry of Natural Resources and Environment and concerned ministries and branches in, elaborating plannings for exploration, exploitation, processing and use of various kinds of minerals; Organizing the implementation of strategies, master plans and plans on the exploitation, processing and utilization of minerals after being approved according to their competence;

D / To guide and inspect the observance of technical and economical standards, norms, technologies, safety and hygiene in mining and mineral processing.

14. Regarding chemicals and industrial explosive materials:

A) Promulgating according to its competence or submitting to the Government or the Prime Minister for promulgation legal documents on the chemical industry; Technical regulations on chemical safety; Guiding,

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inspecting and summing up the development of the chemical industry; Managing the chemical industry in accordance with the law;

B / To announce the list of industrial explosive materials banned or restricted from use; To inspect the implementation of regulations on production, export, import, supply and use of industrial explosive materials and management of industrial explosive materials according to the provisions of law.

15. On food safety; Consumer industry, food industry and other processing industries:

A) Promulgating or submitting to competent authorities for promulgation legal documents on food safety, consumer industries, food industry and other processing industries under the Ministry's state management;

B / To organize and inspect the implementation of strategies, plannings, plans and policies on the development of consumer industries, food industry and other processing industries under the Ministry's state management;

C) To manage food safety in the process of producing, processing, preserving, transporting, exporting, importing and trading in liquors, beers, soft drinks, dairy products, oil Vegetables, flour products, starches, biscuits, jams, candies, containers and other food products within the jurisdiction of the Ministry;

D) food safety management with respect to markets, supermarkets and facilities in the food stockpiling and distribution system;

E) Promulgate regulations and inspect the prevention and combat of counterfeit food and commercial fraud on all foodstuffs, food additives, food processing aids, tools Whether packaging, food containers;

E) Regulations on testing facilities; Designate the unit of verification and the testing unit to verify; To publicize the test results for food under the Ministry's state management;

G) To grant and withdraw certificates of food safety eligibility for food production, trading, storage and distribution establishments under the Ministry's state management;

H) To issue certificates of advertising contents for food under the Ministry's state management. In cases where the contents of advertisement of food which have health effected must be approved by the Ministry of Health;

I) Designation of state inspection bodies for imported food safety for products under the Ministry's state management;

K) To guide and inspect the implementation of the provisions of law on food safety, standards and technical regulations on quality of consumer products, food industry and other processing industries. Under the jurisdiction of the Ministry.

16. On the local industry and trade:

A / To formulate and submit to competent authorities for promulgation or promulgate according to its competence mechanisms, policies, strategies, plannings and plans on local industrial and commercial development nationwide; Guide implementation after approval;

B / To guide and inspect the implementation of the regulation on management and development of industrial clusters and branch and regional plannings in the industrial and commercial domain throughout the country;

C) To organize the dissemination of experiences in production, management, science and technology, investment, training, information supply, exhibitions, fairs and product promotion for industrial production establishments; Local trade;

D / To work out plans and organize the industrial promotion; To manage the national industrial extension fund according to the provisions of law;

E / General summing up the local industrial and commercial development throughout the country; Manage local clusters and points of industry.

17. On domestic trade and market:

A / To elaborate and submit to competent authorities for promulgation or promulgate according to its competence and organize the implementation of mechanisms and policies on development of domestic commerce and markets; To ensure the balance of demand and supply of goods and essential commodities for mountainous regions, islands and ethnic minority groups according to the provisions of law; On the mode of trading and the type of business in accordance with the law;

B / To assume the prime responsibility for, and coordinate with the ministries and branches in, directing and regulating the circulation of goods in each period, promoting the development of domestic commerce and markets (including goods and services markets related);

C) To monitor and inspect domestic trade and market activities for goods and commercial services.

18. Import and export of goods, border trade and development of overseas markets:

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A / To elaborate and submit to competent authorities for promulgation or promulgate according to its competence, organize the implementation of mechanisms and policies on export and import of goods and border trade and develop overseas markets;

B) Management of export, import, temporary import, re-export, temporary export, re-import, border-gate transfer, transit of goods, border trade, entrusted export, entrusted import, Agent purchase, processing, origin of goods;

C) To promulgate regulations on trade service activities, distribution services from abroad into Vietnam, from Vietnam to foreign countries; To manage the operation of offices and branches of foreign traders in Vietnam in accordance with the provisions of law;

D) To sum up the situation and plans on goods export and import and border trade according to the provisions of law.

19. About e-commerce

A / To assume the prime responsibility for, and coordinate with concerned ministries and branches in, submitting to competent authorities for promulgation or promulgate according to its competence e-commerce development plans and programs; To inspect and guide the implementation after being approved;

B / To elaborate and submit to competent authorities for promulgation or promulgate according to its competence the mechanism of encouragement, support and orientations for e-commerce development.

20. On market management:

A / To guide, inspect and supervise the observance of the law provisions on business, goods circulation, commercial activities in the market, goods and export, import and service activities. Commerce; To handle law violations according to regulations;

B) To inspect and control the quality of industrial goods circulated on the market; To coordinate with the concerned agencies in inspecting and controlling the implementation of food safety management in the assigned domains according to law provisions;

C / To assume the prime responsibility for, and coordinate with other branches and localities in, anti-speculation, smuggling, production and trading of fake goods, banned goods, trade frauds and other business acts in contravention of the provisions of law.

21. On competition management, trade remedies and consumer protection:

a) Chủ trì, phối hợp với các cơ quan, tổ chức có liên quan tổ chức thực hiện các quy định về cạnh tranh, chống bán phá giá, chống trợ cấp; đề xuất áp dụng các biện pháp phòng vệ thương mại và các biện pháp tự vệ đối với hàng hóa xuất khẩu của Việt Nam ra nước ngoài, hàng hoá nhập khẩu của nước ngoài vào Việt Nam và bảo vệ quyền lợi người tiêu dùng theo quy định của pháp luật;

b) Tổ chức điều tra, xử lý, giải quyết khiếu nại các vụ việc cạnh tranh; chuyển cơ quan có thẩm quyền về xử lý các vụ việc vi phạm Luật Cạnh tranh theo quy định của pháp luật;

c) Tổ chức thực hiện cơ chế, chính sách, các quy định về bảo vệ quyền lợi người tiêu dùng theo quy định của pháp luật.

22. Về xúc tiến thương mại:

a) Chủ trì, phối hợp với các Bộ, ngành có liên quan xây dựng kế hoạch, chương trình xúc tiến thương mại quốc gia hàng năm và tổ chức, hướng dẫn, kiểm tra theo quy định của pháp luật;

b) Hướng dẫn, kiểm tra về nội dung, điều kiện hoạt động quảng cáo thương mại, thương hiệu, hội chợ, triển lãm thương mại, khuyến mại, trưng bày, giới thiệu hàng hóa, dịch vụ ở trong và ngoài nước theo quy định của pháp luật;

c) Quản lý nguồn ngân sách nhà nước cho các hoạt động xúc tiến thương mại hàng năm;

d) Chủ trì, phối hợp với các Bộ, ngành có liên quan thực hiện Chương trình thương hiệu quốc gia theo quy định của pháp luật.

23. Về hội nhập kinh tế quốc tế:

a) Xây dựng, tổ chức thực hiện cơ chế, chính sách hội nhập kinh tế quốc tế; thông tin, tuyên truyền, phổ biến, hướng dẫn, kiểm tra việc thực hiện các cam kết hội nhập kinh tế quốc tế của Việt Nam;

b) Tổng hợp, xây dựng phương án và tổ chức nghiên cứu, đề xuất đàm phán, ký hoặc gia nhập các điều ước quốc tế song phương, đa phương hoặc khu vực về thương mại trong phạm vi thẩm quyền theo quy định của pháp luật; đàm phán các thoả thuận thương mại tự do; đàm phán các hiệp định hợp tác kinh tế quốc tế, các thoả thuận mở rộng thị trường giữa Việt Nam với các nước, các khối nước hoặc vùng lãnh thổ;

c) Đại diện lợi ích kinh tế quốc tế của Việt Nam, đề xuất phương án và tổ chức thực hiện quyền và nghĩa vụ liên quan đến kinh tế và thương mại quốc tế của Việt Nam tại Tổ chức Thương mại Thế giới (WTO), Hiệp hội các quốc

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gia Đông Nam Á (ASEAN), Diễn đàn hợp tác kinh tế châu Á - Thái Bình Dương (APEC), Diễn đàn hợp tác Á - Âu (ASEM) và các tổ chức, diễn đàn kinh tế quốc tế khác theo phân công của Thủ tướng Chính phủ.

24. Hướng dẫn hoạt động thương mại của các thương nhân Việt Nam ở nước ngoài, các tổ chức xúc tiến thương mại, trung tâm giới thiệu sản phẩm hàng hóa ở nước ngoài có sự tham gia của thương nhân và cơ quan nhà nước Việt Nam theo quy định của pháp luật; phối hợp với Bộ Ngoại giao quản lý công tác chuyên môn của bộ phận làm công tác kinh tế, thương mại tại các Cơ quan đại diện của Việt Nam ở nước ngoài.

25. Tổng hợp, phân tích và cung cấp thông tin về công nghiệp, thương mại, thị trường, thương nhân trong và ngoài nước phục vụ các cơ quan Đảng, Nhà nước và các tổ chức kinh tế.

26. Thực hiện hợp tác quốc tế trong lĩnh vực công nghiệp và thương mại theo quy định của pháp luật; làm đầu mối tổng hợp và báo cáo về sử dụng nguồn vốn ODA và đầu tư trực tiếp nước ngoài (FDI) vào ngành công nghiệp và thương mại, đầu tư của ngành công nghiệp và thương mại ra nước ngoài.

27. Xây dựng và tổ chức thực hiện chiến lược, quy hoạch, kế hoạch, lộ trình phát triển khoa học công nghệ ngành Công Thương; tổ chức thực hiện các hoạt động nghiên cứu khoa học, ứng dụng tiến bộ khoa học, công nghệ về các lĩnh vực thuộc phạm vi quản lý nhà nước của Bộ.

28. Về dịch vụ công:

a) Quản lý nhà nước các dịch vụ công trong ngành, lĩnh vực thuộc phạm vi quản lý nhà nước của Bộ theo quy định của pháp luật;

b) Xây dựng và ban hành tiêu chuẩn, quy trình, quy chuẩn, định mức kinh tế - kỹ thuật đối với hoạt động tổ chức cung ứng dịch vụ công thuộc ngành, lĩnh vực;

c) Hướng dẫn, hỗ trợ các tổ chức thực hiện dịch vụ công theo quy định của pháp luật.

29. Thực hiện quyền, trách nhiệm, nghĩa vụ của chủ sở hữu nhà nước đối với doanh nghiệp nhà nước và vốn nhà nước đầu tư vào doanh nghiệp khác theo quy định của pháp luật.

30. Thực hiện nhiệm vụ, quyền hạn đối với hội, các tổ chức phi Chính phủ thuộc phạm vi quản lý nhà nước của Bộ theo quy định của pháp luật.

31. Thanh tra, kiểm tra, giải quyết khiếu nại, tố cáo, phòng, chống tham nhũng, tiêu cực và xử lý vi phạm pháp luật theo chức năng quản lý nhà nước của Bộ.

32. To decide and direct the implementation of the Ministry's administrative reform program according to the objectives and contents of the State administrative reform program already approved by the Government or the Prime Minister.

33. Management of organizational structure, staffing, cadres, civil servants; To implement the regime of wage payment and the regimes and policies on preferential treatment, commendation and disciplining of officials, public servants and employees under its management according to the provisions of law.

34. To manage the assigned finance and assets and organize the implementation of the allocated budget according to the provisions of law.

35. To perform other tasks and powers assigned by the Government or the Prime Minister and in accordance with law.

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Address : 54 Hai Ba Trung, Hoan Kiem, Hanoi

Phone : (04) 2220.2210 Fax: (04) 22202525

Editor-in-Chief : TS. Tran Tuan Anh - Minister of Industry and Trade

Email : bbt@moit.gov.vn **Phone** : (04) 2220.2210 **Fax** : (04) 22205397

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