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Hanoi, March 1, 2025

DECISION

**Stipulating Functions, Duties, Authorities and Organization Structure of the
Environment Agency**

MINISTER OF AGRICULTURE AND ENVIRONMENT

Pursuant to the Decree No. 123/2016/ND-CP dated September 01, 2016 issued by the Government on stipulating functions, duties, authorities and organization of Government Ministries and Ministerial-level offices; as amended and supplemented by Decrees: No. 101/2020/ND-CP dated August 28, 2020; and No. 83/2024/ND-CP dated July 10, 2024;

Pursuant to the Decree No. 35/2025/ND-CP dated February 25, 2025 issued by the Government on the functions, tasks, powers and organizational structure of the Ministry of Agriculture and Environment;

As requested by the Director of the Environment Agency and the Director of the Agency of Organization and Personnel .

DECISION:

Article 1. Position and Function

1. The Environment Agency is an organization under the Ministry of Agriculture and Environment, with the function on advising and supporting for the Minister in the state management of environmental protection nationwide as assigned; managing and organizing the implementation of public service activities as prescribed by law.

2. The Environment Agency has legal personality, its own seal and bank account as prescribed by law; its headquarters are located in Hanoi.

Article 2. Duties and Authorities

1. The organization will draft and submit the proposal to the Minister.

a) Draft law and resolutions of the National Assembly; draft ordinances and resolutions of the Standing Committee of the National Assembly; draft decrees and resolutions of the Government; draft decisions and directives of the Prime Minister; draft strategies, mechanisms, policies, and other legal documents in the field of environment within the scope of the Agency's management; draft decisions, directives, and other documents within the authority of the Minister to issue;

b) Drafting plans, programs, schemes, and projects at the inter-provincial, regional, and national levels in the field of environment within the scope of the Ministry's management;

c) Draft national environmental technical regulations, environmental standards, technical regulations, and economic-technical norms within the scope of the Agency's management;

d) Propose policies on environmental protection taxes and fees, the issuance of green bonds, and other economic instruments to mobilize and utilize resources for environmental protection in accordance with the law.

2. To guide, inspect, and organize the implementation of legal documents, mechanisms, policies, strategies, plans, regulations, standards, technical guidelines, economic-technical norms, programs, projects, and professional and technical matters related to environmental protection within the scope of the Agency's management after they are issued, as assigned by the Minister.

3. The organization is responsible for developing environmental protection content in regional planning; guiding the development of environmental protection content in provincial planning and planning for special administrative-economic units; organizing the preparation, submission for approval, publication, implementation, and evaluation of the national environmental protection plan in accordance with the law.

4. Regarding strategic environmental assessment, preliminary environmental impact assessment, and environmental impact assessment, the best available techniques are applied.

a) Provide input on the content of strategic environmental assessments and preliminary environmental impact assessments as required by law;

b) Develop technical guidelines on strategic environmental assessment and environmental impact assessment;

c) Develop technical guidelines on the application of best existing techniques or consider recognizing best existing techniques already applied in the Group of developed industrial countries as permitted for application in Vietnam, and organize their implementation ;

d) The organization is responsible for appraising environmental impact assessment reports of investment projects and environmental remediation and restoration plans of mineral mining projects under the authority of the Ministry of Agriculture and Environment, and submitting the appraisal results to the Minister for approval in accordance with the law.

5. Regarding pollution source control

a) To guide, inspect, and organize the implementation of control measures for emission sources and pollution sources in concentrated production, business, and service areas and industrial clusters under its jurisdiction, in accordance with the law;

b) Providing guidance and organizing the implementation of investigations, inventories, and statistics on emission sources and pollution sources nationwide;

c) Instructions for operating the system for receiving and processing hotline information on environmental pollution.

6. Regarding waste management

a) To guide and inspect the management, classification, collection, transportation, reuse, recycling, and treatment of household solid waste according to the authority and

regulations of the law; to guide the closure of sanitary landfills for household solid waste after the completion of operations according to the authority and regulations of the law;

b) Management of ordinary industrial solid waste and hazardous waste:

Providing guidance and conducting inspections on the management, classification, collection, transportation, recycling, reuse, and treatment of ordinary industrial solid waste and hazardous waste in accordance with the law;

To guide, inspect, and implement the registration of cross-border transport of hazardous waste in accordance with the Basel Convention on the Control of Cross-Border Transport of Hazardous Wastes and their Disposal; to submit to the Minister for issuance of approval documents for cross-border transport of hazardous waste in accordance with the law;

c) Technical guidelines for conducting self-audits of environmental conditions by production, business, and service establishments.

7. Regarding the management of imported scrap metal for use as raw materials in production, and the import of used ships for dismantling.

a) Providing guidance and conducting inspections on environmental protection for facilities using imported scrap materials as raw materials for production, and facilities importing used ships for dismantling, in accordance with the law;

b) Organizing, guiding, and certifying organizations that assess conformity with environmental technical standards for imported scrap materials used as raw materials for production, and for importing used ships for dismantling.

8. Providing technical guidance on waste incident prevention and response; providing technical guidance on environmental restoration after environmental incidents; developing, submitting for approval, and organizing the implementation of environmental remediation and restoration plans for national-level environmental incidents in accordance with the law; handling claims for damages, collecting and assessing data and evidence to determine environmental damage occurring in two or more provinces under the Agency's management.

9. Regarding air quality management

a) Develop and implement the National Plan on Air Quality Management as assigned;

b) Guidelines for implementing provincial-level air quality management plans, methods for assessing air quality; and evaluating changes in air quality.

c) The Minister shall report to the Prime Minister to direct the implementation of emergency measures in cases of severe air pollution across provinces, regions, and borders;

d) Develop and implement a roadmap for applying emission standards and regulations for road motor vehicles circulating in Vietnam.

10. Regarding water quality management

a) Developing and implementing a plan for managing the quality of surface water in inter-provincial rivers and lakes plays a crucial role in socio-economic development and environmental protection, as assigned by the Minister;

b) Guidelines for assessing the carrying capacity of surface water environments for

rivers and lakes; guidelines for assessing water quality according to legal regulations; implementation of surface water quality management plans for rivers and lakes; and solutions for preventing and mitigating water pollution and improving water quality in rivers and lakes nationwide.

c) Organize monitoring and assessment of environmental quality, evaluate changes in water quality; assess the carrying capacity of surface water environments for inter-provincial rivers, lakes, and other water sources as prescribed by law; and announce areas where surface water environments no longer have the carrying capacity for inter-provincial rivers and lakes.

11. Regarding environmental treatment, remediation, and restoration.

a) Providing technical guidance on environmental remediation and restoration in mineral mining areas as assigned by the Minister; providing guidance on pollution control and environmental remediation of municipal solid waste landfills under the management of the Agency in accordance with the law;

b) Develop and guide the implementation of plans for the treatment, remediation, and restoration of areas with particularly severe soil environmental pollution; guide the classification, investigation, and assessment of soil environmental pollution levels and the publication of information on soil environmental pollution areas in accordance with the law;

c) Providing guidance on managing and improving the environmental quality of urban and rural areas; guiding, inspecting, and evaluating the implementation of environmental protection contents and criteria in rural development.

12. To guide and inspect environmental monitoring activities nationwide in accordance with the law; to organize the implementation of the national environmental monitoring master plan; to organize the implementation of the national environmental monitoring program; to build and manage the national environmental monitoring system; to manage the transmission, reception, integration of data and the publication and disclosure of environmental monitoring results in accordance with the law.

13. Provide guidance and organize the preparation of environmental protection reports, national environmental status reports, and specialized environmental reports in accordance with legal regulations.

14. Providing guidance and organizing the implementation of environmental statistics; managing data for environmental statistics; compiling and evaluating the situation. Implementing environmental objectives within the socio-economic development plan; environmental protection strategy and other environmental indicators.

15. Managing persistent pollutants and raw materials, fuels, materials, products, goods, and equipment containing persistent pollutants; controlling the sources of persistent pollutants; guiding the implementation of registration for exemptions of persistent organic pollutants (POPs); guiding, inspecting, and organizing the implementation of conformity assessment, labeling, and information disclosure for persistent pollutants and raw materials, fuels, materials, products, goods, and equipment containing persistent pollutants; assessing the production and use needs of POPs; inspecting and monitoring the cessation of import, production, and use of POPs as raw materials in accordance with regulations on registration for exemptions of POPs .

16. Develop, guide, and monitor the implementation of criteria and certification of the Vietnam Eco-label for environmentally friendly products and services; publish and update the list of products and services certified with the Vietnam Eco-label as prescribed; organize and implement the signing of agreements and publish the contents of mutual recognition agreements on the certification of products and services certified with the Vietnam Eco-label with international eco-certification organizations.

17. To organize research, application, deployment, technology transfer, innovation, and scientific advancements in the field of environment in accordance with the law and the assignment of the Minister.

18. To carry out international cooperation, integrate into the international economy, participate in negotiations, signing, accession to, and implementation of international treaties in the field of environment as assigned by the Minister. To be the focal point for implementing the Stockholm Convention on Persistent Organic Pollutants, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, and other international treaties and agreements in the field of environment as assigned by the Minister.

19. Regarding environmental permits, certifications, and registrations.

a) Provide guidance and monitor the implementation of environmental permit issuance in accordance with the law;

b) The Ministry is responsible for issuing, renewing, reissuing, adjusting, and revoking environmental permits in accordance with the law.

c) The Ministry is responsible for issuing and adjusting certificates of eligibility for environmental monitoring services; and Vietnamese eco-labels for environmentally friendly products and services under its authority and in accordance with the law.

d) To carry out the registration of exemptions for persistent organic pollutants and other environmental permits, certificates, and accreditations as prescribed by law and assigned by the Minister.

20. Regarding inspection, examination, and handling of complaints and denunciations.

a) To perform the duties and powers of the agency assigned to carry out specialized inspection functions in the field of environment nationwide, in accordance with the provisions of the law;

b) Conduct inspections to ensure compliance with environmental protection laws for investment projects, production facilities, businesses, and service establishments as prescribed by law; handle violations, complaints, and denunciations regarding environmental protection as prescribed by law;

c) Conduct inspections of state management responsibilities regarding environmental protection in accordance with the law and the assignment of the Minister;

d) Conduct environmental protection inspections and trial operation of wastewater treatment facilities for investment projects after environmental permits have been granted in accordance with the law; receive and process environmental recommendations within the Agency's authority.

21. Regarding advising and assisting the Minister in organizing the implementation

of regulations on the responsibility for recycling products and packaging, and the responsibility for collecting and treating waste by organizations and individuals involved in production and import .

a) To synthesize, monitor, guide, and inspect the implementation of legal regulations on the responsibility for recycling products and packaging, and the responsibility for collecting and treating waste by organizations and individuals involved in production and import ;

b) Submitted to the Minister: establishment of the National EPR Council; regulations on the organization and operation of the National EPR Council; functions, duties, powers, and organizational structure of the Office of the National EPR Council;

c) Develop, manage, and operate the national EPR information system.

22. Regarding environmental information systems and databases.

a) To build, manage, exploit, and operate the national environmental information system, the national environmental database , and specialized environmental databases as assigned by the Minister;

b) Providing guidance on the management, operation, and exploitation of environmental information systems and environmental databases of ministries, sectors, and localities as assigned by the Minister;

c) An organization that collects, stores , manages, and provides environmental information.

23. To develop, guide, and organize the implementation of environmental protection performance evaluations by provincial People's Committees; annually, to organize the evaluation of environmental protection performance by provincial People's Committees and publish the evaluation results after approval by the Minister in accordance with the law.

24. Organize the dissemination of knowledge and promotion of environmental protection laws in accordance with legal regulations and the assignment of the Minister.

25. Regarding the management of public service organizations and operations.

a) Submit to the Ministry criteria, standards, mechanisms for monitoring, evaluating, and verifying the quality of public service activities within the scope of the Agency's management;

b) To guide and inspect organizations providing public services in the industry and sector in accordance with the law.

26. Providing guidance and supervision on the activities of associations and organizations in the fields under the Agency's management; participating in providing opinions on the recognition of the organizing committee for the establishment of associations and the charter of associations in the specialized fields under its management, in accordance with the regulations and assignments of the Minister.

27. The Agency is responsible for implementing administrative reforms, practicing thrift, preventing and combating waste, and carrying out anti-corruption tasks within its scope of management, in accordance with the Ministry's programs and plans.

28. Managing the finances, accounting, and assets of the Agency; fulfilling the

responsibilities of a budget unit towards subordinate units of the Agency as prescribed by law.

29. Managing the organization, staffing, and job positions of civil servants, public employees, and workers under the Agency in accordance with the law and the assignment of the Minister.

30. Regular and ad hoc statistical reports on the environment and the progress of assigned tasks.

31. Perform other duties and exercise other powers assigned by the Minister.

Article 3. Agency Leadership

1. The Environment Agency has a Director and Deputy Directors.

2. The Director is responsible to the Minister and to the law for all activities of the Agency; issues regulations on the working procedures and manages the Agency's operations; signs professional and technical documents according to assigned functions and duties, and other documents as assigned or authorized by the Minister.

3. The Deputy Director assists the Director in monitoring and directing certain aspects of work as assigned by the Director, and is responsible to the Director and to the law for the assigned areas of work.

Article 4. Organizational Structure

1. Agency Office.

2. Planning and Finance Office.

3. Policy and Legal Affairs Office.

4. Environmental Planning and Assessment Office.

5. Waste Management Office.

6. Environmental Quality Management Office.

7. Northern Region Environmental Protection Office.

8. Central and Western Highlands Environmental Protection Agency.

9. Southern Environmental Protection Agency.

10. Northern Environmental Monitoring Center.

11. Central and Western Highlands Environmental Monitoring Center.

12. Southern Environmental Monitoring Center.

The Agency Office and organizations specified in clauses 7 to 12 of this Article shall have seals and may open bank accounts to operate in accordance with the law.

The Director of the Environment Agency submits to the Minister regulations on the functions, tasks, powers, and organizational structure of the Regional Environmental Protection Units and subordinate units of the Agency; issues a Decision regulating the functions, tasks, powers, and organizational structure of the Office and Agencies under the Agency.

Article 5. Transitional provisions

The sub-Agencies and public service units under the Environment Agency

Pollution Control, Ministry of Natural Resources and Environment, shall continue to operate in accordance with current regulations until the Decision stipulating the functions, tasks, powers, and organizational structure of the units specified in Clauses 7 to 12 of Article 4 of this Decision is issued and takes effect.

Article 6. Effectiveness and responsibility for implementation

1. This decision shall take effect from March 1, 2025.

2. The Chief of the Ministry's Office, the Director of the Department of Organisation and Personnel, the Director of the Environment Agency, and the heads of agencies and units under the Ministry are responsible for implementing this Decision.

Recipient:

- As per Clause 2 of Article 6;
- Ministers and Deputy Ministers;
- Government Office;
- Ministries: Public Security, National Defence, Interior, Justice, Finance, Science and Technology, Construction, Healthcare, Education and Training;
- People's Committees of provinces and centrally-administered cities;
- Party Committee of the Ministry;
- Ministry Trade Union, Ho Chi Minh Communist Youth Union of the Ministry, Veterans Association of the Ministry;
- Save: VT, TCCB.

MINISTER

Do Duc Duy