

**DECREE NO. 12/2000/ND-CP DATED MAY 5, 2000 ON AMENDING AND SUPPLEMENTING A NUMBER OF ARTICLES OF THE INVESTMENT AND CONSTRUCTION MANAGEMENT REGULATION ISSUED TOGETHER WITH THE GOVERNMENT'S DECREE NO. 52/1999/ ND-CP DATED JULY 8, 1999.**

GOVERNMENT

THE SOCIALIST REPUBLIC OF VIETNAM

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Independence - Freedom - Happiness

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No. 12/2000/ND-CP

Hanoi, May 5, 2000

**DECREE**

**Amending and supplementing a number of articles of the investment and construction**

2. Point c, Clause 2 of Article 7 is amended and supplemented as follows:

c/ To assume the prime responsibility together with the ministries, branches and localities for evaluating technical designs and total cost estimates of group-A investment and construction



capital of State enterprises, such as the fixed asset depreciation capital in the State capital source, part of the development investment fund, remittances payable by enterprises to the State budget but allowed to be retained at enterprises.

7. Article 13 is amended as follows:

1. For production and/or business projects of individuals and economic organizations other than State enterprises, the investors themselves shall decide the investment and take responsibility for the production and business efficiency; the procedur

investment in group-C projects financed with the capital sources stipulated in Clauses 5 and 6, Article 1 of this Decree.

9. Point a, Clause 2 of Article 22 is amended and supplemented as follows:

a/ For group-A projects which have been approved by the Prime Minister in terms of their pre-feasibility study reports and allowed to be divided into constituent projects or mini-projects, such constituent projects or mini-projects shall have their own feasibility study reports elaborated and submitted for approval and shall be managed like independent investment projects.

10. To add Clause 3 to Article 27 as follows:

3. The agencies organizing the evaluation of investment projects shall take responsibility before law for the contents of their evaluation and submit the evaluation reports, necessary dossiers together with the draft investment decisions to the persons competent to decide the investment.

11. Article 35 is amended and supplemented as follows:

1. For investment and construction projects of production and/or business characters, the investors shall assume the prime responsibility and coordinate with the local People's Committees in reaching agreement on the compensation plan, ground clearance plan, fund, tempo and settlement of ground clearance expenses so that the local People's Committees may organize the compensation and clearance of construction ground as scheduled and hand over the construction ground to the contractors.

2. For investment and construction projects related to socio-economic infrastructure, defense and security and national important projects, the People's Committees of different levels shall assume the prime responsibility together with the investors for organizing the compensation for ground clearance and hand over the ground according to schedule, set up the common resettlement zones and effect the resettlement according to the Stateval9 -1.15 J1TJ1GtIs to th7smitteng t15 TtD6p505 -1.15 T





automobile assembly), cement, metallurgy, mineral exploitation and processing, traffic projects: bridges, seaports, river ports, airports, railways, national highways Over 600 billion VND 4Projects on irrigation, traffic (other than those mentioned at Point 1-3), water supply and drainage, technical infrastructure, electric techniques, production of information, electronic, informatic, chemo-pharmaceutical and medical equipment, other mechanical engineering projects, production of materials, post and telecommunications, domestic BOT, construction of living quarters, intra-city road



radio and television broadcasting, civil construction, warehouses, tourism, physical training and sports, scientific research and other projects Under 7 billion VND Notes: Group-A projects on railways and land roads must be sub-classified according to their lengths, grades and bridges, under the guidance of the Ministry of Communications and Transport after reaching agreement with the Ministry of Planning and Investment. Projects on building of headquarters, working offices of the State agencies must comply with decisions of the Prime Minister.