

THE GOVERNMENT

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SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom - Happiness

Hanoi, November 08, 2013

DECREE

STIPULATING ON THE CONCENTRATED INFORMATION TECHNOLOGY PARK

Pursuant to Law on organization of Government dated December 25, 2001;

Pursuant to Law on information technology dated June 29, 2006;

Pursuant to Law on high technology dated November 13, 2008;

At the proposal of Minister of Information and Communications,

Government promulgates Decree stipulating on the concentrated information technology park

Chapter 1.

GENERAL PROVISIONS

Article 1. Scope of regulation and subjects of application

1. This Decree stipulates on the establishments, expansion, recognition of the concentrated information technology parks; organization and management of operation, regime, policy and state management for the concentrated information technology parks.
2. This Decree applies to Vietnamese organizations and individuals, foreign organizations and individuals participating in investment, establishment, management and other activities related to the concentrated information technology parks.

Article 2. Interpretation of terms

In this Decree, the following terms are construed as follows:

1. The concentrated information technology park means a zone concentrating activities of research – development, training, production of and trading in information technology products and services, infrastructure provision, information technology service provision for organizations, enterprises and other activities related to information technology.

2. Investors of the concentrated information technology park mean organizations and individuals owning capital or representative of owners directly managing, using capital to perform investment in construction of the concentrated information technology parks.

Article 3. Objectives of the concentrated information technology parks

The concentrated information technology parks have the following objectives:

1. To form centers of information technology, create infrastructures for information technology application and development; promote development of information technology industry; form center of research-development of information technology products, serve for training, transferring information technology in the field of information technology; information technology enterprise incubation;
2. To create advantage environment for investment activities aiming to attract domestic and foreign capital and technology, contribute in construction of information technology industry to become a key economic sector of nation;
3. To create a working environment satisfying international standards attract laborers with high quality, contribute in increase the competitive capability of Vietnamese information technology enterprises;
4. To create the information technology products and services that are able to replace import products, contribute in promoting development of fields such as: Telecommunication, finance, banking, customs, aviation, commerce, e-commerce and public services, education, training, health, security and national defense;
5. To contribute in the economic growth, increasing the production technology qualification and competition of products, goods and services of Vietnamese enterprises; raising the information technology position and trademark of Vietnam;
6. To form centers supplying infrastructure and services of information technology and communications.

Article 4. Function, tasks of the concentrated information technology parks

The concentrated information technology parks have the following functions and tasks:

1. To perform activities of research – development, application and transfer of information technology;
2. To produce and trade in the information technology products, supply information technology services;
3. To train human force in information technology;

4. To perform the technology incubation and information technology enterprise incubation;
5. To perform commercial promotion in information technology; organize fairs, exhibitions or shows of the information technology products and service;
6. To promote domestic and foreign investment to promote activities of information technology;
7. To supply infrastructure, service and necessary conditions for operation of organizations and enterprises in areas performing functions and tasks specified at this Article.

Article 5. Criteria of the concentrated information technology parks

Criteria of the concentrated information technology parks include:

1. To have activities in line with functions and tasks of the concentrated information technology parks specified at Article 4 of this Decree;
2. To employ at least 2,000 laborers doing specialized jobs in information technology, occupy at least 60% of total laborers working in the IT Park. For the IT park that only has concentration of software and digital content producers, and information technology service providers, must have at least 1,000 laborers doing specialized jobs in information technology, occupy at least 60% of total laborers working in the IT park.
3. For the IT parks that only have concentration of the software, digital content producers and information technology service providers, total land area must be not less than 01 ha. In case where such part has more other activities, total land area must be not less than 05 ha;
4. To have functional subdivisions as prescribed in Article 7 of this Decree.

Article 6. Investment activities in the concentrated information technology parks

Investment activities in the concentrated information technology parks include:

1. Construction and business of technical infrastructural works;
2. Research – development, application and transfer of information technology;
3. Production and business of software products, digital contents, and information technology services;
4. Production and business of hardware products, electronic products in the hi-tech list prioritized for development investment and list of hi-tech products encouraged development as prescribed by legislation on high technology;
5. Training human force in information technology;

6. Technology incubation and information technology enterprise incubation; commercial promotion, investment promotion in information technology.

7. Provision of services for activities in the concentrated information technology parks.

Article 7. Organization of the functional subdivisions of the concentrated information technology parks

1. The concentrated information technology parks may be organized into 02 main subdivision groups:

a) The functional subdivision groups that perform functions and tasks of the concentrated information technology parks include:

- Subdivision for production and business of information technology products and services;
- Subdivision for research – development, consultancy, training, and the information technology nursery;
- Subdivision for offices, head offices in serve of management and administration;
- Subdivision for the focal technical infrastructural works such as electricity, water, telecommunication, environmental treatment, fire prevention and fight, and other technical infrastructures;
- Subdivision for shows, fairs, exhibitions and introduction of products and communication;
- Other subdivisions to perform functions of the concentrated information technology parks.

b) The functional subdivision groups that supply services for the concentrated information technology parks include:

- Subdivision for ecological function and residents' livelihood services;
- Financial subdivision, or subdivision of finance in linkage with banking;
- Housing subdivision in serve of experts working in the concentrated information technology parks;
- Other functional subdivisions that supply services for the concentrated information technology parks.

2. A concentrated information technology park may not have all the functional subdivisions as prescribed at Clause 1 this Article, but total land area of the subdivision group that performs functions and tasks of the concentrated information technology park must be ensured to occupy at least 50% of construction land area. The layout and organization of each functional

subdivision may be in concentrated or dispersed form in line with actual condition of each subdivision.

3. The net construction density of a concentrated information technology park does not exceed 40% of land area of the IT Park.

Chapter 2.

ESTABLISHMENT AND EXPANSION OF THE CONCENTRATED INFORMATION TECHNOLOGY PARKS

Article 8. Overall planning on development of the concentrated information technology parks

1. The Ministry of Information and Communications shall assume the prime responsibility for, and coordinate with Ministries, sectors and People's Committees of provinces and central-affiliated cities (hereinafter collectively referred to as the provincial People's Committees) in formulating and submitting the Prime Minister for approving the overall planning on development of the concentrated information technology parks.

2. The overall planning on development of the concentrated information technology park is basis to consider the establishment, expansion of the concentrated information technology parks; to formulate the planning, detailed planning, plan on investment in development of the technical and social infrastructural system in serve of development of the concentrated information technology parks.

3. The formulation and supplementation of the overall planning on the concentrated information technology parks are based on the following principles:

a) They must conform to the plan on economic-social development, the land use plan of localities; regional and urban construction plan; technical infrastructure plan; plan on minerals and other natural resources. In which, the land area which has been planned for construction of industrial parks, economic zones and other zones is prioritized for construction of the concentrated information technology parks;

b) There are advantaged conditions or ability to build the system of technical infrastructure and social infrastructure, synchronous implementation and close combination between the overall planning on development of the concentrated information technology park with the plan on urban development, distribution of residents, houses and social works for employees working in the concentrated information technology parks;

c) There are full conditions for development of the concentrated information technology parks include:

- To have reserve land fund for development;

- To have ability to attract investment capital of domestic and foreign investors;
- To have ability to supply and satisfy the labor demand;
- To have linkage with centers of training human resource in information technology and centers of research and development in information technology;
- d) To ensure requirements on defense and security.

Article 9. Conditions for establishment and expansion of the concentrated information technology parks

1. Conditions for establishment of the concentrated information technology parks include:

- a) To conform to the approved overall planning on development of the concentrated information technology parks;
- b) The functions and tasks of the concentrated information technology park must conform to provisions in Article 4 of this Decree;
- c) The concentrated information technology parks which are operating on geographical area have land area of subdivision group for functions and tasks of the concentrated information technology parks already been leased, subleased a percentage of not less than 60% minimally.

2. Conditions for expansion of the concentrated information technology parks include:

- a) The infrastructural system of the concentrated information technology parks have been basically invested completely under the detailed construction planning;
- b) Land area of the subdivision group that perform functions and tasks of the concentrated information technology parks have been leased, subleased a percentage of not less than 70% minimally.

Article 10. The competence and orders of establishment and expansion of the concentrated information technology parks

1. The Prime Minister shall decide the establishment and expansion of the concentrated information technology parks.
2. Dossiers of establishment of the concentrated information technology parks are prepared in accordance with Article 11 of this Decree;
3. Dossiers of expansion of the concentrated information technology parks are prepared in accordance with Article 12 of this Decree.

4. Case of establishment or expansion of a concentrated information technology park that has not yet been included in the approved overall planning on development of the concentrated information technology parks, the provincial People's Committee shall conduct procedures for submission to supplement such concentrated information technology park as prescribed in Article 8 and Article 13 of this Decree.

Article 11. Dossier of establishment of the concentrated information technology park

1. Dossier of establishment of the concentrated information technology park includes:

a) Report of the provincial People's Committee submitted to the Prime Minister for the establishment of the concentrated information technology parks.

b) Scheme on establishment of the concentrated information technology park includes the following principal contents:

- The necessity and legal basis of the establishment;
- Report analyzing the ability of satisfying criteria specified in Article 5 of this Decree;
- Assessment on conditions of geography, natural, economic-social positions of the zone where is anticipated to build the concentrated information technology parks;
- Description on direction of zone development including development objectives, functions, tasks, development direction of information technology activities; development orientations of functional divisions, orientations of land use; assessment on economic-social efficiency anticipated to attain;
- Estimate of total investment, methods to mobilize capital sources for investment in construction of the system of general technical infrastructure and technical infrastructure of functional divisions;
- Solutions to organize the construction and management of the IT Park;
- The plan on zoning the IT park on the planning map;
- An authenticated copy of Decision on approving the environmental impact assessment report of project on technical infrastructure construction of the concentrated information technology parks enclosed with the approved environment impact assessment report.

2. Dossier is made into 01 set, and sent to the Ministry of Information and Communications for appraisal as prescribed in Article 14 of this Decree, to be submitted to the Prime Minister for consideration and decision.

Article 12. Dossier of expansion of the concentrated information technology parks

1. Dossier of expansion of a concentrated information technology park includes:

a) Report of the provincial People's Committee submitted to the Prime Minister for the expansion of the concentrated information technology park.

b) Scheme on expansion of the concentrated information technology park includes the following principal contents:

- The necessity and legal basis of the expansion included citations, documents proving the conformity with conditions specified at Clause 2 Article 9 of this Decree;

- Assessment on conditions of geography, natural, economic-social positions of the zone where is anticipated to expand the concentrated information technology park;

- Description on direction of zone development including development objectives, functions, tasks, development direction of information technology activities; development orientations of functional divisions, orientations of land use; assessment on economic-social efficiency anticipated to attain;

- Estimate of total investment, methods to mobilize capital sources for investment in construction of the system of general technical infrastructure and technical infrastructure of functional divisions;

- Solutions to organize the construction and management of the park;

- The plan on zoning for expansion on the planning map;

- An authenticated copy of Decision on approving the environmental impact assessment report of project on technical infrastructure construction of the concentrated information technology park enclosed with the approved environment impact assessment report;

- The overall report on activities of the concentrated information technology park which have been performed as prescribed at point c Clause 1 Article 17 of this Decree.

2. Dossier is made into 01 set, and sent to the Ministry of Information and Communications for appraisal as prescribed in Article 14 of this Decree, to be submitted to the Prime Minister for consideration and decision.

Article 13. Dossier of supplementing a concentrated information technology park into the master plan on development of the concentrated information technology parks

1. A dossier of supplementing a concentrated information technology park into the master plan on development of the concentrated information technology parks includes:

a) A scheme on supplementing a concentrated information technology park into the master plan on development of the concentrated information technology parks includes the following principal contents:

- The necessity and legal basis of supplementation into the master plan;
- Assessment on situation of implementation and tentative directions for economic-social development, development of information technology industry on the geographical areas of province or central-affiliated city;
- Assessment on situation of construction and development of the concentrated information technology parks which have been established and planned on the geographical areas of province or central-affiliated city;
- The specific name, position, area scale, actual status, and development conditions of each concentrated information Technology Park that is anticipated to be supplemented into the master plan;
- Assessment and explanation on ability of satisfying criteria specified in Article 5 of this Decree;
- Ability to mobilize capital sources for investment in construction and development of the concentrated information technology park;
- Presentation of the plan on development of the concentrated information technology park on the planning map.

b) Report of the provincial People's Committee submitted to the Prime Minister for supplementation of concentrated information Technology Park into the master plan on development of the concentrated information technology park.

2. Dossier is made into 01 set, and sent to the Ministry of Information and Communications for appraisal as prescribed in Article 14 of this Decree, to be submitted to the Prime Minister for consideration and decision.

Article 14. The appraisal for establishment or expansion of a concentrated information technology park or supplementation to the master plan on development of the concentrated information technology park

1. The Ministry of Information and Communications shall appraise and submit to the Prime Minister for decision on establishment or expansion of a concentrated information technology park or supplementation to the master plan on development of the concentrated information technology park.

2. The appraisal for establishment or expansion of a concentrated information technology park or supplementation to the master plan on development of the concentrated information technology park shall include the following contents:

a) Legal basis and necessity;

b) The conformity of the establishment, expansion of the concentrated information technology park; or supplementation to the master plan on development of the concentrated information technology park with the strategy on economic-social development, land use planning of localities; regional and urban construction planning, the technical infrastructure planning;

c) Objectives and criteria of establishment, expansion of a concentrated information technology park or supplementation to the master plan on development of the concentrated information Technology Park and allocation of resources;

d) Level of satisfying corresponding conditions of establishment or expansion of a concentrated information technology park or supplementation to the master plan on development of the concentrated information technology park;

dd) Solutions to perform and the feasibility of the establishment, expansion of a concentrated information technology park or supplementation to the master plan on development of the concentrated information technology park.

3. Orders of and procedures for appraisal:

a) Within 05 working days, after receiving full dossier of establishment, expansion of a concentrated information technology park or supplementation to the master plan on development of the concentrated information technology park in accordance with regulations, the Ministry of Information and Communications shall consult the relevant Ministries and sectors;

In case where a dossier fails to meet provisions stated in Article 11, Article 12 or Article 13 of this Decree, the Ministry of Information and Communications shall have document to request the provincial People's Committee for supplementation of dossiers. Time for supplementation of dossier do not included in time for appraisal.

b) Within 10 working days, since the day of receiving document for consulting of the Ministry of Information and Communications, Ministries and sectors shall have opinions to send them to the Ministry of Information and Communications;

In necessary case, the Ministry of Information and Communications may organize a meeting with relevant Ministries and sectors, and the provincial People's Committees for clarifying relevant matters.

c) Within 05 working days, since the day of receiving written answer of relevant Ministries and sectors, the Ministry of Information and Communications shall sum up and submit to the Prime Minister for consideration and decision.

Article 15. Time limit to ensure construction and operation, exploitation of the concentrated information technology park

Within 03 years, after being handed over land finished the ground clearance, the investor of construction of the concentrated information technology park must ensure to basically finish the infrastructure construction such as: Internal roads, system of water supply and drainage, electrical system, the sewage and environment treatment in order to supply for investors.

Chapter 3.

RECOGNITION OF THE CONCENTRATED INFORMATION TECHNOLOGY PARKS

Article 16. The principles, competence and conditions for recognition of the concentrated information technology parks

1. Types of other zones which are operating with functions in line with provision in Article 4 and meet criteria specified in Article 5 of this Decree may be considered to recognize as the concentrated information technology park.
2. The Prime Minister shall decide recognition of the concentrated information technology parks.
3. If a zone is recognized as a concentrated information technology park, it must perform properly with functions specified in Article 4, criteria specified in Article 5, and only attract activities of investment specified in Article 6 of this Decree.
4. Recognition of the concentrated information technology park is a basis for applying incentive policy for the concentrated information technology parks. Zones already recognized as the concentrated information technology parks shall be added in the master plan on development of the concentrated information technology parks.

Article 17. Dossier of recognition of the concentrated information technology parks

1. A dossier of recognition of a concentrated information technology park includes:
 - a) Report of the provincial People's Committee submitted to the Prime Minister for recognition of the concentrated information technology park.
 - b) Investment certificate granted for the investor carrying out project on investment in infrastructure development of the concentrated information technology park;
 - c) Report on overall operation of the zone includes contents:
 - Overview of the zone (the process of establishment, development, model of organization and management; total investment level through periods,...);

- Description of the conformity of criteria specified in Article 5 of this Decree and the enclosed documents for explanations;
- Report on investment efficiency assessment;
- Financial statement;
- Report on assessing the economic-social and environmental impacts;
- Solutions to organize the construction, planning and management of the zone after being recognized as a concentrated information technology park;
- Description on direction of zone development including development objectives, functions, tasks, development direction of information technology activities.

2. Dossier is made into 01 set, and sent to the Ministry of Information and Communications for appraisal and submission to the Prime Minister as prescribed at Clause 2 and Clause 3 Article 18 of this Decree.

Article 18. The appraisal for recognition of the concentrated information technology park

1. The Ministry of Information and Communications shall appraise the recognition of a concentrated information technology park, and submit it to the Prime Minister for consideration and decision.

2. The appraisal for recognition of a concentrated information technology park includes the following contents:

- a) Legal basis and necessity of the recognition of a concentrated information technology park;
- b) Ability to satisfy criteria of a concentrated information technology park as prescribed in Article 5 of this Decree;
- c) Solutions to organize the construction, planning and management of the zone after being recognized as a concentrated information technology park.

3. Orders of and procedures for appraisal:

- a) Within 05 working days, after receiving full dossier of recognition of a concentrated information technology park, the Ministry of Information and Communications shall consult the relevant Ministries and sectors;
- b) Within 10 working days, since the day of receiving document for consulting of the Ministry of Information and Communications, Ministries and sectors shall have opinions to send them to the Ministry of Information and Communications;

In necessary case, the Ministry of Information and Communications may organize a meeting with relevant Ministries and sectors, and the provincial People's Committees for clarifying relevant matters.

c) Within 05 working days, since the day of receiving written answer of relevant Ministries and sectors, the Ministry of Information and Communications shall sum up and submit to the Prime Minister for consideration and decision.

Chapter 4.

MANAGEMENT ORGANIZATION AND OPERATION IN THE CONCENTRATED INFORMATION TECHNOLOGY PARKS

Article 19. Model and function of organizations managing the concentrated information technology parks

1. For the concentrated information technology parks which are invested with state capital source, the Prime Minister shall decide or authorize for chairpersons of the provincial People's Committees to decide on establishment of management organizations and promulgate the operational regulation.

2. For the concentrated information technology parks which are invested with capital source outside of State budget, organizations managing the concentrated information technology parks are enterprises established and operated in accordance with Law on enterprises.

Article 20. Tasks and powers of organizations managing the concentrated information technology parks

Organizations managing the concentrated information technology parks have the following tasks and powers:

1. To manage activities in the concentrated information technology parks in accordance with legislation;
2. To perform activities of promotion and attraction for investment;
3. To contribute opinions for projects on investment in the concentrated information technology parks;
4. To solve under their authority or propose competent agencies to solve difficulties and problems of investors at the concentrated information technology parks;
5. To perform tasks under authorization or requirements of state agencies.

Chapter 5.

INCENTIVE POLICIES FOR THE CONCENTRATED INFORMATION TECHNOLOGY PARKS

Article 21. Support and preferences for investment in construction of the concentrated information technology parks

Investors in construction of the concentrated information technology parks shall be enjoyed the following supports and preferences:

1. To be supported by State for investment in supplying the technical infrastructure system in and outside of the park (roads, electricity, clean water, drainage and other infrastructures), organization of public traffic system to transport passengers to the concentrated information technology parks;
2. To be supported by State for the work of ground clearance for construction of the concentrated information technology parks;
3. To be facilitated in performing procedures for land assignment, land rent;
4. To be reduced 50% of land levy, ground rent that must be paid to state budget, depending on form of selection of land assignment or land rent;
5. To be entitled to decide on price of leasing land, subleasing land which has build the technical infrastructure; to be entitled to transfer the right to use land, to lease land, sublease land which has build technical infrastructure in the concentrated information technology parks for other investors in accordance with legislations on land and legislations on real estate business;
6. To be enjoyed preferences of State about use of electricity, water and telecommunication as prescribed by law;
7. To be enjoyed incentive policies regarding investment credit of State as prescribed by law;
8. To be entitled to mobilize funding under form of project bond as prescribed by law;
9. To be entitled to mobilize funding from land fund as prescribed by law on land for performing projects on investment in development of technical infrastructure and social infrastructure used for general serve in the concentrated information technology parks;
10. To be entitled to mobilize funding through form in which investors (except for subjects specified in point d Clause 4 Article 3 of Law on investment) with financial ability and experiences in calling investment are leased partly or all land area that not yet be leased for investment and land sublease in order to perform projects on investment in infrastructure construction and business of functional subdivisions in the concentrated information technology parks;

11. To be exempted from land levy for land area used for construction of technical and social infrastructural constructions without business as prescribed by law;

12. To be entitled to include the cost for investment in construction, operation of the social infrastructure works in serve of the concentrated information technology parks in the rationale cost to calculate the taxable income of enterprises;

13. To be enjoyed other incentive policies of State applicable to operation of investment in construction of hi-tech parks.

Article 22. Support and preferences for organizations and enterprises operating in the concentrated information technology parks

Organizations and enterprises performing new investment projects in the information technology field at the concentrated information technology parks are enjoyed the following supports and preferences

1. To be entitled to select form of land assignment with collection of land levies, renting ground or subleasing land which has been built the infrastructure as prescribed by law;

2. To be applied the tax rates of enterprise income tax of 10% for 15 years, exempted tax 04 year, reduced 50% of the payable tax for 09 next years for enterprise incomes from implementation of new investment projects at the concentrated information technology park. For enterprises established newly from investment projects in the information technology field with big scale, and need special investment attraction, duration applied the preferential tax rates may be prolonged but total duration applied tax rate of 10% does not exceed 30 years. The Prime Minister shall decide the expansion of duration applied the preferential tax rate of 10% as prescribed at this Clause at request of Minister of Finance;

3. To be exempted import tax for goods imported to create fixed assets and serve for production of information technology products and services of enterprises, including:

a) Equipment and machinery;

b) The special-use means of transport in the technological chain that cannot be produced domestically; means of transport for workers including automobiles of 24 seats or more, and means of waterway transport;

c) Components, details, separate parts, spare parts, fittings, molds and accessories enclosed to assemble synchronously with special-use equipment, machinery, and means of transport specified at point a and point b this Clause;

d) Raw materials, supplies that cannot be produced domestically, used for manufacture of equipment, machinery placed in technological chains or for manufacture of components, details, separate parts, spare parts, fittings, molds and accessories enclosed to assemble synchronously with equipment, machinery specified at point a of this Clause;

dd) Construction supplies that cannot be produced domestically.

4. To be enjoyed preferences of export tax for information technology products and services as prescribed by law;

5. To be facilitated for customs procedures in course of export and import of machinery, equipment and information technology products and services;

6. To be enjoyed preferences on investment credit and export credit of State, the national fund for science and technology development and other credit institutions as prescribed by law;

7. To be enjoyed other incentive policies of State applicable to enterprises operating in the hi-tech parks. If an enterprise is subject to be enjoyed many preferential levels as prescribed by law, it will be applied the highest preferential level.

Article 23. Customs clearance spots in the concentrated information technology parks

1. The concentrated information technology parks are permitted to open customs clearance spot in the IT Park as prescribed by law;

2. The Ministry of Finance shall detail procedures and conditions for establishment of customs clearance spot in the concentrated information technology parks.

Article 24. Management of planning and construction of technical infrastructure

1. Construction of technical infrastructure and works in the concentrated information technology parks must conform to the planning already been approved by competent authorities. Organizations managing the concentrated information technology parks shall manage dossier of planning, technical designs and written acceptance of technical infrastructure construction works in the concentrated information technology parks.

2. For the technical infrastructure works that are invested with state capital source, organizations managing the concentrated information technology parks shall implement in accordance with legislations.

3. For the technical infrastructure works that are invested with capital source outside state budget, organizations managing the concentrated information technology parks shall guide and supervise investors in building under planning and legislations.

4. The traffic, power supply, water supply, communication infrastructure works that are outside of boundaries of the concentrated information technology parks and are performed by enterprises at the request of organizations managing the concentrated information technology parks must be conformable with planning and schedule of construction of the concentrated information technology parks.

Article 25. Capital for investment in construction of the concentrated information technology parks

1. For the concentrated information technology parks invested with state capital source, state capital is allocated for the following tasks:

- a) To make detailed planning, work of preparing investment;
- b) Ground clearance, bomb, mine and explosives clearance, leveling, resettlement;
- c) To build the general technical infrastructure of the concentrated information technology park includes: Traffic, communication, electricity, water, environment treatment infrastructures,
- d) To build head offices of organizations managing the concentrated information technology parks;
- dd) To build technical infrastructure of training subdivision, research and development subdivision in information technology;
- d) Other costs in serve of the work of managing investment in construction of organizations managing the concentrated information technology parks;

2. The technical infrastructure construction of the remaining areas may be performed by budget capital source and other capital sources, in which prioritize to mobilize other capital sources for implementation.

3. For the concentrated information technology parks invested with capital sources outside of state budget, depending on actual conditions of each divisions, the State may consider to prioritize in supporting partly funding for contents from point a thru point c Clause 1 of this Article.

Chapter 6.

STATE MNAAGEMENT FOR THE CONCENTRATED INFORMATION TECHNOLOGY PARKS

Article 26. Content of state management for the concentrated information technology parks

1. Preparing planning, plan, program and mechanism, policy to develop the concentrated information technology parks.

2. Providing provisions and guides on establishment, construction, development and management of operation of the concentrated information technology parks.

3. Granting, adjusting, withdrawing certificates of investment, certificates of business registration, licenses of all kinds, certificates, confirmations, organizing implementation of state administrative procedures and support services related to investment, production and business of organizations and individuals in the concentrated information technology parks.

4. Organizing the apparatus, training and re-training professional skills for state management agencies in the field of the concentrated information technology parks.

5. Guiding, supporting, assessing efficiency of investment; examining, supervising, inspecting, solving complaints, denunciation, rewarding, handling violations and solving problems arising in the course of establishment, development and operation of the concentrated information technology parks.

6. Examining, inspecting, and supervising the assurance of criteria of the concentrated information technology park; the law observance and handling of violations at the concentrated information technology park.

Article 27. The state management responsibilities for the concentrated information technology parks

1. Government shall conduct unified state management for the concentrated information technology parks nationwide on the basis of assigning specifically tasks and powers of each Ministry, sector, the provincial People's Committee as prescribed in this Decree; provide directions in preparing and implementing the planning, plan on development and promulgate policies, legal documents on the concentrated information technology parks.

2. The Ministry of Information and Communications shall:

a) Take responsibility before Government in state management on the concentrated information technology parks nationwide;

b) Prepare, promulgate under its authority or submit to Government, the Prime Minister for promulgating mechanisms, policies to develop the concentrated information technology parks.

c) Organize examinations, inspections for construction, development, management and operation of the concentrated information technology parks.

d) Appraise, submit to the Prime Minister for decision on establishment, expansion and recognition of the concentrated information technology parks; supplementation to the master plan on development of the concentrated information technology park;

dd) Prepare and manage the national information system on the concentrated information technology parks; assess the efficiency of activities of the concentrated information technology parks.

3. Relevant Ministries and agencies shall perform state management under their functions and tasks for activities of the concentrated information technology parks or authorize for organizations managing the concentrated information technology parks to perform some tasks of state management.

4. The provincial People's Committees shall:

a) Provide directions and approve the detailed planning on construction of the concentrated information technology parks as prescribed in Article 7 of this Decree; appraise and approve fundamental design of projects on investment in infrastructure development of the concentrated information technology parks; decide on using state capital for supporting investors in building system of technical infrastructure in the concentrated information technology parks;

b) Appraise, approve or authorize for organization managing the concentrated information technology parks to appraise, approve projects investment in the concentrated information technology parks as prescribed by law;

c) Granting, adjusting, withdrawing certificates of investment, certificates of business registration, licenses of all kinds, certificates, confirmations, organizing implementation of state administrative procedures and support services related to investment, production and business of organizations and individuals in the concentrated information technology parks.

d) Make land planning for construction of resettlement areas, housing areas for experts and works for services and public utilities; support for investment in construction of houses for experts, resettlement areas, the technical-social infrastructure works as prescribed by Law on state budget; support for investment and commercial promotion; support for compensation, ground clearance to accelerate course of investment and development of the concentrated information technology parks;

dd) Direct the land and water surface recovery, compensation, ground clearance and re-sedentarization and perform procedures for land lease or assignment in the concentrated information technology parks as prescribed by law on land and relevant law;

e) Direct the relevant organizations in preparing the investment plans and organizing construction of the technical and social infrastructure system in and outside of fences of the concentrated information technology parks such as: road, system of power supply, water supply, drainage, communication, establishments of vocational training, houses, establishments for medical examination and treatment, schools and other public works meeting demand of development of the concentrated information technology parks;

g) Organize examinations, inspections and supervision for construction, development, management and operation of the concentrated information technology parks in their localities. For matters fall beyond their competence, coordinate with Ministries and Ministerial agencies in settlement or submit to the Prime Minister for consideration and decision;

h) Implement other tasks and powers of state management for the concentrated information technology parks as prescribed by law.

Chapter 7.

PROVISIONS OF IMPLEMENTATION

Article 28. Effect

1. This Decree takes effect on January 01, 2014.
2. Provisions at Chapter III of the Government's Decree No. 71/2007/ND-CP dated May 03, 2007, detailing and guiding the implementation of a number of articles of the Law on information technology regarding information technology industry cease to be effective on the effective date of this Decree.
3. The concentrated information technology parks which are recognized before the effective day of this Decree and certified to be satisfy criteria specified in Article 5 of this Decree by the Ministry of Information and Communications are not required to do procedures for recognition and are enjoyed policies specified in this Decree.
4. For the concentrated information technology parks which are recognized before the effective day of this Decree but fail to satisfy criteria specified in Article 5 of this Decree, they must complete procedures for recognition as prescribed in this Decree within 02 years.

Article 29. Responsibility for implementation

1. The Ministry of Information and Communications shall guide implementation of this Decree.
2. Ministers, heads of ministerial-level agencies, heads of government-attached agencies and presidents of provincial/municipal People's Committees, relevant organizations and individuals shall implement this Decree.

**ON BEHALF OF THE GOVERNMENT
PRIME MINISTER**

Nguyen Tan Dung

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