

TIEN GIANG PEOPLE'S COMMITTEE
DEPARTMENT OF PLANNING AND INVESTMENT

Handbook
FOR INVESTMENT PROCEDURES

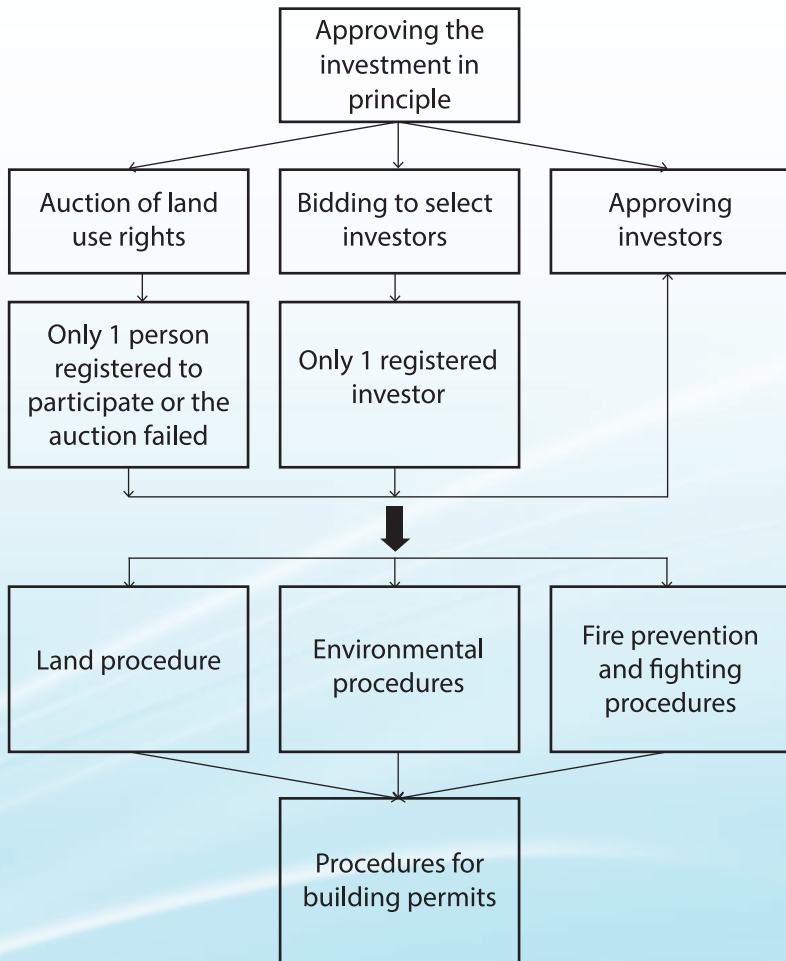
Tien Giang, September 2021

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CHART OF INVESTMENT PROJECT PROCEDURES



PART 1: PROCESS OF LAND USE RIGHT AUCTION

I. Legal grounds

- Law on Land No. 45/2013/QH13 dated November 29th, 2013;
- Law on Property Auction No. 01/2016/QH14 dated November 17th, 2016;
- Law on management and use of public property No. 15/2017/QH14 dated June 21st, 2017;
- Law on Investment No. 61/2020/QH14 dated June 17th, 2020;
- Decree No. 43/2014/ND-CP dated May 15th, 2014 of the Central Government, detailing a number of articles of the Law on land;
- Decree No. 62/2017/ND-CP dated May 16th, 2017 of the Central Government, detailing a number of articles and measures to implement the Law on Property Auction;
- Decree No. 151/2017/ND-CP dated December 26th, 2017 of the Central Government, detailing a number of articles of the Law on management and use of public property;
- Decree No. 31/2021/ND-CP dated March 26th, 2021 of the Central Government detailing some articles of the Law on Investment;
- Circular No. 03/2021/TT-BKHDT dated April 09th, 2021 of the Ministry of Planning and Investment on prescribing samples of documents and reports related to investment in Vietnam, oversea investment and investment promotion activities.

II. Subjects and conditions of application

1. Subjects:

- Clause 1, Article 118 of the Law on land in 2013 stipulates:
"1. The State shall allocate land with land use levy or lease land through auction of land use rights in the following cases:
 - a) Investment in construction of houses for sale or for lease or for lease-purchase;*
 - b) Investment in construction of infrastructure for transfer or for lease;*
 - c) Use of land fund to create capital for infrastructure construction;*
 - d) Use of land for trading or services, and land for non-agricultural production establishments;*

e) *Lease of land which is part of agricultural land fund for public purposes for agriculture, forestry, aquaculture or salt production;*

f) *Allocation or lease of land returned by the State through rearrangement and handling of working offices, non-business establishments, or production or business establishments of which the land-attached assets are owned by the State;*

g) *Allocation of urban and rural residential land to households or individuals;*

h) *Allocation or lease of land in the cases eligible to land use levy or land rental reduction.*

-Sale of public property (including the right to use land belonging to the office) in the form of auction, including:

+ Withdrawn public property;

+ A government agency which is assigned to use public property, has no need to use more or need to have less use due to change in organizational structure, functions, tasks or other causes in which the property is not withdrawn or transferred;

+ Management and use of public property are rearranged;

+ Public property is liquidated in the form of sale.

(Article 43 of the Law on management and use of public property)

2. Conditions of application:

Clause 1, Article 119 of the Law on land stipulates:

"1. Conditions for holding an auction of land use rights upon land allocation or land lease by the State:

a) *The annual district-level land use plan approved by a competent government agency is available;*

b) *The land has been cleared or is land with attached assets owned by the State;*

c) *The plan for holding the auction of land use rights approved by a competent government agency is available."*

III. Process of auctioning land use rights and assets attached to the land

Step 1: Prepare dossiers of request for sale of public property, appraise and decide to sell public property *(specified in Article 23 of the*

Government's Decree No. 151/2017/ND-CP dated December 26th, 2017)

- Prepare application dossier for sale of public property:

The government agencies that have a public property in case of selling public property make 01 set of applications for sale of public property and send it to the superior management agency to consider and request the competent agency or person to consider, decide. *(Documents of request for sale of public property specified in Clause 1, Article 23 of of the Government's Decree No. 151/2017/ND-CP dated December 26th, 2017)*

- Evaluation of the proposal to sell public property:

The agency assigned to perform the task of public asset management (the Department of Finance) appraises the proposal for the sale of public property, and submits it to the Chairman of the Provincial People's Committee (PPC) for decision on the sale of public property.

- Decision to sell public property:

The Chairman of PPC shall decide to sell public property according to the assignment of the Provincial People's Council *(specified at point d, clause 2, Article 22 of the Government's Decree No. 151/2017/ND-CP dated December 26th, 2017)*.

Within 30 days after receiving a complete and valid dossier, the Chairman of PPC shall decide to sell public property with the following main contents:

- + Government agencies having properties for sale;
- + List of properties to be sold (type, quantity, original price, residual value according to accounting books; reason for sale);
- + Method of selling property (auction);
- + The agency assigned to organize the sale of public property;
- + Manage and use proceeds from property sales.

Step 2: Prepare application dossiers for approval of investment in principle, appraise and decide on approval of investment in principle
(prescribed in Clause 2, Article 29 of the Law on Investment in 2020)

- Prepare application dossier for approval of investment in principle: Provincial departments and branches; district-level People's Committee; Management Board of Industrial Zones shall compile a dossier of request for approval of the investment in principle according to the provisions of

Clause 2, Article 33 of the Law on Investment in 2020, and send it to the Department of Planning and Investment (DPI).

- Appraise application dossier for approval of investment in principle: Within 25 days from the date of receipt of the dossier, the Department of Planning and Investment collects opinions on appraisal of provincial departments and district-level People's Committees, appraises and submits to PPC for approval of the investment in principle.

- Decide to approve the investment in principle: Within 07 working days from the date of receipt of the application and appraisal report, PPC shall decide to approve the investment in principle in the form of the auction of land use rights.

Step 3: Set up, appraise and approve land use right auction plans

- Making plans for auction of land use rights: Pursuant to the approved district-level annual land use plan and the units' proposals on the auction of the existing land fund, the Department of Natural Resources and Environment (DONRE) or the Division of Natural Resources and Environment shall report to the People's Committee of the same level to direct the units assigned to manage the land fund to make plans for the auction of land use rights and submit them to the People's Committees of the same level for approval (*specified in Articles 4 and 6 of the Joint Circular No. 14/2015/TTLT-BTNMT-BTP dated April 4th, 2015 of the Ministry of Natural Resources and Environment and the Ministry of Justice*)

- Evaluate the land use right auction plan:

a) In case the land use right auction plan is made by provincial-level agencies, the dossier shall be sent to DONRE for appraisal and submission to PPC for approval of the auction plan. The time for appraisal of the land use right auction plan is 15 (fifteen) days from the date of receipt of a complete dossier.

b) In case the land use right auction plan is made by district-level agencies, the district-level People's Committee shall make a written request and send it to DONRE for its approval before approving the auction plan. The time to comment on the land use right auction plan is 15 (fifteen) days from the date of receipt of a complete dossier.

- Approve the land use right auction plan:

The authorized People's Committees shall approve the auction plan

within 05 (five) days from the date of receipt of the written proposal or opinions of DONRE.

Step 4: Prepare documents, deciding auction

Based on the approved land use right auction plan, the unit assigned to organize the auction of land use rights is responsible for preparing documents of the auctioned land and sending it to the natural resources and environment agency for appraisal before submitting to the authorized People's Committee for decision on auction of land use rights. (The implementation of these contents is in accordance with Article 7 of the Joint Circular No. 14/2015/TTLT-BTNMT-BTP dated April 4th, 2015 of the Ministry of Natural Resources and Environment and the Ministry of Justice).

Step 5: Determine and approve the starting price *(specified in Clause 1, Article 3 of Decree No. 135/2016/ND-CP dated September 9th, 2016 of the Central Government amending and supplementing a number of articles of decrees on land levy, land and water surface rent)*

* In case of land rental auction with annual rental payment, the starting price shall be determined by the financial agency.

* In case of land rental auction with one-off payment of land rental for the entire lease period:

- DONRE shall determine the starting price in case the area of the land plot or the auctioned land has the rent value (Based on the land price list) from 20 billion VND or more and transfer to the local appraisal council of land price, in which the Department of Finance (DOF) is a standing member of the council, in order to submit to PPC for approval.

- The financial agency shall determine the starting price in case the area of the land plot or the auctioned land has the rent value (Based on the land price list) below VND 20 billion and to submit to PPC for approval.

* The determination of the starting price for auction if being associated with state-owned assets must comply with the law on management and use of public property.

The determination of the starting price is as follows *(specified in Article 24 of Decree No. 151/2017/ND-CP)*:

- For assets functioned as the head office, the agency tasked with organizing the sale of the property shall hire an organization that is

qualified to conduct appraisal to determine the asset's price and send it to DOF (where the property is located), and DOF is responsible to coordinate with other relevant agencies to review and submit to PPC for decision on the starting price. If it is not possible to hire an organization that fully meets the conditions for appraisal of price, DOF is responsible to coordinate with other relevant agencies to set up a council to determine according to the guidance of the Ministry of Finance and submit to PPC for decision on the starting price.

- For public property other than the head office, the head of the agency assigned to organize the sale of the property shall set up a council to determine the starting price according to the guidance of the Ministry of Finance or hire a organization that is qualified to conduct the price appraisal to determine the price and taking it as a basis for finally deciding the starting price.

* The time of deciding the starting price for the auction of land use rights is 10 (ten) days from the date of receipt of a complete application for determination of the starting price.

In case there is not enough basis to determine the starting price, within 05 (five) days from the date of receipt of the application, DOF/DONRE shall notify in writing to the agency for sending the additional application. After receiving the complete dossier, the time limit for completion is 10 (ten) days counting from the date of receiving complete and additional dossiers.

- Time limit for approval of starting price: PPC shall issue a decision approving the starting price within 05 (five) days from the date of receipt of the document from DOF/DONRE.

Step 6: Choose a unit to conduct the auction of land use rights

Pursuant to the method of selecting the unit conducting the auction in the approved land use right auction plan; The unit organizing the auction of land use rights shall choose (as specified in Article 56 of the Law on Property Auction) and sign a contract to hire a unit to conduct the auction of land use rights in accordance with regulations.

Step 7: Publicizing and openly announcing the auction of land use rights

At least 30 days before the auction opening date, the unit conducting the land use right auction must publicize the auction of land use rights at

the place where the auction is held, where the auctioned land is located and at the head office of the People's Committee of the commune, ward or township where the land is located; at the same time it must publicly announce the auction of the land plot at least 02 times, each time 03 days apart on the mass media.

For land plots that are auctioned for the second time onward, but without adjustment to the starting price or planning, the time for announcement on the mass media is at least 10 days before the auction opening date. In case there is a change in the starting price or the planning, it must do the same procedures as the first auction.

Step 8: Registration to participate in the auction

Entities that meet the conditions as prescribed shall register and complete the registration procedures within the time limit publicly announced by the unit conducting the auction of land use rights. The list of organizations and individuals making registration to participate in the auction must be publicly announced before the auction at the place where the auction is held.

Step 9: Select eligible subjects to participate in the auction

The auction-conducting unit shall coordinate with the auction-organizing unit and related units in selecting qualified people to participate in the auction.

Step 10: Organize auction and approve auction winning results

a) In case, after selection, there are 2 people eligible to participate in the auction, the unit conducting the auction shall organize an auction according to regulations.

After the auction results are available, the unit organizing the auction of land use rights shall compile a dossier and send it to the natural resources and environment agency for submitting to the authorized People's Committee that has decided to auction the land use right for recognizing the auction winning results. Specifically:

- For the agency preparing the auction plan is the provincial department, DONRE shall submit the auction result to the Provincial People's Committee for approval.

- For the agency making the auction plan is the district-level People's Committee, the Division of Natural Resources and Environment shall

submit the auction results to the district-level People's Committee for approval.

b) In case no one submits the application to participate in the auction or after selection, only one person is eligible, the first auction will not be successful and the second auction notice will be continued. If, after the second auction notice, no one submits the application to participate in the auction, or after selection, only one person is eligible, the second auction will not be successful.

After 2 unsuccessful auctions, the agency assigned to organize the auction shall submit it to the competent agency that has issued the decision to sell the property to consider and decide to cancel the decision to auction public property for sale to only one person (*specified at Point b, Clause 3, Article 25 of Decree No. 151/2017/ND-CP*). Specifically:

The agency organizing the auction (provincial departments and district-level People's Committees) compiles a dossier and sends it to DOF for submitting to the Chairman of PPC (the authority has power to decide on the sale of public property) to issue a decision to cancel the land use right auction decision and to issue a decision to sell to only one person.

- Prepare documents for investor approval, appraisal and decision on investor approval.

The investor shall compile a dossier of request for investor approval and send it to DPI.

Within 25 days from the date of receipt of the dossier, DPI shall get opinions on the appraisal of provincial departments and district-level People's Committees, appraise and submit to PPC for approval of the investor.

Within 07 working days from the date of receiving the application and appraisal report, PPC shall decide to approve the investor.

Step 11: Notice of payment of land use levy

After approving the auction results or approving the investor, the tax authority sends a Notice of Payment to the auction winner of the land use right or the selected investor.

Step 12: Obligations of auction winners of land use rights

Fully paying the amount of money at the auction of land use rights according to the Decision on recognition of the auction results; contacting

authorities to sign land lease contracts for leased land; complying with the State's management and supervision over land, environment, planning and construction investment during the land use process.

Step 13: Issuance of land use right certificates, land allocation in the field to auction winners

- Pursuant to the decision on recognition of the winning result by the authorized agency and the payment of land use levy or land rent to the state budget, the unit organizing the auction of land use rights is responsible for transferring the land use right auction dossier to DONRE for carrying out procedures for signing a land lease contract in the case of the land lease; submit to the competent authority to issue the certificate of land use right to the winning organization or individual.

- After the competent authority issues the certificate, the auction organizing unit shall coordinate with DONRE and the People's Committee of the commune where the auctioned land plot is located, to allocate the land plot at site and grant the Certificate to the winning organization or individual; at the same time, update and correct land data and records according to regulations.

- The time limit for granting the Certificate to the auction winning organization or individual is following the current regulations. All the expenses related to the registration and issuance of land use right certificates shall be paid by the auction winning organizations and individuals according to the current regulations./.



1.1. Vincom My Tho

PART 2: BIDDING PROCESS ON SELECTION OF INVESTOR

I. Legal grounds

- Law on Land No. 45/2013/QH13 dated November 29th, 2013;
- Law on Public – Private Partnership Investment No. 64/2020/QH14 dated June 18th, 2020;
- Law on Investment No. 61/2020/QH14 dated June 17th, 2020;
- Law on Enterprises No. 59/2020/QH14 dated June 17th, 2020;
- Decree No. 25/2020/ND-CP dated February 28th, 2020 of the Central Government on detailing some articles of the Law on Bidding on investor selection;
- Decree No. 35/2021/ND-CP dated March 29th, 2021 of the Central Government on detailing some articles of the Law on Public - Private Partnership Investment;
- Decree No. 31/2021/ND-CP dated March 26th, 2021 of the Central Government on detailing some articles of the Law on Investment;
- Circular No. 03/2021/TT-BKHDT dated April 09th, 2021 of the Ministry of Planning and Investment on prescribing samples of documents and reports related to investment in Vietnam, oversea investment and investment promotion activities.

II. Scope of adjustment and subjects of application

(Article 1 of Decree No. 25/2020/ND-CP; Clause 32, Article 89 of Decree 35/2021/ND-CP dated March 29th, 2021 of the Government detailing and guiding the implementation of the Law on Investment under the form of public-private partnership; Clause 1, Article 108 of Decree 31/2021/ND-CP dated March 26th, 2021 of the Government detailing and guiding the implementation of a number of articles of the Law on Investment)

1. Scope of adjustment

This Decree details the implementation of a number of articles of the Law on Bidding regarding the selection of investors to implement projects, including:

a) Investment projects using land for construction of urban areas; construction of civil works with one or more functions, including: commercial houses; head office; commercial and services works;

b) The project is not specified at Points a and b of this Clause, but it must organize bidding according to the provisions of specialized law and the regulations on socialization.

2. Subjects of application

a) Organizations and individuals participating in or related to the selection of investors to implement investment projects specified in Clause 1 of this Article.

b) Organizations and individuals engaged in investor selection that are not regulated by this Decree may choose to apply the provisions of this Decree. In case of choosing to apply, organizations and individuals must clearly define the terms and conditions to be implemented in accordance with the provisions of the Bidding Law, this Decree and other laws, ensuring fairness, transparency and economic efficiency.

III. Process on election of investor

Step 1: Making a list of investment projects using land

1. The specified projects are entered in the list of investment projects using land, specifically as follows:

a) For projects being subject to approval of investment in principle according to the provisions of the law on investment, the Decision on approval of investment in principle is concurrently considered as the document on approval of the list of investment projects using land.

Pursuant to the decision approving the investment in principle in accordance with the law on investment, DPI shall coordinate with relevant agencies in determining preliminary requirements on the investor's capacity and experience, and report it to PPC for approval before announcing the project list.

b) For projects not being subject to approval of investment in principle

according to the provisions of the law on investment, the formation and approval of the list of investment projects using land shall comply with Clause 2 of this Step.

2. Making a list of investment projects using land applied for projects being not subject to approval of investment in principle according to the provisions of the law on investment:

a) In case the project is set up by provincial departments or the divisions of People's Committee of the district level:

The provincial departments and the People's Committee of the district level shall make proposals for investment projects using land and send them to the DPI. The proposed content includes: Project name, investment objective, investment scale, total preliminary cost of project, investment capital, capital mobilization plan, location, time limit, investment progress, information on the current land use status at the project site, the expected land use demand (if any); purpose of using land; approved planning targets; language used to publicize project; analyzing the socio-economic efficiency of the project, ensuring national defense, security and sustainable development of the investment project and preliminary requirements on the capacity and experience of the investor.

b) In case the project is proposed by the investor:

Investors may propose the investment project using land other than in the list of investment projects using land approved by the Chairman of PPC. The investor makes a project proposal file and sends it to DPI for summarizing. The proposal dossier includes the following contents:

- A written request for the investment project using land, including a commitment to bear all costs and risks if the project proposal is not approved;

- Contents of investment project proposal include: Project name, investment objective, investment scale, preliminary total cost of project implementation, investment capital, capital mobilization plan, location, time limit, investment progress; analyzing the socio-economic efficiency

of the project, ensuring national defense, security and sustainable development of the investment project;

- Proposed proposed land use demand; information on the current status of land use at the project site (if any); purpose of using land; approved planning targets;

- Profile of the investor's legal status, capacity and experience;

- Other necessary documents to explain the project proposal (if any).

Step 2: Approve and announce the list of investment projects using land

- Within 30 days after receiving the prescribed project proposal, DPI shall coordinate with relevant agencies in compiling a list of investment projects using land; evaluate the satisfaction of conditions for determining investment projects using land as prescribed; determine the preliminary requirements on the investor's capacity and experience, and report it to the Chairman of PPC.

- Within 10 days after receiving the report from DPI, the Chairman of PPC shall consider and approve the list of investment projects using land, including preliminary requirements on the investor's capacity and experience.

- Publication of the list of projects: Pursuant to the decision approving the investment policy in accordance with the law on investment or the approved list of investment projects using land, DPI shall announce it on the national bidding portal. It must be posted no later than 07 working days from the date of issuing the document.

Step 3: Preliminary assessment of investor capacity and experience, determination of investor selection form

Investors prepare and submit project registration dossiers on the National Bidding Network System based on published information content. A dossier includes: A written registration for the project; documents on

legal status, capacity, experience of investors, other relevant documents (if any).

At the end of the project registration deadline, DPI shall organize a preliminary assessment of the capacity and experience of investors who have submitted project registration documents on the National Bidding Network System.

Based on the preliminary assessment results, PPC shall decide one of the following cases:

- In case there are two or more investors that meet the requirements, the Chairman of PPC shall issue a decision to apply the open bidding and assign the provincial departments or the People's Committee of the district level to be the bid solicitors.

- In case only one investor registers and meets the requirements or many investors register but only one investor meets the requirements, it is to carry out the investor approval procedure in accordance with the law on investment.

Step 4: Set up, appraise and approve the investor selection plan

- The bid solicitor (provincial departments, branches, district-level People's Committees) prepares an investor selection plan and submits it to DPI for appraisal, then submitting to the Chairman of PPC for approval.

- After the investor selection plan is approved, the bid solicitor shall upload the investor selection plan information on the National Bidding Network System.

Step 5: Prepare, evaluate and approve bidding documents

- Prepare, appraise and approve the bidding documents (BD) or request for proposals: the bid solicitor organizes the preparation of the BD and sends them to DPI for appraisal, then submitting to the Chairman of PPC for approval or approving by itself the BD if authorized by the Chairman of PPC.

The bid solicitor is responsible for calculating the total cost of compensation, support, resettlement, land use levy and expected land rent for investment projects using land for approval according to the provisions of law and PPC.

Step 6: Organize investor selection

- Notify the invitation to bid (or send a letter of invitation to bid): after the BD is approved, the bid solicitor shall announce the invitation to bid (on the National Bidding Network System and the Procurement Newspaper) or send a bid invitation letter to the shortlisted investors or identified investors.

- Issue the BD: the bid solicitor issues the BD to investors from time to time in the notice of invitation to bid or invitation for bids;

- Open the bidding (of the technical proposal): At the end of the time limit specified in the invitation to bid, the investor submits the bid (or proposal) and the bid solicitor organizes the bid opening (of the technical proposal) as prescribed.

- Evaluate the technical proposals: The bid solicitor organizes the evaluation of the technical proposals of the participating investors, makes a report on the results of the evaluation of the technical proposals (list of bidders that meet the technical requirements (called shortlist).

- Appraise and approve the shortlist: The bid solicitor shall appraise and approve the shortlist in writing.

- Announce the short-listed investors: The bid solicitor shall give notice of the shortlist to all participating investors, in which it is to invite shortlisted investors to join opening a dossier of financial - commercial proposals.

- Open and evaluate financial - commercial proposals: The bid solicitor organizes the opening and evaluation of financial - commercial proposals of investors that meet the technical requirements (under the shortlist) and ranking of investors.

- Preliminary contract negotiation: The bid solicitor invites the first ranked investor to negotiate a preliminary contract; concurrently finalizing the draft investment agreement and the draft contract.

Step 7: Submit to appraise, approve and publicize investor selection results

- Appraise and approve the investor selection results: The bid solicitor sends the results of investor selection to DPI for appraisal then submitting to the Chairman of PPC for approval.

- Announce the investor selection results: After the investor selection results are approved, the bid solicitor shall notify the investor selection results on the National Bidding Network System, the Procurement Newspaper and send a written notification of investor selection results to the participating contractors.

Step 8: Negotiate and sign the contract

- Contract negotiation: Based on investor selection results and preliminary contract negotiation results, the bid solicitor shall organize negotiations and finalize the contract with the selected investor.

- Contract signing: based on negotiation results, the bid solicitor shall sign a contract with the investor to implement the project.



1.2. My Tho Marina

PART 3: ADMINISTRATIVE INVESTMENT PROCEDURES BEING SUBJECT TO THE MANAGEMENT OF THE TIEN GIANG DEPARTMENT OF PLANNING AND INVESTMENT

1. Procedure for investor approval by the Provincial People's Committee:

a) Time frame:

- Within 03 working days from the date of receipt of valid dossiers, DPI shall send the dossiers to the relevant government agencies for getting their opinions;

- Within 15 days from the date of receipt of the request of DPI, the relevant government agencies shall give their opinions on the contents under their state management and send them to DPI;

- Within 25 days from the date of receipt of the valid application, DPI shall make the appraisal report and submit it to PPC;

- Within 07 working days from the date of receipt of the application and appraisal report, PPC shall approve the investor.

b) Submitting place:

- Tien Giang Public Administration Service Center (Counter No. 12 - 02733. 993852), No. 377, Hung Vuong Street, Dao Thanh Commune, My Tho City, Tien Giang Province.

- Administrative procedures for receiving and returning results via the public postal service.

- Administrative procedures through online public services level 4 (dichvucong.tiengiang.gov.vn).

c) Fee: Not any fee.

d) Legal documents:

- Law on Investment No. 61/2020/QH14 dated June 17th, 2020;

- Decree No. 31/2021/ND-CP dated March 26th, 2021 of the Government detailing and guiding the implementation of a number of articles of the Investment Law.

- Circular No. 03/2021/TT-BKHDT dated April 09th, 2021 of the Ministry of Planning and Investment on prescribing samples of documents and reports related to investment in Vietnam, oversea investment and investment promotion activities.

đ) Internal, interconnected and electronic process:

| Step | Work content | Agency | Time |
|------|--|--|----------|
| 1 | Receive dossiers submitted by individuals and organizations (in person, by post, public postal services, public services online and via fax, email); scan files; fill in the record book, send the application to DPI. | Provincial Public Administration Service Center. | 08 hours |
| 2 | DPI shall send a dossier to the relevant competent agencies to get their comments on satisfaction of the requirements specified at Points b, c and d, Clause 4, Article 33 of the Law on Investment. | | 16 hours |
| 2.1 | Assignment to appraise dossiers | Head of the Foreign Economic Affairs Division. | 04 hours |
| 2.2 | Draft document for getting comments. | Officer. | |
| 2.3 | Review document and initial. | Head of the Foreign Economic Affairs Division. | |
| 2.4 | Sign the document. | Director of DPI. | 08 hours |
| 2.5 | Send the dossier with document for getting comments | Officer. | 04 hours |
| 3 | The competent agencies shall give their comments on the contents under their state management and send them to DPI. | Competent agencies. | 15 days |

| | | | |
|-----|--|---|-------------------------|
| 4 | DPI prepares the appraisal report as specified at Points b, c and d, Clause 4, Article 33 of the Law on Investment, and submits it to PPC. | | 07 days |
| 4.1 | Summarize comments of related agencies and make a draft appraisal report. | Head of the Foreign Economic Affairs Division; Officer. | 03 days |
| 4.2 | Hold the meeting to approve the draft appraisal report. | Director of DPI. | 01 day |
| 4.3 | Complete the appraisal report. | Officer | 01 day |
| 4.4 | Review document and initial. | Head of the Foreign Economic Affairs Division. | 01 day |
| 4.5 | Review documents, sign the appraisal report, and send it to the Office of PPC. | Director of DPI and its chief office. | 01 day |
| 5 | Approve the investor by PPC. | | 56 hours |
| 5.1 | Hold a meeting to evaluate projects of investment from non-state budget | Office of PPC. | 36 hours |
| 5.2 | Review application and reports, sign the decision to accept investors. | Leaders of PPC. | 16 hours |
| 5.3 | Hand the decision of approval over the investor. | Office of PPC. | 04 hours |
| 6 | Return final documents of approval to individuals and organizations. | Provincial Public Administration Service Center. | During the working time |

2. Procedure for approval of investment in principle by PPC:

a) Time frame:

- Within 03 working days from the day of receiving the valid application, DPI shall send the document for getting comments to the competent departments, the district-level People's Committee, where the project is located and related agencies.

- Within 15 days from the date of receipt of the request of DPI, the competent agency shall give their comments under their state management and send it to DPI.

- Within 25 days from the date of receiving the valid dossier, DPI shall make an appraisal report and submit it to PPC.

- Within 07 working days after receiving the application and appraisal report, PPC shall consider and approve the investment in principle.

b) Submitting place

- Public Administration Service Center of Tien Giang Province (Counter No. 12 - 02733. 993852), No. 377, Hung Vuong Street, Dao Thanh Commune, My Tho City, Tien Giang Province.

- Administrative procedures for receiving and returning results via the public postal service.

- Administrative procedures through online public services level 4 (dichvucong.tiengiang.gov.vn).

c) Fee: Not any fee.

d) Legal documents:

- Law on Investment No. 61/2020/QH14 dated June 17th, 2020;

- Decree No. 31/2021/ND-CP dated March 26th, 2021 of the Central Government detailing and guiding the implementation of a number of articles of the Investment Law.

- Circular No. 03/2021/TT-BKHDT dated April 09th, 2021 of the Ministry of Planning and Investment on prescribing samples of documents and reports related to investment in Vietnam, oversea investment and investment promotion activities.

d) Internal, interconnected and electronic process:

| Step | Work content | Agency | Time |
|------|--|--|----------|
| 1 | Receive dossiers submitted by individuals and organizations (in person, by post, public postal services, and public services online and via fax, email); scan files; fill in the record book, send the application to DPI. | Provincial Public Administration Service Center. | 08 hours |
| 2 | DPI shall send a dossier for getting comments to the relevant competent agencies and the district-level People's Committee where the project is located, and relevant agencies under the state management as prescribed in Clause 6 or Clause 8, Article 31 of Decree No. 31/2021/ND-CP. | | 16 hours |
| 2.1 | Assignment to appraise dossiers. | Head of the foreign Economic Affairs Division. | 04 hours |
| 2.2 | Draft documents for getting comments. | Officer. | |
| 2.3 | Review and initial. | Head of the foreign Economic Affairs Division | |
| 2.4 | Sign the document. | Director of DPI. | |

| | | | |
|-----|--|--|----------|
| 2.5 | Send the dossier with a document for getting comments. | Officer. | 04 hours |
| 3 | The competent agencies shall give their comments on the contents under their state management and send them to DPI | Competent agencies. | 15 days |
| 4 | DPI shall make the appraisal report as prescribed in Clause 6 or Clause 8, Article 31 of Decree No. 31/2021/ND-CP, and submit it to PPC. | | 07 days |
| 4.1 | Summarize comments of the competent agencies and work out a draft appraisal report. | Head of the Foreign Economic Affairs Division; Officer | 03 days |
| 4.2 | Hold a meeting to approve the draft of the appraisal report. | Director of DPI. | 01 day |
| 4.3 | Complete the appraisal report. | Officer. | 01 day |
| 4.4 | Review and initial. | Head of the Foreign Economic Affairs Division. | 01 day |
| 4.5 | Review documents, sign the appraisal report, send it to the Office of PPC. | Director of DPI and its chief office. | 01 day |

| | | | |
|-----|--|--|--------------|
| 5 | PPC shall consider and approve the investment in principle over the projects covering the contents specified in Clause 7 Article 32 of Decree No. 31/2021/ND-CP. | | 56 hours |
| 5.1 | Hold a meeting to appraise the projects of non-state budget investment. | Office of PPC. | 36 hours |
| 5.2 | Review application and reports, sign the decision to accept investors. | Leaders of PPC. | 16 hours |
| 5.3 | Hand the decision of approval over the investor. | Office of PPC. | 04 hours |
| 6 | Return final documents of approval to individuals and organizations | Provincial Public Administration Service Center. | Office hours |



1.3. Granting investment policy

3. Procedure for issuance of the Investment Registration Certificate (IRC) over the projects being not subject to approval on investment in principle:

a) Time frame:

Within 15 days from the date of receipt of a valid dossier if the project meets the conditions in Clause 3, Article 36 of Decree No. 31/2021/ND-CP, DPI shall issue IRC.

b) Submitting place

- Public Administration Service Center of Tien Giang Province (Counter No. 12 - 02733. 993852), No. 377, Hung Vuong Street, Dao Thanh Commune, My Tho City, Tien Giang Province.

- Administrative procedures for receiving and returning results via the public postal service.

- Administrative procedures through online public services level 4 (dichvucong.tiengiang.gov.vn).

c) Fee: Not any fee.

d) Legal documents:

- Law on Investment No. 61/2020/QH14 dated June 17th, 2020;

- Decree No. 31/2021/ND-CP dated March 26th, 2021 of the Central Government detailing and guiding the implementation of a number of articles of the Investment Law.

- Circular No. 03/2021/TT-BKHDT dated April 09th, 2021 of the Ministry of Planning and Investment on prescribing samples of documents and reports related to investment in Vietnam, oversea investment and investment promotion activities.

e) Internal, interconnected and electronic process:

| Step | Work content | Agency | Time |
|------|--|--|---------|
| 1 | Receive dossiers submitted by individuals and organizations (in person, by post, public postal services, public services online and via fax, email); scan files; fill in the record book, send the application to DPI. | Provincial Public Administration Service Center. | 1/2 day |

| | | | |
|-----|--|--|-----------|
| 2 | DPI shall issue IRC to investors. | | 14,5 days |
| 2.1 | Assignment to handle dossiers. | Head of the foreign Economic Affairs Division. | 1/4 day |
| 2.2 | Draft documents for getting comments. | Officer. | 1/4 day |
| 2.3 | Review and initial. | Head of the foreign Economic Affairs Division. | 1/4 day |
| 2.4 | Sign the document. | Director of DPI. | 1/2 day |
| 2.5 | Issue document for getting comments. | Officer | 1/2 day |
| 2.6 | The competent agency shall give their comments on the project. | Competent agencies. | 03 days |
| 2.7 | Making a summary of comments from the competent agencies, filling in the submission form and drafting IRC. | Officer. | 03 days |
| 2.8 | Hold a meeting to appraise the project. | Head of DPI. | 01 day |
| 2.9 | Completing the submission form and drafting IRC. | Officer. | 02 days |

| | | | |
|------|---|--|---------------|
| 2.10 | Recheck all the documents attached to the submission form and the draft of IRC, sign the submission form and initial. | Head of the foreign Economic Affairs Division. | 1/2 day |
| 2.11 | Review the documents attached to the submission form and the draft of IRC and approve the issuance of the IRC. | Director of DPI. | 01 day |
| 2.12 | Sending to the National Investment Portal. | Officer. | 01 day |
| 2.13 | Sign IRC. | Director of DPI. | 01 day |
| 2.14 | Stamp and return the results to the Provincial Public Administration Service Center. | Officer. | 1/4 day |
| 3 | Return result to individuals and organizations. | Provincial Public Administration Service Center. | Office hours. |

4. Procedures for investment in the form of contributing capital, buying shares, buying a part of the contributed capital applied for foreign investors:

a) Time frame:

- Within 15 days from the date of receipt of a valid dossier as prescribed in Clause 2, Article 66 of Decree No. 31/2021/ND-CP, DPI shall consider the available conditions for contributing capital, buying shares, buying a part of the contributed capital as prescribed in Clause 2, Article 24 of the Law on Investment; Clause 4, Article 65 of Decree No. 31/2021/ND-CP and notify the investor, except for the case specified in Clause 4, Article 66 of Decree No. 31/2021/ND-CP. The written notice shall be sent to foreign investors and economic organizations, in which foreign

investors contribute their capital, buy shares, buy a part of the contributed capital.

- In case an economic organization in which the foreign investors contribute their capital, buys shares, buy a part of the contributed capital, have the certificate of land use right in islands, border communes, wards, towns and coastal communes, wards and towns; in other areas sensitive to the national defense and security, the time limit for handling is as follows:

+ Within 03 working days from the date of receipt of a valid application, DPI shall get an idea from the Ministry of National Defense and the Ministry of Public Security on the available conditions specified at Point b, Clause 4 of this Article. 65 of Decree No. 31/2021/ND-CP;

+ Within 07 working days from the date of receiving the written request of DPI, The Ministry of National Defense and the Ministry of Public Security shall give opinions on the available conditions for ensuring national defense and security applied for economic organizations, in which foreign investors contribute their capital, purchase shares or a part of the contributed capital; if there would be no feedback of those agencies within the time limit, it shall be deemed to have their agreement on the available conditions for ensuring national defense and security applied for economic organizations, in which foreign investors contribute their capital, purchase shares or purchase a part of the contributed capital.

- Within 15 days from the date of receipt of a valid dossier, DPI shall consider the available conditions for capital contribution, purchase shares, purchase a part of the contributed capital according to the provisions of Clause 2, Article 24 of the Investment Law, Clause 4, Article 65 of Decree No. 31/2021/ND-CP and based on the opinions of the Ministry of National Defense and the Ministry of Public Security to notify investors. The written notices shall be sent to foreign investors and economic organizations, in which foreign investors contribute their capital, purchase shares or purchase a part of the contributed capital.

b) Submitting place:

- Public Administration Service Center of Tien Giang Province (Counter No. 12 - 02733. 993852), No. 377, Hung Vuong Street, Dao Thanh Commune, My Tho City, Tien Giang Province.

- Administrative procedures for receiving and returning results via the public postal service.

- Administrative procedures through online public services level 4 (dichvucong.tiengiang.gov.vn).

c) Fee: Not any fee.

d) Legal documents:

- Law on Investment No. 61/2020/QH14 dated June 17th, 2020;

- Decree No. 31/2021/ND-CP dated March 26th, 2021 of the Government detailing and guiding the implementation of a number of articles of the Investment Law.

- Circular No. 03/2021/TT-BKHDT dated April 09th, 2021 of the Ministry of Planning and Investment on prescribing samples for documents and reports related to investment in Vietnam, oversea investment and investment promotion activities.

e) Internal, interconnected and electronic process:

- In case an economic organization, in with the foreign investors contribute their capital, buy shares or purchases a part of the contributed capital without a Certificate of land use right in an island, border communes, wards, towns and coastal communes, wards and towns; other areas sensitive to national defense and security, the time limit for handling is as follows:

| Step | Work content | Agency | Time |
|------|--|---|---------------------------------|
| | <p>Receive dossiers submitted by individuals and organizations (in person, by post, public postal services, public services online and via fax, email); scan files; fill in the record book, send the application to DPI.</p> <p>DPI shall announce the available conditions for contributing their capital, buying shares, buying a part of the contributed capital by the foreign investors.</p> | <p>Provincial Public Administration Service Center.</p> | <p>1/2 day</p> <p>14,5 days</p> |

| | | | |
|-----|--|--|----------|
| 2.1 | Assignment to handle dossiers. | Head of the foreign Economic Affairs Division. | 1/4 day |
| 2.2 | Draft document for getting comments. | Officer. | 1/4 day |
| 2.3 | Review and initial. | Head of the foreign Economic Affairs Division | 1/4 ngày |
| 2.4 | Sign the document. | Director of DPI. | 1/2 day |
| 2.5 | Issue document with the written request for getting comments. | Officer. | 1/2 day |
| 2.6 | The competent agencies shall give their opinions on the contents of the project. | Competent agencies | 03 days |
| 2.7 | Making a summary of the opinions of relevant agencies, working out a submission form and drafting the notice of the available conditions for contributing their capital, buying shares, buying a part of the contributed capital by foreign investors. | Officer. | 03 days |
| 2.8 | Hold a meeting to appraise the project. | Director of DPI. | 01 day |
| 2.9 | Completing the submission form and the notice of the available conditions for contributing their capital, buying shares, buying a part of the contributed capital by foreign investors. | Officer. | 02 days |

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|------|---|---|--------------|
| 2.10 | Reviewing the documents attached to the submission form and the notice of the available conditions for contributing their capital, buying shares, and buying a part of the contributed capital by foreign investors. Sign the submission form and the notice. | Head of the foreign Economic Affairs Division | 1/2 day |
| 2.11 | Reviewing the documents attached to the submission form and the notice of the available conditions for contributing their capital, buying shares, and buying a part of the contributed capital by foreign investors. Sign the notice. | Director of DPI. | 2 days |
| 2.12 | Sending to the National Investment Portal | Officer. | 1/2 day |
| 2.13 | Sign the notice of the available conditions for contributing their capital, buying shares, buying a part of the contributed capital by foreign investors | Director of DPI. | 1/2 day |
| 2.14 | Stamp and return the final documents to the Provincial Public Administration Service Center. | Officer. | 1/4 day |
| 3 | Return the final documents to individuals and organizations. | Provincial Public Administration Service Center | Office hours |

- In case an economic organization, in which the foreign investors contribute their capital, buy shares, or buy a part of the contributed capital with a Certificate of land use rights in islands, border communes, wards, towns and coastal communes, wards and towns; other areas sensitive to national defense and security, the time limit for settlement is as follows:

| Step | Work content | Agency | Time |
|------|--|---|----------|
| 1 | Receive dossiers submitted by individuals and organizations (in person, by post, public postal services, public services online and via fax, email); scan files; fill in the record book, send the application to DPI. | Provincial Public Administration Service Center | 04 hours |
| 2 | DPI shall get comments from: - The Ministry of National Defense and the Ministry of Public Security on the available conditions specified at Point b, Clause 4, Article 65 of Decree No. 31/2021/ND-CP. - Relevant agencies. | | 04 hours |
| 2.1 | Assignment to handle dossiers. | Head of the foreign Economic Affairs Division | 04 hours |
| 2.2 | Draft document for getting comments. | Officer | |
| 2.3 | Review and initial. | Head of the foreign Economic Affairs Division | |
| 2.4 | Sign the document. | Director of DPI | |

| | | | |
|-----|---|--|----------|
| 2.5 | Issue document with the written request for getting comments. | Officer | 02 hours |
| 3 | <p>Relevant agencies:</p> <p>- The Ministry of National Defense and the Ministry of Public Security have opinions on the available conditions for ensuring national defense and security for economic organizations, in which the foreign investors contribute their capital, buy shares or buy a part of the contributed capital. If there would be no feedback from those agencies within the time limit, it shall be deemed to have their agreement on the available conditions for ensuring national defense and security applied for economic organizations, in which foreign investors contribute their capital, purchase shares or purchase a part of the contributed capital.</p> <p>- Relevant agencies.</p> | <p>- The Ministry of National Defense and the Ministry of Public Security.</p> <p>- Relevant agencies.</p> | 56 hours |
| 4 | DPI shall announce the available conditions for contributing their capital, buying shares, buying a part of the contributed capital by the foreign investors. | | 07 days |
| 4.1 | Making a summary of the opinions of relevant agencies, working out a submission form and drafting the notice of the available conditions for contributing their capital, buying shares, buying a part of the contributed capital by foreign investors. | Head of the foreign Economic Affairs Division; Officer | 02 days |

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|-----|---|---|---------|
| 4.2 | Hold a meeting to appraise project | Director of DPI | 01 day |
| 4.3 | Completing the submission form and the notice of the available conditions for contributing their capital, buying shares, buying a part of the contributed capital by foreign investors. | Officer | 01 day |
| 4.4 | Reviewing the documents attached to the submission form and the notice of the available conditions for contributing their capital, buying shares, and buying a part of the contributed capital by foreign investors. Sign the submission form and the notice. | Head of the foreign Economic Affairs Division | 1/2 day |
| 4.5 | Reviewing the documents attached to the submission form and the notice of the available conditions for contributing their capital, buying shares, and buying a part of the contributed capital by foreign investors. Sign the notice. | Director of DPI | 01 day |
| 4.6 | Sending to the National Investment Portal. | Officer | 3/4 day |

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| 4.7 | Sign the notice of the available conditions for contributing their capital, buying shares, buying a part of the contributed capital by foreign investors. | Director of DPI | 1/2 day |
| 4.8 | Stamp and return final documents to the Provincial Public Administration Service Center. | Officer | 1/4 day |
| 5 | Return final documents to individuals and organizations. | Provincial Public Administration Service Center. | Office hours |



1.4. Central Plaza My Tho

PART 4: ADMINISTRATIVE PROCEDURES REGARDING LAND, ENVIRONMENT BEING SUBJECT TO THE MANAGEMENT OF THE TIEN GIANG DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT (DONRE)

I. Land:

1. Land allocation and lease:

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|---|--------------------------------|---|
| 1 | Submitting place. | Public Administration Service Center of Tien Giang Province (Counter No. 5 - 02733.993846), No. 377, Hung Vuong Street, Dao Thanh Commune, My Tho City, Tien Giang Province. |
| 2 | Components of the application. | <ul style="list-style-type: none"> - An application for land allocation or land lease, according to Form No. 01 issued together with the Circular No. 30; - A copy of the investment certificate or investment approval document, enclosed with a description of the investment project; <p>In case the project uses land for mineral exploration, it must obtain a license from the authorized agencies as prescribed by law;</p> <ul style="list-style-type: none"> - Extract the cadastral map of the land plot or extract the cadastral measurement of the land plot. |
| 3 | Handling time | <ul style="list-style-type: none"> - In case of receiving the incomplete or invalid dossiers, within 03 working days, the dossier-receiving and handling agencies must notify and guide the dossier-submitters to supplement and complete the dossiers according to regulations; - Handling time: No more than 20 days (excluding the time for ground clearance; time to fulfill financial obligations of the land user). This time does not include the holidays as prescribed by law; does not include the time for consideration and handling for the case of land use in violation of the law, the time for soliciting expertise. |

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|---|-----------------|--|
| 4 | Fee (if any) | <p>* Appraisal fee:</p> <ul style="list-style-type: none"> - Organization: <ul style="list-style-type: none"> + For non-agricultural production and business land: VND 700,000/one dossier; + For other types of land: VND 630,000/one dossier. - Individuals (Overseas Vietnamese): <ul style="list-style-type: none"> + For non-agricultural production and business land: VND 200,000/ one dossier; + For other types of land: VND 180,000/ one dossier. <p>* Certificate fee:</p> <ul style="list-style-type: none"> - Organization: VND 100,000/1 paper (ward, town) or VND 80,000/one certificate (commune); - Individuals (Overseas Vietnamese): VND 25,000/1 paper (ward, township) or VND 20,000/ one certificate (commune). |
| 5 | Legal documents | <ul style="list-style-type: none"> - Law on Land in 2013. - Decree No. 43/2014/ND-CP dated May 15th, 2014 of the Central Government, detailing a number of articles of the Law on Land. - Decree No. 01/2017/ND-CP dated January 06th, 2017 of the Central Government on amendments to the decrees on the implementation of the Law on Land. - Decree No. 148/2020/ND-CP dated December 18th, 2020 of the Central Government on amendments and supplements to several Decrees, providing detailed regulations on the implementation of the Law on Land. - Circular No. 30/2014/TT-BTNMT dated June 02nd, 2014 of the Ministry of Natural Resources and Environment on applications for land allocation, lease, repurposing and expropriation. |

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| | | <p>- Resolution No. 11/2020/NQ-HDND dated September 30th, 2020 of the Provincial People's Council on stipulating the collection rates, collection regimes, payment, management and use of fees for appraisal of dossiers for grant of certificates of land use rights, house ownership and other land-attached assets in Tien Giang province.</p> <p>- Resolution No. 14/2020/NQ-HDND dated September 30th, 2020 of the Provincial People's Council, on stipulating the collection rates, collection regimes, payment of fees for grant of certificates of land use rights, house ownership and other land-attached assets in Tien Giang province.</p> |
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2. Change of land use purpose:

| | | |
|---|--------------------------------|---|
| 1 | Submitting place. | Public Administration Service Center of Tien Giang Province (Counter No. 5 - 02733.993846), No. 377, Hung Vuong Street, Dao Thanh Commune, My Tho City, Tien Giang Province. |
| 2 | Components of the application. | <ul style="list-style-type: none"> - An application for change of land use purpose, according to Form No. 01 issued together with the Circular No. 30; - Certificate of land use right or Certificate of housing ownership and residential land use rights or Certificate of land use rights, housing ownership and other land-attached assets. - A copy of the explanation of the investment project, for the project that is not required to be submitted to a competent agency for approval, the project that is not required to issue an investment certificate; a copy of the economic - technical report of the land-using organization, in case an investment project for work construction is not required; documents on appraisal of land use needs, on appraisal of the conditions for |

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|---|---------------------------|--|
| | | <p>permitting the change of land use purpose specified in Clause 3, Article 58 of the Land Law and Article 14 of Decree No. 43/2014/ND-CP that have been prepared when granting investment certificates or appraising investment projects or approving projects, for projects that must be submitted to competent government agencies for consideration and approval, and investment certificates must be granted.</p> <ul style="list-style-type: none"> - In case a household or individual applies for change of agricultural land use purpose for commercial or services purposes with an area of 0.5 hectares or more, a written approval from PPC must be supplemented as prescribed in Point a, Clause 2, Article 59 of the Land Law. - Extract cadastral map of the land plot or extract cadastral measurement of the land plot. |
| 3 | Handling time | No more than 15 days (excluding the time to fulfill financial obligations of the land user). This time does not include the holidays as prescribed by law; does not include the time for consideration and handling for the case of land use in violation of the law, the time for soliciting expertise. |
| 4 | Fees and charges (if any) | <p>* Appraisal fee:</p> <ul style="list-style-type: none"> - Organization: <ul style="list-style-type: none"> + For non-agricultural production and business land: VND 700,000/one dossier; + For other types of land: VND 630,000/ one dossier. - Individuals (Overseas Vietnamese): <ul style="list-style-type: none"> + For non-agricultural production and business land: VND 200,000/one dossier; + For other types of land: VND 180,000/ one dossier. <p>* Certificate fee:</p> <ul style="list-style-type: none"> - Organization: VND 100,000/1 paper (ward, town) or VND 80,000/one certificate (commune) for the case of issuance of a certificate; VND 30,000/ one certificate(ward, town) or VND 24,000/one certificate (commune) for the case of |

| | | |
|---|-----------------|---|
| | | <p>revision of the certificate.</p> <ul style="list-style-type: none"> - Individuals (Overseas Vietnamese): VND 25,000/1 paper (ward, town) or VND 20,000/one certificate (commune) for the case of issuance of a certificate; VND 28,000/1 paper (ward, town) or VND 23,000/ one certificate (commune) for the case of revision of the certificate. |
| 5 | Legal documents | <ul style="list-style-type: none"> - Law on Land in 2013. - Decree No. 43/2014/ND-CP dated May 15th, 2014 of the Government, detailing a number of articles of the Law on Land. - Decree No. 01/2017/ND-CP dated January 06th, 2017 of the Government on amendments to the decrees on the implementation of the Law on Land. - Decree No. 148/2020/ND-CP dated December 18th, 2020 of the Government on amendments and supplements to several Decrees, providing detailed regulations on the implementation of the Law on Land. - Circular No. 30/2014/TT-BTNMT dated June 02nd, 2014 of the Ministry of Natural Resources and Environment on applications for land allocation, lease, repurposing and expropriation. - Resolution No. 11/2020/NQ-HDND dated September 30th, 2020 of the Provincial People's Council on stipulating the collection rates, collection regimes, payment, management and use of fees for appraisal of dossiers for grant of certificates of land use rights, house ownership and other land-attached assets in Tien Giang province. - Resolution No. 14/2020/NQ-HDND dated September 30th, 2020 of the Provincial People's Council, on stipulating the collection rates, collection regimes, payment of fees for grant of certificates of land use rights, house ownership and other land-attached assets in Tien Giang province. |

II. Environment

1. Appraisal and approval of environmental impact assessment (EIA) reports/repetitive EIA reports:

a) Components of the application:

a.1) Application for appraisal:

- 01 written request for appraisal of the EIA report, Form No. 05, Appendix VI, Section I of the Appendix issued together with Decree No. 40/2019/ND-CP.

- 01 feasibility study report or economic - technical report of the investment project or equivalent documents.

- 07 EIA reports, Form No. 04, Appendix I issued together with Circular No. 25/2019/TT-BTNMT. In case the number of members of the appraisal council is more than 07 persons, the project owner must provide an additional number of reports.

a.2) Application to be re-submitted after the council meeting/collecting opinions of organizations and experts:

- 01 written request for approval of the EIA report, clearly explaining the revised and supplemented contents according to the appraisal results, except for cases where no modification or supplementation is required.

- The environmental impact assessment report is bound in a hardback, the project owner shall sign at the bottom of each page or affix a seal on the report and appendix in sufficient quantity to send it to the addresses specified in Clause 13, Article 14 of the Decree No. 18/2015/ND-CP amended and supplemented by the Decree No. 40/2019/ND-CP, accompanied by 01 CD, which contains 01 electronic document file with the extension ".doc" containing the content of the report and 01 electronic document file with the extension ".pdf" containing the scanned contents of the entire report (including appendices).

b) Handling time:

- Time limit for checking and replying on the completeness and validity of the dossier: within the appraisal time limit.

- Time limit for appraisal of EIA report (excluding time to complete the dossier of EIA report of the project owner):

+ A maximum of 30 (thirty) working days from the date of receipt of complete and valid dossiers for the case of appraisal of EIA reports of the projects listed in Appendix II and of the types listed in Appendix IIa, Section I of the Appendix issued together with Decree No. 40/2019/ND-CP.

+ A maximum of 25 (twenty-five) working days from the date of receipt of complete and valid dossiers for the case of appraisal of EIA reports of the projects listed in Appendix II but the type is not under Appendix IIa, Section I of the Appendix issued together with Decree No. 40/2019/ND-CP.

+ A maximum of 20 (twenty) working days from the date of receipt of complete and valid dossiers for the form of appraisal through consultation with relevant agencies and organizations for EIA reports of the projects specified in Clause 4, Article 14 of the Decree No. 18/2015/ND-CP amended and supplemented by the Decree 40/2019/ND-CP, including projects subject to re-establish an EIA report.

- Time limit for notification of results: 05 working days from the end of appraisal.

- The time limit for approving the EIA report: a maximum of 20 (twenty) working days.

c) Submitting place:

Public Administration Service Center of Tien Giang Province (Counter No. 5 - 02733.993846), No. 377, Hung Vuong Street, Dao Thanh Commune, My Tho City, Tien Giang Province.

d) Fee:

- Table of fees for appraisal of EIA reports:

Unit: million VND/report

| Total investment capital (billion VND)/project | ≤50 | >50 and ≤100 | >100 and ≤200 | >200 and ≤500 | >500 |
|--|-----|--------------|---------------|---------------|------|
| Group 1. Waste treatment and environmental improvement projects | 5,0 | 6,5 | 12,0 | 14,0 | 17,0 |
| Group 2. Civil engineering projects | 6,9 | 8,5 | 15,0 | 16,0 | 25,0 |
| Group 3. Technical infrastructure projects | 7,5 | 9,5 | 17,0 | 18,0 | 25,0 |
| Group 4. Agriculture, forestry and fishery projects | 7,8 | 9,5 | 17,0 | 18,0 | 24,0 |
| Group 5. Transport project | 8,1 | 10,0 | 18,0 | 20,0 | 25,0 |
| Group 6. Industrial projects | 8,4 | 10,5 | 19,0 | 20,0 | 26,0 |
| Group 7. Other projects (not included in group 1, 2, 3, 4, 5, 6) | 5,0 | 6,0 | 10,8 | 12,0 | 15,6 |

- In case the EIA report is not approved by the Appraisal Council, the fee will be equal to 50% (fifty percent) of the fee applicable to the official EIA report.

e) Legal documents:

- Law on Environmental Protection No. 55/2014/QH13 dated June 23rd, 2014.

- Decree No. 18/2015/ND-CP dated February 14th, 2015 of the Central Government on environmental protection planning, strategic environmental assessment, environmental impact assessment and environmental protection plans.

- Decree No. 40/2019/ND-CP dated May 13th, 2019 of the Central Government on amendments to Decrees on guidelines for the Law on Environment Protection.

- Circular No. 25/2019/TT-BTNMT dated December 31st, 2019 of the Ministry of Natural Resources and Environment on elaborating some Articles of the Central Government's Decree 40/2019/ND-CP on

amendments to Decrees on guidelines for the Law on Environmental Protection and provide for management of environmental monitoring services.

- Resolution No. 09/2020/NQ-HDND dated September 30th, 2020 of the Provincial People's Council on stipulating the collection rates, collection regimes, payment, management and use of fees for appraisal of environmental impact assessment reports in Tien Giang province.

- Resolution No. 14/2020/NQ-HDND dated September 30th, 2020 of the Provincial People's Council, on stipulating the collection rates, collection regimes, payment of fees for grant of certificates of land use rights, house ownership and other land-attached assets in Tien Giang province.

- Decision No. 3233/QD-UBND dated November 3rd, 2020 of the Chairman of the Tien Giang PPC on the publication of the list of administrative procedures in the field of environment and hydrometeorology within the scope of management functions of the Tien Giang DONRE.

2. Registration for certification/re-certification of the Environmental Protection Plan:

a) Components of the application:

- 01 written request for registration of the project's environmental protection plan, according to Form No. 01, Appendix VII, Section I of the Appendix issued together with Decree No. 40/2019/ND-CP.

- 03 copies of the environmental protection plan (attached to the electronic version) of the project or facility according to Form No. 02, Appendix VII, Section I of the Appendix issued together with Decree No. 40/2019/ND-CP.

- 01 construction investment feasibility study report or economic - technical report on construction investment of the project or facility (attached to the electronic version).

b) Handling time:

- Time limit for checking and replying on the completeness and validity of the dossier: Not specified (within the time limit for considering and confirming the registration of the environmental protection plan).

- Time limit for considering and confirming the registration of environmental protection plan: Maximum 10 (ten) working days from the date of receipt of complete and valid dossier.

c) Submitting place:

Public Administration Service Center of Tien Giang Province (Counter No. 5 - 02733.993846), No. 377, Hung Vuong Street, Dao Thanh Commune, My Tho City, Tien Giang Province.

- Administrative procedures for receiving and returning results via the public postal service.

- Administrative procedures through online public services level 3 (dichvucong.tiengiang.gov.vn).

d) Fee: No fee.

đ) Legal documents:

- Law on Environmental Protection No. 55/2014/QH13 dated June 23rd, 2014, on environmental protection.

- Decree No. 18/2015/ND-CP dated February 14th, 2015 of the Central Government on environmental protection planning, strategic environmental assessment, environmental impact assessment and environmental protection plans.

- Decree No. 40/2019/ND-CP dated May 13th, 2019 of the Central Government on amendments to Decrees on guidelines for the Law on Environment Protection.

- Decision No. 3233/QĐ-UBND dated November 3rd, 2020 of the Chairman of the Tien Giang PPC on the publication of the list of administrative procedures in the field of environment and hydrometeorology within the scope of management functions of the Tien Giang DONRE.



1.5. Big C Go

PART 5: PROCEDURES FOR APPROVAL AND ACCEPTANCE OF FIRE PREVENTION AND FIGHTING

1. Procedures for approval of fire prevention and fighting:

1.1. Procedure for implementation:

Step 1: Individuals and organizations prepare documents according to the provisions of law.

Step 2: Individuals, organizations submit applications at the "One-stop service" of the Fire Protection and Rescue Division of Tien Giang Provincial Police (address: 757 Tan Tinh B Hamlet, Tan My Chanh Commune, My Tho City, Tien Giang Province).

Step 3: Receive and check the validity and composition of the application.

- If the application is valid, full of components, write a receipt for handling administrative procedures on fire prevention and fighting (Form No. PC03) and hand it to the applicant or the investor. Within 03 working days, the Fire Protection and Rescue Division will issue documents to the investor.

- If the application is invalid, write Instructions for supplementing dossiers (Form No. PC04) and hand them to the applicant or the investor.

Step 4: Individuals and organizations pay fees for design appraisal and approval for fire prevention and fighting according to the "Notice of Fee Payment" of the Fire Protection and Rescue Division.

Step 5: Based on the appointment date on the receipt and handling of administrative procedures on fire prevention and fighting; individuals and organizations come to the place of application to receive the results.

1.2. Manner of execution:

- Submit the application at the "One-stop service" of the Fire Protection and Rescue Division.

- Time to receive dossiers: Office hours every working day from Monday to Friday (except holidays and New Year's Eve as prescribed by law).

1.3. Components, number of the application:

a. Components of the application.

- **For construction planning projects.**

+ A written request for fire prevention and fighting solutions from the

planning unit (Form No. PC06 issued together with Decree No. 136/2020/ND-CP);

+ Documents and planning drawings at scale 1/500.

- For approval of the construction site.

+ The investor's written request for approval of the construction site for fire prevention and fighting (Form No. PC06 issued together with Decree No. 136/2020/ND-CP);

+ The certificate of lawful land use right for the project or construction;

+ The drawing clearly shows the topographical status of the land area related to fire protection such as: fire resistance level, distance from the proposed construction to surrounding works, wind direction, height of the construction.

- For the basic design of the project or construction.

+ An investor's written request for fire prevention and fighting solutions (Form No. PC06 issued together with Decree No. 136/2020/ND-CP);

+ A decision on approval of the work investment policy, for projects or constructions using public investment capital;

+ A written approval of the construction investment policy or the certificate of land use rights, for projects or constructions using other capital;

+ A certificate of eligibility for fire prevention and fighting service business of the design consultancy unit on fire prevention and fighting;

+ The drawings and explanations of the basic design showing the required content of fire protection solutions.

- For technical design or construction drawing design (for the first time) of a project or construction.

+ An investor's written request for approval of the design of fire prevention and fighting (Form No. PC06 issued together with Decree No. 136/2020/ND-CP);

+ A decision on approval of investment policy for projects or constructions using public investment capital;

+ A certificate of lawful land use rights, for projects or constructions using other capital;

- + A certificate of eligibility for fire prevention and fighting service business of the design consultancy unit on fire prevention and fighting;
- + An estimation of construction works;
- + A construction design appraisal document of a specialized construction agency;
- + The drawings, technical design explanations or construction drawing designs.

- For renovating, adjusting technical designs or designing construction drawings of projects or constructions

- + An investor's written request for approval of the design of fire prevention and fighting (Form No. PC06 issued together with Decree No. 136/2020/ND-CP);
- + A decision on approval of investment policy for projects or constructions using public investment capital;
- + A certificate of lawful land use right for projects or constructions using other capital.
- + A certificate of eligibility for fire prevention and fighting service business of the design consultancy unit on fire prevention and fighting;
- + An estimation of construction works;
- + The Drawings, technical design explanations or construction drawing designs;
- + A copy of the Design Approval Certificate, the design approval document, the design file that has been stamped for approval on fire prevention and fighting before.

b. Number of applications: 01 (one) set.

1.4. Handling time

- Construction planning project: No more than 05 working days;
- Approving the construction site: No more than 05 working days;
- Basic design: No more than 10 working days for projects of national importance; projects or constructions group A; no more than 05 working days for the remaining projects;
- Technical design or construction drawing design: No more than 15 working days for projects or constructions of national importance; projects or constructions group A; no more than 10 working days for the remaining projects or constructions.

1.5. Subjects carrying out administrative procedures

Investors of projects or constructions being subject to design appraisal and approval for fire prevention and fighting according to Clause 3, Article 13 of the Decree No. 136/2020/ND-CP.

1.6. Agency responsible for administrative procedures

The Fire Protection and Rescue Division of Tien Giang Provincial Police.

1.7. Result of administrative procedures

- For the construction planning project: the Fire Protection and Rescue Division shall reply in writing to comment on the fire prevention and fighting solution.

- For the application for approval of the construction site: the Fire Protection and Rescue Division shall reply in writing approving the construction site.

- For the basic design dossier: the Fire Protection and Rescue Division shall reply in writing to comment on the fire protection solution.

- For technical design documents or construction drawing design documents, the Fire Protection and Rescue Division shall issue the Certificate of appraisal and approval of the design of fire prevention and fighting, stamp "Fire prevention and fighting design approved" in the explanation, the drawings have been approved and returned to the investor, together with the Certificate of design approval for fire prevention and fighting.

The technical design documents or construction drawing design documents: In case of renovation or change in use of the constructions, the Fire Protection and Rescue Division shall reply in writing to appraise and approve the design on fire prevention and fighting, stamp "Fire prevention and fighting design approved" into the explanation, the drawings have been approved and returned to the investor, together with the written approval of the design of fire prevention and fighting.

- In case the Fire Protection and Rescue Division do not return the results as prescribed, they must reply in writing, clearly stating the reason, and return the dossier to the investor within the prescribed time limit.

1.8. Fee

The fee rate for design appraisal and approval for fire prevention and

fighting is determined according to Circular No. 258/2016/TT-BTC dated November 11th, 2016 of the Ministry of Finance "Regulating the collection rates, collection regimes, payment, management and use of fees for design approval of fire prevention and fighting". (Note: Fees may change due to epidemics, natural disasters, etc.).

2. Procedures for acceptance of fire prevention and fighting

2.1. Order of execution

Step 1: Individuals and organizations prepare the applications in accordance with law.

Step 2: Individuals and organizations submit dossiers at the "One-stop service" of the Fire Protection and Rescue Division.

Step 3: Receive and check the validity and composition of the application.

- If the application is valid, full of components, write a receipt for handling administrative procedures on fire prevention and fighting (Form No. PC03) and hand it to the applicant or the investor. Within 03 working days, the Fire Protection and Rescue Division will issue documents to the investor.

- If the application is invalid, write Instructions for supplementing dossiers (Form No. PC 04) and hand them to the applicant or the investor.

Step 4: The Fire Protection and Rescue Division organize the inspection and acceptance of fire prevention and fighting and based on the test results to issue a written approval of the acceptance test results or notify the inspection and acceptance results.

Step 5: Based on the time of approval of the inspection record, after 07 working days, the individual or organization will arrive at the place of application to receive the test result.

2.2. Manner of execution

- Individuals and organizations submit the application at the "One-door gadget" of the Fire Protection and Rescue Division.

- Time to submit documents at least 10 working days in advance for projects or constructions of national importance, projects or construction group A; or at least 07 working days in advance for the remaining projects.

- Time to receive dossiers: Office hours every working day from Monday to Friday (except holidays and New Year's Eve as prescribed by law).

2.3. Components, number of the application

a. Components of the application

- A written request for acceptance of fire prevention and fighting (Form No. PC11 issued together with Decree No. 136/2020/ND-CP).
- A report of the investor on the status of construction results, inspection, testing and acceptance of fire protection systems, equipment and solutions.
- A copy of the certificate or written approval of the design of fire prevention and fighting enclosed with the dossier, which has been stamped for approval by the Fire Prevention and Recue Division.
- A copy of the certificate of inspection of fire prevention and fighting equipment; test records, partial acceptance test and overall acceptance of the fire protection system.
- The as-built drawings of the fire protection system and fire protection related items in accordance with design documents for approval.
- The documents and procedures to guide the operation and maintenance of equipment, fire protection systems and systems related to fire protection of the works.
- Documents on acceptance of completed items and systems related to fire prevention and fighting.
- A copy of the certificate of eligibility for fire prevention and fighting service business of the supervision consultancy unit, the unit that constructs and installs the fire protection system. The documents included in the dossier must be certified by the investor, supervision consultant, and construction unit (if the documents are in a foreign language, it must be translated into Vietnamese).

b. Number of applications: 01 (one) set.

2.4. Handling time

- Within 10 working days for projects or constructions of national importance; projects or constructions group A, or 07 working days for the remaining projects or constructions from the date of receipt of complete dossiers as prescribed, the Fire Protection and Rescue Division organize the inspection and acceptance and make a report on the inspection results according to regulations.
- Within 07 working days from the date of approval of the acceptance

test report (passing the requirements); the Fire Protection and Rescue Division issue a written approval of the results of the inspection and acceptance on fire prevention and fighting. In case of disapproval of the acceptance test results, the Fire Protection and Rescue Division shall reply in writing, clearly stating the reason.

2.5. Subjects carrying out administrative procedures

The projects or constructions have been approved by the Fire Protection and Rescue Division before.

2.6. Agency carrying out administrative procedures

The Fire Protection and Rescue Division of Tien Giang Provincial Police.

2.7. Result of administrative procedures

The Fire Protection and Rescue Division organize, inspect and make a record of checking the acceptance results (Form PC10 issued together with Decree No. 136/2020/ND-CP). Based on the acceptance record, the Fire Protection and Rescue Division shall issue a written approval of the results of the inspection and acceptance on fire prevention and fighting (Form PC12 issued together with Decree No. 136/2020/ND-CP) and return the previously received acceptance documents to the investor. In case of disapproval of the acceptance test results, there must be a written reply, clearly stating the reason.

(Note: For projects or constructions that are subject to appraisal, approval and acceptance for fire prevention and fighting, they must strictly follow the process of inspection, appraisal, approval and acceptance of fire prevention and fighting before putting them into operation as prescribed).

Legal bases of administrative procedures:

- Law on Fire Prevention and Fighting in 2001 and Law on amending and supplementing a number of articles of Law on Fire Prevention and Fighting in 2013;

- Decree No. 136/2020/ND-CP dated November 24th, 2020 of the Central Government on providing guidelines for a number of articles of Law on Fire Prevention and Fighting and Law on amendments to Law on Fire Prevention and Fighting;

- Circular No. 149/2020/TT-BCA dated December 31st, 2020 of the Ministry of Public Security on providing guidelines for Law on Fire Prevention and Fighting, Law on amendments to law on Fire Prevention

and Fighting and the Central Government's Decree No. 136/2020/ND-CP;
- Circular No. 258/2016/TT-BTC dated November 11th, 2016 of the Ministry of Finance on stipulating the collection rates, collection regimes, payment, management and use of fees for design appraisal and approval for fire prevention and fighting.



1.6. Vincom My Tho

PART 6: ADMINISTRATIVE PROCEDURES IN CONSTRUCTION BEING SUBJECT TO THE STATE MANAGEMENT OF TIEN GIANG DEPARTMENT OF CONSTRUCTION

1. Appraisal and adjustment of construction design and implementation after basic design

a) Settlement time:

From the date of receipt of complete and valid dossiers:

- No more than 30 days for grade II and grade III constructions;
- No more than 20 days for the remaining constructions.

b) Place of implementation:

- Public Administration Service Center of Tien Giang Province - No. 377, Hung Vuong Street, Dao Thanh Commune, My Tho City, Tien Giang Province.

- + Department of Construction (Counter No. 04 - 0273.3993844);
- + Department of Transport (Counter No. 06 - 0273.3993845);
- + Department of Industry and Trade (Counter No. 13 - 0273.3993889);
- + Department of Agriculture and Rural Development (Counter No. 14 - 0273.399890);
- + Provincial Management Board of Industrial Zones (Counter No. 03 - 0273.3993843).

- Administrative procedures shall be carried out to receive and return results via the public postal service;

- Administrative procedures through online public services level 3.

c) Fee: According to Official document No. 1718/STC-QLNS of the Department of Finance dated June 24th, 2021.

Collection rules:

- Circular No. 210/TT-BTC of the Ministry of Finance dated November 10th, 2016.

- Circular No. 47/2021/TT-BTC of the Ministry of Finance dated June 24th, 2021.

d) Legal documents:

- Law on Construction No. 50/2014/QH13 dated June 18th, 2014.

- Law No. 62/2020/QH14 on amendments to Law on the construction.

- Decree No. 15/2021/ND-CP dated March 3rd, 2021 of the Central Government on elaborating certain regulations on management of construction projects.

- Circular No. 210/2016/TT-BTC dated November 10th, 2016 of the Ministry of Finance.

- Circular No. 47/2021/TT-BTC dated June 24th, 2021 of the Ministry of Finance.

- Official document No. 1718/STC-QLNS dated June 24th, 2021 of the Department of Finance on guiding the calculation of the rate coefficient of appraisal fee and collection of fee for project appraisal, appraisal of basic design and appraisal of construction design and deployment after basic design.

e) Internal, interconnected and electronic processes:

- 30 days for grade II and III constructions.

- 20 days for the remaining constructions.

| Step | Work content | Agency | Time |
|------|--|--|---------|
| 1 | Receive 01 application (in person, public postal service, online public service); scan files; fill in the record book. | Provincial Public Administration Service Center. | 0.5 day |
| 2 | File handling: Specialized divisions. | Head of the specialized divisions. | 0.5 day |

| | | | |
|---|--|--|--|
| | | Office. | - 27.5 days for grade II and III constructions. -17.5 days for the remaining constructions. |
| | | Head of the specialized divisions. | 0.5 day |
| 3 | Sign the document. | Director | 0.5 day |
| 4 | Stamp and return the final documents to the Provincial Public Administration Service Center. | Office. | 0.5 day |
| 5 | Return the final documents to the appraisal requester. | Provincial Public Administration Service Center. | During the working hours |

2. Issuing construction permits for special grade, grade I, grade II constructions (Non-aligned/aligned construction in urban area/works for religion and belief purposes/Monuments, sizable paintings/Stage construction for non-conforming works/period of non-aligned /aligned works in urban areas/project)

a) Handling time: days from the date of receipt of complete and valid applications.

b) Submitting place:

- Public Administration Service Center of Tien Giang Province - No. 377, Hung Vuong Street, Dao Thanh Commune, My Tho City, Tien Giang Province.

+ Department of Construction (Counter No. 04 - 0273.3993844);

+ Provincial Management Board of Industrial Zones (Counter No. 03 -0273.3993843).

- Administrative procedures shall be submitted and returned via the public postal service;

- Administrative procedures through online public services level 3.

c) Fee: VND 150,000/license.

d) Legal documents:

- Law on Construction No. 50/2014/QH13 dated June 18th, 2014 on the construction.

- Law on amendments to Law on Construction No. 62/2020/QH14.

- Decree No. 15/2021/ND-CP dated March 3rd, 2021 of the Central Government on elaborating certain regulations on management of construction projects.

- Resolution No. 07/2020/NQ-HDND of the People's Council of Tien Giang province dated September 30th, 2020.

e) Internal, interconnected and electronic processes: 20 days.

| Step | Work content | Agency | Time |
|------|---|--|--------------------------|
| 1 | Receive 02 sets of investor dossiers (direct, public postal service, online public service); scan files; fill in the record book. | Provincial Public Administration Service Center. | 0.5 day |
| 2 | File handling: Specialized divisions. | Head of the specialized divisions. | 0.5 day |
| | | Officer. | 17.5 day |
| | | Head of the specialized divisions. | 0.5 day |
| 3 | Sign the document. | Director. | 0.5 day |
| 4 | Stamp and return the final documents to the Provincial Public Administration Service Center. | Office. | 0.5 day |
| 5 | Return the final documents to investors. | Provincial Public Administration Service Center. | During the working hours |