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DECREE

COLLECTION, MANAGEMENT AND USE OF DATA ON NATURAL RESOURCES AND ENVIRONMENT

Pursuant to the Law on Government Organization dated June 19, 2015;

Pursuant to the Law on Minerals dated November 17, 2010;

Pursuant to the Law on Water Resources dated June 21, 2012;

Pursuant to the Land Law dated November 29, 2013;

Pursuant to the Law on Environmental Protection dated June 23, 2014;

Pursuant to the Law on Hydro-meteorology dated November 23, 2015;

Pursuant to the Law on Resources and Environment of Sea and Islands dated June 25, 2015;

Pursuant to the Law on Archives dated November 11, 2011;

Pursuant to the Law on Intellectual Property dated November 29, 2005; the Law on amendments to the Law on Intellectual Property dated June 19, 2009;

Pursuant to the Law on Information Technology dated June 29, 2006;

Pursuant to the Law on Cyber Information Security dated November 19, 2015;

Pursuant to the Law on Access to Information dated April 06, 2016;

At the request of Minister of Natural Resources and Environment;

The Government promulgates this Decree on collection, management and use of data on natural resources and environment.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Decree deals with the collection, management and use of data on land, water resources, geology and minerals, environment, hydro-meteorology, climate change, topographic and cartographic activities, remote sensing, resources and environment of sea and islands (hereinafter referred to as natural resources and environment data); mechanism for cooperation, connection and sharing of natural resources and environment data; responsibility and rights of authorities, organizations and individuals in course of collection, management, development and use of natural resources and environment data.

Article 2. Regulated entities

This Decree applies to regulatory authorities, organizations and individuals performing activities of collecting, managing and using natural resources and environment data in the territory of the Socialist Republic of Vietnam.

Article 3. Interpretation of terms

1. Collection of natural resources and environment data refers to the process of determining information collection request, finding out information sources that meet such request and gathering information and data on natural resources and environment.
2. Natural resources and environment monitoring data refers to the result of measurement, monitoring, surveying and analysis of samples or other activities on natural resources and environment subjects and factors that indirectly influence on the natural resources and environment.
3. Real-time data refers to the information which is collected and processed or integrated within a short period of time (the time range is subject to each type of information).

Article 4. Natural resources and environment data

Natural resources and environment data must be information which is properly collected and stored in accordance with regulations. Natural resources and environment data includes:

1. Land data includes:

- a) Cadastral measuring and mapping results;
- b) Registration of land, cadastral dossiers, revocation, allocation, lease of land, change of land use purposes, grant of certificates of land use right, ownership of residential house and property attached to land;
- c) Statistics and inventory of land;
- d) Land use plans;

dd) Land prices and land price bracket;

e) Other data on baseline surveys of land.

2. Data on water resources includes:

a) Quantity and quality of surface water and underground water;

b) Data on hydro-geological surveys;

c) Other data on exploitation and use of water resources and discharge of wastewater into water bodies;

d) Plans for river valley areas, management, exploitation and protection of domestic and inter-country water sources;

dd) Results of issuance, renewal, revocation and revision to the license to explore, exploit and use water resources; the license to discharge waste water into water bodies; the license for borehole filling;

e) Data on factors affecting water resources;

g) Technical documentation of water resources monitoring stations/ projects;

h) Data on the list of river valleys.

3. Data on geology and mineral resources includes:

a) Reports on geological baseline surveys of minerals and reports on mineral exploration results (Geological reports);

b) Documentation about charges for granting mineral rights;

c) Documentation about national mineral reserves regions and regions with small-scale and scattered minerals; zoning areas where minerals activities are prohibited or suspended; zoning areas where toxic minerals are located;

d) Results of statistics and inventory of mineral deposits nationwide;

dd) Results of issuance, renewal, revocation and return of the license to perform mineral-related activities and the license to exercise mineral rights.

4. Environmental data includes:

a) Environmental status reports of all levels;

b) The list of biodiversity conservation facilities and the list of wildlife sanctuaries; lists of wildlife species, threatened and extinct species, endemic species, migratory species, alien species, invasive alien species, endangered species, rare species and species in Vietnam Red Data Book;

c) Environmental planning; reports on master plans for biodiversity conservation, ecosystems (terrestrial and marine ecosystems) and biosafety;

d) Reports on strategic environmental assessment, environmental impact assessment, environment protection schemes, environment protection plans, and annual environmental monitoring reports;

dd) Reports on sources and quantity of waste, sources of pollutants, ordinary waste, industrial waste and hazardous waste likely to cause pollution of environment; results of environmental remediation and restoration in mineral mining activities: existing environmental conditions at mining sites; existing environmental conditions at sites polluted with pesticide residues; projects on environmental remediation and restoration at sites polluted with pesticide residues;

e) Reports on the import of scrap for use as raw production materials, payment of environment protection fees; results of damage compensation, disputes, complaints and denunciations of environment matters which have been handled by competent authorities;

g) Reports on polluted regions, sensitive regions, and regions facing environmental degradation or environmental emergencies; regions with high risk of environmental emergencies; environmental pollution maps and measures to control, prevent and reduce environmental pollution;

h) The list of facilities causing serious environmental pollution; list of traditional handicraft villages, industrial parks, export processing zones and concentrations of industrial parks, and the status of environment protection activities there;

i) Results of valley, coastal and marine environmental management; cross-border environmental pollution;

k) Results of treatment of waste, solid waste, hazardous waste, exhaust emission, waste water, noise, vibration and other environmental technologies;

l) Results of issuance, renewal and revocation of environmental licenses or permits.

5. Hydro-meteorological data includes:

a) Data on monitoring, investigation and surveys of hydro-meteorological parameters, air and water environment;

b) Hydro-meteorological data achieved from foreign countries and international organizations;

c) Charts, maps and images received from satellite; videos and images of subjects of hydro-meteorological research;

d) Hydro-meteorological forecasts and warnings; hydro-meteorological notifications;

dd) Technical documentation of hydro-meteorological measurement stations/ works/ facilities;

e) Documents of issuance, renewal, suspension and revocation of the license to provide hydro-meteorological forecasting and/or warning services;

g) Action plans for impact on weather and implementation results.

6. Topographic and cartographic data includes:

a) Data on national reference system, national system of original topographic data and national topographic networks;

b) Aerial photo system;

c) National geographic database; national topographic map database;

d) Topographic and cartographic products of national boundaries;

dd) Topographic and cartographic products of administrative divisions at all levels;

g) Administrative maps;

g) Data on geographical names;

h) Data on special-purpose topographic networks; special-purpose aerial photo systems; nautical charts; underground project map products; aviation and aeronautic charts; topographic and cartographic products of national defense; topographic and cartographic products of other sectors or specialties.

7. Data on natural resources and environment of sea and islands includes:

a) Data on coastland and seabed topography;

b) Data on marine hydro-meteorology;

c) Data on marine geography, geophysics and minerals; marine oil and gas; data on physical properties and physiochemical properties of sea water;

d) Data on marine ecosystem; marine biodiversity and aquatic resources; natural resources and wonders of marine ecosystem;

dd) Data on sea environment and sea dumping;

e) Data on islands;

g) Data on sea-use plans; master plans for exploitation and sustainable use of natural resources in littoral zones; programs for general management of natural resources in littoral zones;

h) Data on exploitation and use of natural resources of sea and islands;

i) Results of statistics on natural resources of sea and islands;

k) Other data on natural resources and environment of sea and islands.

8. Climate change data includes:

a) Past and present hydro-meteorological data monitored at national hydro-meteorological station network and special-purpose hydro-meteorological station network;

b) Data on impacts of natural disasters and climate change on natural resources, environment, ecosystem, living conditions and socio-economic activities;

c) Data on greenhouse gas emission and related socio-economic activities;

d) Data on monitoring of ozone layers, protection of ozone layers and management of ozone-depleting substances;

dd) National climate standards;

e) Results of national climate assessment;

g) Climate change scenarios over periods;

h) Technical documentation of climate change monitoring stations.

9. Remote sensing data includes:

a) Information about remote sensing infrastructure;

b) Remote sensing data;

c) Data on remote sensing-based monitoring and supervision of natural resources and environment;

d) Remote sensing images;

dd) Remote sensing metadata;

e) Special subject maps from remote sensing images.

10. Results of investigation and resolution of disputes, complaints, denunciations and compensation for damage in natural resources and environment by competent authorities.

11. Legislative documents, technical standards and regulations, technical instructions, and economic-technical norms for natural resources and environments.

12. Documentation and results of science and technology research topics, strategies, plans, programs, schemes and projects on natural resources and environment.

13. Other natural resources and environment data as regulated by law.

Article 5. Principles for collection, management and use of natural resources and environment data

The collection, management and use of natural resources and environment data are performed according to the following principles:

1. Ensure the accuracy, integrity, objectiveness and inheritance of data.

2. Collect and manage all sources of information and data from regulatory authorities, organizations and individuals.

3. Store and maintain data so as to ensure long-term and convenient use.

4. Systematically organize data to facilitate the use of data, increase efficiency and saving for the entire society, and improve the national competitiveness.

5. Data and information can be published and accessed in accordance with regulations of the Law on Access to Information, excluding information and data of the state secrets and restricted from accessing.

6. Data and information must be timely provided to serve the state management and meet the social-economic development demands as well as ensure national defense and security.

7. Data and information must be used for prescribed purposes with sources of information quoted in accordance with regulations of the laws on protection of state secrets and intellectual property.

8. Users of information and data must fulfill financial obligations in accordance with regulations of law.

Article 6. Participation by organizations and individuals

1. Organizations and individuals are encouraged by the Government to make investment in collection, establishment, provision and sharing of natural resources and environment data in accordance with regulations of law.
2. Organizations and individuals are encouraged to provide or donate natural resources and environment data to regulatory authorities in order to serve the protection of national sovereignty and common social benefits.

Article 7. International cooperation for natural resources and environment data

The Government adopts policies for cooperation with foreign countries, foreign organizations and international organizations in investigating, surveying, doing research, sharing and providing natural resources and environment data; encourages the sharing of international sources of information and data on natural resources and environment matters; cooperates in doing research and investigating data and facilitates the effective management and use of international data sources of natural resources and environment.

Article 8. Funding for collection, processing and use of natural resources and environment data

1. Funding for performing activities of collecting, processing and managing of natural resources and environment data, establishing, updating and operating natural resources and environment database under the Government's management shall be covered by state budget in accordance with regulations of law. Annually, ministries and local governments shall allocate funding to their affiliated units for collecting, processing and managing natural resources and environment data in conformity with their functions and duties.
2. Fees for using natural resources and environment data shall be paid in accordance with regulations of the Law on Fees and Charges.

Chapter II

COLLECTION OF NATURAL RESOURCES AND ENVIRONMENT DATA

Article 9. Responsibility of organizations and individuals for collecting natural resources and environment data

1. Comply with technical standards and regulations on collection and transfer of information and data.
2. Deliver data which is collected or established with funding provided or originated from state budget to competent natural resources and environment data authority.
3. Send notification to the Ministry of Natural Resources and Environment and Departments of Natural Resources and Environment of provinces or central-affiliated cities of the lists of natural resources and environment data which are under their ownership and available on request. The

notification shall be made according to the Form No. 01 stated in the Appendix enclosed herewith.

Article 10. Collection of natural resources and environment data to serve storage, disclosure, provision and use requests

1. Annually, Ministries, Ministerial-level Agencies and the Government's Affiliates involved in natural resources and environment data (hereinafter referred to as "Ministries") and People's Committees of Provinces or Central-affiliated Cities (hereinafter referred to as Provincial-level People's Committees) give approval for and instruct the implementation of annual plans for: collecting and gathering natural resources and environment data; collecting and updating descriptive information about the natural resources and environment data.

2. Based on approved plans, agencies that are affiliated to Ministries or Provincial-level People's Committees and assigned to manage natural resources and environment data shall:

a) Collect, gather, store and manage natural resources and environment data with respect of data types directly managed, stored and provided by these agencies;

b) Collect and update descriptive information about natural resources and environment data from authorities, organizations and/or individuals that are storing and keeping about natural resources and environment data;

c) Establish and update lists of descriptive information to serve the disclosure, search and provision activities;

d) Provide and update lists of and descriptive information about national natural resources and environment data managed by Ministry of Natural Resources and Environment.

3. Agencies that are storing and keeping natural resources and environment data shall be responsible for providing descriptive information about natural resources and environment data to agencies in charge of managing natural resources and environment data.

4. Ministries and Provincial-level People's Committees organize the disclosure of lists of and descriptive information about natural resources and environment data to serve search, provision and use of data.

5. Minister of Natural Resources and Environment shall promulgate detailed regulations on collection of natural resources and environment data to serve storage, management, disclosure, provision and use.

Chapter III

MANAGEMENT OF NATURAL RESOURCES AND ENVIRONMENT DATA

Article 11. Management, storage and updating of natural resources and environment data

The management, storage and updating of data must be performed in accordance with regulations of the Law on Archives and its instructional documents in order to ensure information security, prolong useful life of data and reply to requests for use of data.

Article 12. Establishment of natural resources and environment database

1. Natural resources and environment database is the collection of natural resources and environment information that is checked, evaluated, stored and managed in a systematical manner and further established, updated and maintained to serve the state management and economic, social, national defense and security, scientific research, education and training activities as well as increase cultural standards of the people.

2. Natural resources and environment database includes:

a) National natural resources and environment database is the natural resources and environment database which is established by means of consolidating and integrating natural resources and environment databases of the national scale which are established, stored and managed by Ministry of Natural Resources and Environment;

b) Ministerial-level natural resources and environment database is the database which collects and integrates information and data on natural resources and environment under the management of a certain ministry, and is established, stored and managed by that ministry;

c) Provincial-level natural resources and environment database is the database which collects and integrates information and data on natural resources and environment under the management of a certain Provincial-level People's Committee, and is established, stored and managed by Department of Natural Resources and Environment of that province;

d) Specialized natural resources and environment databases are established, stored and managed by specialized organizations affiliated to Ministry of Natural Resources and Environment.

3. Natural resources and environment database must be conformable with the E-government Architecture Framework. To be specific:

a) The national natural resources and environment database and specialized natural resources and environment databases must be conformable with the Architecture Framework of Vietnam E-Government and the E-government Architecture of Ministry of Natural Resources and Environment;

b) The Ministerial-level natural resources and environment databases must be conformable with the Architecture Framework of Vietnam E-Government and the E-government Architecture of ministries;

c) The provincial-level natural resources and environment databases must be conformable with the Architecture Framework of Vietnam E-Government and the provincial-level E-government Architecture.

4. Natural resources and environment databases are established, connected and shared electronically to serve the convenient and effective management, provision and use of data.
5. Databases must satisfy the database framework, technical standards and regulations on information technology and environment sector.
6. Establishing, managing and operating specialized information systems and databases shall be performed in accordance with law regulations on specialized information system and database.

Article 13. Operation and updating of natural resources and environment database

The agency that is assigned to manage natural resources and environment shall assume responsibility to:

1. Formulate procedures for operation and maintenance of natural resources and environment database.
2. Formulate plans for regular or continuous updating contents of natural resources and environment database, and allocate funding for implementing such plans.
3. Formulate and implement synchronous solutions to ensure operational efficiency and increased availability of database.
4. Formulate and implement backup and recovery solutions to ensure the integrity and security of database. Mechanism for recovering natural resources and environment data which is damaged or destroyed by illegal acts must be available.

Article 14. Information security and confidentiality

1. The agency in charge of managing natural resources and environment data is responsible for ensuring information security and confidentiality and adopting appropriate operational and technical measures to ensure data security and confidentiality, computer safety and network security.
2. Natural resources and environment databases must be classified according to the security level of information system and satisfaction of technical standards and regulations in accordance with regulations of the law on cyberinformation security.
3. The division in charge of information technology duties of the agency in charge of managing natural resources and environment data shall be responsible for ensuring data security, conducting inspection and evaluation of information security, risk management and implementing other appropriate measures to ensure information security.

Chapter IV

USE OF NATURAL RESOURCES AND ENVIRONMENT DATA

Article 15. Announcement of list of natural resources and environment data

1. The list of natural resources and environment data is published on specialized websites or portals or publications. The natural resources and information data must be published in accordance with regulations on protection of state secrets in the natural resources and environment sector and provisions of the Law on Access to Information.
2. Ministry of Natural Resources and Environment shall publish the list of national-scale natural resources and environment data; ministries shall publish the list of natural resources and environment data under their management; Provincial-level People's Committees shall publish the list of provincial natural resources and environment data.

Article 16. Forms and procedures for use of natural resources and environment data

Natural resources and environment data may be obtained and used in any of the following forms:

1. Natural resources and environment data may be obtained for use through the website or portal or by connecting, accessing or sharing information with the natural resources and environment database of the agency in charge of managing and providing natural resources and environment data.
2. A written request may be submitted for natural resources and environment data.
3. Natural resources and environment may be provided under a written agreement made by and between the agency in charge of managing such natural resources and environment data and a specific user in accordance with regulations of law.

Article 17. Using natural resources and environment data by accessing the website or portal of data-providing agency

1. An organization or individual must apply for the access right granted by the data-providing agency to access and use natural resources and environment data available on the website or the portal of such data-providing agency.
2. The organization or individual having the access right must use correct user name and password to access the website or portal of the data-providing agency, and not reveal the granted user name and password.
3. The data-providing agency shall assume responsibility to:
 - a) Ensure the convenient access to users; provide searching tools which must be easy to use and provide accurate results;
 - b) Provide information and data under formats prescribed by technical standards and/or regulations in order that data may be easily downloaded, quickly shown and printed by popular electronic devices.

4. In case of suspension of provision of natural resources and environment data as well as related services on the internet network, the data-providing agency shall:

- a) Give a public notification at least 07 working days before suspending the provision of information and related services on the internet network for repairing failures or upgrading information infrastructure; such notification must specify the time expected to restore the provision of information and related services on the internet network, except for force majeure events;
- b) Implement measures to repair failures.

Article 18. Written request for natural resources and environment data

1. Sending a written request for natural resources and environment data is made in conformity with the following regulations:

- a) An organization or individual that wants to use natural resources and environment data shall base on the list of existing data to prepare a written request (using the Form No. 02 or the Form No. 03 stated in the Appendix enclosed herewith) and send it directly, or by post or electronically to the data-managing agency;
- b) Within 05 working day, the data-managing agency shall check the written request and give a notification of financial obligations (if applicable) to the requester. If a written request is refused, a written response which specifies reasons of refusal shall be given to the requester;
- c) After the requester has fulfilled all financial obligations, the data-managing agency shall provide sufficient and accurate information and data as requested.

2. A written request for natural resources and environment data shall include the following contents:

- a) Name and address of the requester (the authority, organization or individual that requests for natural resources and environment data);
- b) The list and contents of requested data;
- c) Purposes of data requested;
- d) Forms of using data and methods of receiving results.

3. A written request for data must include the seal and signature of the head of authority or organization. A written request made by an individual must include full name, address and signature of such individual.

4. If natural resources and environment data is requested by a foreigner who is staying in Vietnam, the written requester must be countersigned and sealed by the authorized person of the

organization or enterprise where such foreign requester is working; if a written request for data is sent by a foreign expert or trainee working at a program or project of a Ministry or local government or studying at a training institution in Vietnam, such written request must be prepared according to the Form No. 03 stated in the Appendix enclosed herewith, duly countersigned and sealed by the authorized agency of such Ministry or local government or such training institution.

Article 19. Using natural resources and environment data under written agreement

Using natural resources and environment data under written agreement must be performed in accordance with regulations of the Civil Code. The written agreement for provision of natural resources and environment data is made by and between the data-managing agency and the organization or individual having demand for using natural resources and environment data. The written agreement for provision of natural resources and environment data is made according to the Form No. 04 stated in the Appendix enclosed herewith.

Article 20. Responsibility of users of natural resources and environment data

A user of natural resources and environment data shall have the following responsibility and rights:

1. Comply with principles for using natural resources and environment data prescribed in Article 5 herein.
2. Not to provide natural resources and environment data to the third party for use, except the cases where it is agreed upon in the written agreement signed by and between the user and data-providing agency.
3. Not to falsify information and data obtained for use.
4. Pay fees for using natural resources and environment data as prescribed in Article 8 herein.
5. Abide by regulations of the law on intellectual property.
6. Timely give notification to the data-providing agency of mistakes of provided data.
7. Make complaint or denunciation of actions against the user's rights to use data in accordance with regulations of the law.
8. Receive compensation in accordance with regulations of law in case the data-providing agency provides inaccurate data resulting in causing damage to the user.

Chapter V

CONNECTING AND SHARING NATURAL RESOURCES AND ENVIRONMENT DATA ELECTRONICALLY

Article 21. Principles for connection and sharing of natural resources and environment data between Ministries and Provincial-level People's Committees

Natural resources and environment data may be connected and shared by and between Ministries and Provincial-level People's Committees; between natural resources and environment databases, and between relevant agencies or organizations according to the following principles:

1. Connect, share and use natural resources and environment data in accordance with regulations of law.
2. Ensure the access to natural resources and environment data to timely serve the assessment, forecasting and formulation of strategies, policies and/or plans, improve the efficiency of state management works and meet socio-economic development requirements as well as ensure national defense and security.
3. Ensure the thorough and timely exchange and provision of natural resources and environment data and satisfy information safety and security requirements.

Article 22. Cooperation in connecting and sharing data between natural resources and environment databases

1. Ministry of Natural Resources and Environment shall:

- a) Take charge and cooperate with Ministries and local governments to formulate procedures and/or regulations on connection, sharing and use of natural resources and environment data via electronic means;
- b) Instruct and inspect the connection, sharing and use of electronic natural resources and environment data.

2. Ministries shall, within the scope of management of natural resources and environment data, assume responsibility to:

- a) Take charge of connecting and sharing natural resources and environment data electronically with other ministries and local governments in accordance with regulations;
- b) Ministry of Finance shall allocate annual funding for operating the electronic natural resources and environment information systems; Ministry of Planning and Investment shall allocate investment funding for duties or projects approved by competent authorities in order to maintain or upgrade operation of the electronic natural resources and environment information systems;
- c) Ministry of Information and Communications shall formulate regulations on concerned information technology issues; instruct and supervise the connection and sharing of natural resources and environment data via electronic means.

3. Provincial-level People's Committees shall:

Electronically connect and share natural resources and environment data with other ministries and local governments in accordance with regulations.

Article 23. Connecting and integrating natural resources and environment monitoring data electronically

1. Natural resources and environment monitoring data includes real-time data and time-delayed data (data must be further analyzed and processed). Natural resources and environment monitoring data is very important to respond or cope with emergencies in natural resources and environment management, and prevent natural disasters.

2. Natural resources and environment monitoring data, especially real-time data obtained with funding from state budget or monitored in accordance with regulations of law, must be timely collected, integrated, shared and provided for regulatory authorities in order to serve the welfare of the people, socio-economic development, national defense and security purposes.

3. Ministry of Natural Resources and Environment shall consistently collect, receive and manage national natural resources and environment monitoring data via electronic means, establish the national database by monitoring data provided by Ministries, local governments and relevant organizations, and consolidate, process and share monitoring data to serve the social needs.

4. Ministries and Provincial-level People's Committees shall collect, manage and provide natural resources and environment monitoring data within their competence; provide natural resources and environment monitoring data for the national database managed by the Ministry of Natural Resources and Environment; use information and data from the national natural resources and environment monitoring database in accordance with regulations of law.

5. Ministry of Natural Resources and Environment shall provide detailed guidance on the collection, Provision and sharing of natural resources and environment monitoring data.

Chapter VI

RESPONSIBILITY AND RIGHTS OF AGENCIES IN CHARGE OF MANAGING NATURAL RESOURCES AND ENVIRONMENT DATA

Article 24. Responsibility of governmental authorities for collection, management and use of natural resources and environment data

1. The Government provides consistent regulations on collection, management and use of natural resources and environment data.

Ministry of Natural Resources and Environment shall assume responsibility before the Government for exercising the governmental authority of collection, management and use of natural resources and environment data.

Ministry of Natural Resources and Environment shall stipulate and assign functions and duties to its affiliates to collect, manage and provide natural resources and environment data within their competence.

2. Ministries shall assume responsibility before the Government for collection, management and use of collected natural resources and environment data.

Ministries shall stipulate and assign functions and duties to their affiliates to collect, manage and provide natural resources and environment data within their competence.

3. Provincial-level People's Committees shall, within the ambit of assigned functions and duties, organize and instruct managing agencies to collect, manage, store, provide and use local sources of natural resources and environment data.

Provincial Departments of Natural Resources and Environment shall assist the Provincial-level People's Committees in managing the collection, management and use of sources of natural resources and environment data in local area.

Article 25. Responsibility of Ministry of Natural Resources and Environment

1. Promulgate legislative documents, mechanisms, policies, technical standards and regulations, economic-technical norms for collection, management and use of national natural resources and environment data.

2. Give approval for plans for collection of natural resources and environment data and descriptive information thereof submitted by agencies that are assigned to manage natural resources and environment data or specialized natural resources and environment data, and instruct the implementation of approved plans.

3. Instruct and inspect the collection, management and use of natural resources and environment data by Ministries and Provincial-level People's Committees.

4. Formulate regulations for cooperation in collecting, managing, connecting, sharing and using natural resources and environment data.

5. Manage the establishment, operation and maintenance of the national natural resources and environment database and specialized natural resources and environment databases; send a consolidated report on the establishment, updating and operation of the national natural resources and environment database to the Prime Minister.

6. Publish the list of natural resources and environment data; list of agencies/ individuals in charge of providing natural resources and environment data. Provide natural resources and environment data for organizations and individuals in accordance with regulations of law.

7. Create a safe environment for connection, sharing and exchange of natural resources and environment data between natural resources and environment databases nationwide to serve the

collection, management and use of natural resources and environment data on the basis of information technology and communication, consisting of: Specialized natural resources and environment standards; database software; the national natural resources and environment portal which is established and connected with other natural resources and environment databases; Internet-based natural resources and environment data services; policies for security and confidentiality of natural resources and environment data; policies for protection of copyrighted natural resources and environment data.

Article 26. Responsibility of Ministries

Ministries shall, within the scope of management of natural resources and environment data, assume responsibility to:

1. Formulate and promulgate Regulations on collection, management, sharing and use of natural resources and environment data; Regulations on development and use of natural resources and environment databases; organize and inspect the implementation thereof.
2. Give approval for plans for collection and updating of natural resources and environment data and descriptive information thereof submitted by agencies that are assigned to manage natural resources and environment data, and instruct the implementation of approved plans.
3. Assess, check and accept results of investigation and collection of natural resources and environment data.
4. Store and maintain natural resources and environment data, and organize the establishment, operation and updating of natural resources and environment databases to serve the management, provision and use purposes.
5. Provide natural resources and environment data to requesters in accordance with regulations of law; connect and exchange natural resources and environment data with other relevant Ministries and Provincial-level People's Committees.
6. Ministry of Information and Communications shall:
 - a) Promulgate technical standards and regulations, and instructions for syndronization, compatibility, access and sharing of data between information systems and databases of state agencies and the natural resources and environment databases to ensure the thorough connection and information security;
 - b) Monitor and submit consolidated report on the connection and exchange between the national databases and the national natural resources and environment database to the Prime Minister;
 - c) Conduct regular inspection of the compliance with regulations of the law on establishment, updating and operation of national databases with respect of the national natural resources and environment database.

7. Ministry of Science and Technology shall cooperate with Ministry of Natural Resources and Environment to instruct the application of law on intellectual property protection to the management and use of intellectual property protection data.

Article 27. Responsibility of Provincial-level People's Committees

Provincial-level People's Committees shall have the following responsibility and rights:

1. Promulgate Regulations on collection, management, sharing and use of natural resources and environment data; Regulations on development and use of provincial-level natural resources and environment databases in conformity with social and economic reality. Organize and inspect the implementation of such regulations by provincial departments and boards in the province.

2. Give approval for plans for collection and updating of natural resources and environment data and descriptive information thereof submitted by agencies that are assigned to manage natural resources and environment data, and instruct the implementation of approved plans.

3. Instruct Provincial Departments of Natural Resources and Environment to:

a) Formulate and submit plans for collection and updating of natural resources and environment data and descriptive information thereof; organize the collection, assessment, management, retention, disclosure and use of natural resources and environment data in accordance with prevailing regulations;

b) Manage electronic natural resources and environment data; establish and operate natural resources and environment databases and portals to serve the retention, exchange and sharing of natural resources and environment data between databases in the province, with other provinces, cities and ministries;

c) Apply information technology, improve data integration and develop other applications with the aims of facilitating the use of data by authorities, organizations and individuals, and increasing the value of natural resources and environment data;

d) Store, manage and provide natural resources and environment data at the natural resources and environment information technology centers of Provincial Departments of Natural Resources and Environment;

dd) Send annual reports on the collection, management and use of natural resources and environment data to Ministry of Natural Resources and Environment.

Article 28. Responsibility of organizations and individuals for collecting and providing natural resources and environment data

1. Give notification to Ministry of Natural Resources and Environment of provision of natural resources and environment data.

2. Comply with regulations on the collection, establishment and provision of natural resources and environment data to organizations and individuals that have demands for use.
3. Ensure the reliability and accuracy of natural resources and environment data.
4. Send reports on the collection and provision of natural resources and environment, using the Form No. 05 stated in the Appendix enclosed herewith, to Provincial Departments of Natural Resources and Environment and Ministry of Natural Resources and Environment before December 15 of every year.

Chapter VII

PROTECTING INTELLECTUAL PROPERTY RIGHTS IN NATURAL RESOURCES AND ENVIRONMENT DATA

Article 29. Intellectual property rights over natural resources and environment data

1. The copyright and related rights on the natural resources and environment data are protected in accordance with regulations of the Law on Intellectual Property.
2. The Government shall be the owner of the copyright and property rights over the natural resources and environment data which is collected by funding provided by or originated from state budget, unless otherwise agreed.
3. Organizations or individuals shall have the copyright on natural resources and environment data, which is collected and established by their funding, protected in accordance with regulations of the Law on Intellectual Property.
4. Organizations or individuals are allowed to apply for registration of copyright and related rights over the natural resources and environment data.

Article 30. Protection of intellectual property rights over natural resources and environment data

1. Providing, exchanging or using natural resources and environment data must comply with regulations of the Law on Intellectual Property.
2. Organizations and individuals are not allowed to use the natural resources and environment data without obtaining the approval by the copyright owner or inconsistently with laws.
3. The natural resources and environment data must be properly used for the purposes specified in the written request for data and not be used for other purposes or works if this is not permitted in writing by the data owner.
4. A user is not allowed to transfer the right to use such natural resources and environment data without the written approval by the copyright owner or data owner. The organization or

individual using natural resources and environment data must clarify the origin of such natural resources and environment data at the request of competent authorities.

5. Any violations against regulations on intellectual property and rights to enjoyment of natural resources and environment data shall be handled in accordance with regulations of law depending on the severity of each violation.

Chapter VIII

IMPLEMENTATION PROVISIONS

Article 31. Handling of natural resources and environment data collected before the date of entry into force of this Decree

Natural resources and environment data which has been collected with funding provided by or originated from state budget before the date of entry into force of this Decree shall be handled in conformity with the following provisions:

1. The works or duties performed by agencies, organizations or individuals in accordance with regulations in the Government's Decree No. 102/2008/ND-CP dated September 15, 2008 on collection, management and use of natural resources and environment data shall be continued according to the prescribed period of time for such works or duties. After this period of time, regulations herein shall prevail.
2. With respect to natural resources and environment data which is products of the in-progress works or duties but is not verified and accepted, data-managing agency shall consider and adjust such data to perform works in accordance with regulations herein.

Article 32. Entry into force

This Decree comes into force as of August 01, 2017 and supersedes the Government's Decree No. 102/2008/ND-CP dated September 15, 2008 on collection, management and use of natural resources and environment data.

Article 33. Organization of implementation

1. Minister of Natural Resources and Environment shall instruct and inspect the implementation of this Decree.
2. Ministers, heads of ministerial-level agencies, heads of the Government's affiliates, Chairpersons of People's Committees of Central-affiliated Cities or Provinces shall be responsible for implementing this Decree./.

**ON BEHALF OF THE GOVERNMENT
PRIME MINISTER**

Nguyen Xuan Phuc