

**THE MINISTRY OF
PLANNING AND
INVESTMENT**

No. 08/2019/TT-BKHDT

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Hanoi, May 17, 2019

CIRCULAR

GUIDELINES FOR NORMS FOR PLANNING ACTIVITIES

Pursuant to the Law on Planning dated November 24, 2017;

Pursuant to the Law on Promulgation of Legislative Documents dated June 22, 2015;

Pursuant to the Government's Decree No. 86/2017/ND-CP dated July 25, 2017 defining functions, tasks, entitlements and organizational structure of the Ministry of Planning and Investment;

Pursuant to the Government's Decree No. 37/2019/ND-CP dated May 07, 2019 on elaboration of the Law on Planning;

At the request of the Director of Vietnam Institute for Development Strategies and the Director of the Department of Planning Management;

The Minister of Planning and Investment hereby promulgates a Circular on guidelines for norms for planning activities.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

1. This Circular elaborates norms for planning activities covered by public investments as prescribed in Point dd Clause 3 Article 55 of the Law on Planning.
2. Norms for special administrative-economic unit planning shall comply with regulations of law on special administrative-economic units.
3. Norms for urban planning and rural planning shall comply with regulations of law on urban planning and law on construction.
4. Norms for detailed planning in the Appendix 2 of the Law on Planning shall comply with relevant regulations of law.
5. Any organizations and individuals involved in planning activities not governed by this Circular are entitled to apply regulations of this Circular. In the case of application, organizations and individuals shall comply with relevant regulations of this Circular.

Article 2. Regulated entities

This Circular applies to organizations and individuals involved in formulation, appraisal and decision on or approval, announcement and adjustment of national planning, regional planning and provincial planning, and other relevant organizations and individuals.

Article 3. Definitions and abbreviations

1. “*standard sector*” means a sector selected as a standard for establishing norms for activities serving social, national defense and security network infrastructure planning.
2. “*standard region*” means a region selected as a standard for establishing norms for activities serving regional planning. Parameters of a standard region are provided in Point 2 of the Appendix I.
3. “*standard province*” means a province selected as a standard for establishing norms for activities serving provincial planning. Parameters of a standard province are provided in Point 3 of the Appendix I.
4. “*standard planning component*” means a component selected as a standard for establishing norms for components integrated into planning, including sector planning component and territorial planning component.
5. “*proposed content*” means a content included in the planning task with a view to assigning relevant organizations and individuals to develop and include it the national sector planning and provincial planning.
6. “*standard proposed content*” means content selected as a standard for establishing norms for activities serving development of the proposed content.
7. “*converted working days*” mean the maximum number of working days spent by a consultant (C) holding the highest rank in a consultant group on performance of a task.
8. “*consultant level*” includes 4 levels specified in the Circular No. 02/2015/TT-BLDTBXH dated January 12, 2015 of the Ministry of Labor, War Invalids and Social Affairs and is designated by consultant level 1 (C1), consultant level 2 (C2), consultant level 3 (C3) and consultant level 4 (C4).

Article 4. Rules for applying norms

1. Norms specified in this Circular are maximum norms for formulating, appraising and deciding or approving, announcing and adjusting planning.
2. Norms for social, national defense and security infrastructure network planning, regional planning and provincial planning shall be determined according to the standard sector, standard region and standard province, and adjusted according to the guidelines in the Appendix I hereof.
3. According to the tasks of formulating planning, if it is necessary to carry out basic investigations, apply current norms and submit them to a competent authority for approval.

Article 5. Norms for planning activities

Norms for planning activities are established for two (02) phases:

1. Norms for formulating, appraising and approving planning tasks, including:
 - a) Norms for direct activities;
 - b) Norms for indirect activities;
2. Norms for formulating, appraising and deciding or approving, announcing and adjusting planning:
 - a) Norms for direct activities;

- b) Norms for indirect activities;
- c) Norms for formulating planning components and proposed contents;
- d) Norms for strategic environmental assessment.

Chapter II

NORMS FOR PLANNING ACTIVITIES

Article 6. Norms for direct activities

1. Norms for direct activities serving national comprehensive planning are provided in the Appendix III hereof.
2. Norms for direct activities serving national marine spatial planning are provided in the Appendix IV hereof.
3. Norms for direct activities serving national land use planning are provided in the Appendix V hereof.
4. Norms for direct activities serving national sector planning are provided in the Appendix VI hereof.
5. Norms for direct activities serving standard regional planning are provided in the Appendix VII hereof.
6. Norms for direct activities serving standard provincial planning are provided in the Appendix VIII hereof.

Article 7. Norms for indirect activities

1. Norms for indirect activities serving formulation, appraisal and decision on or approval, announcement and formulation of planning components shall be determined in accordance with applicable regulations of law, including those for:
 - a) Selection of consultancies;
 - b) Organization of conferences, workshops, seminars and consultations, and seeking of opinions;
 - c) Organization of appraisal;
 - d) Decision on or approval for planning;
 - dd) Announcement of planning;
 - e) Site survey;
 - g) General management.
2. Norms for appraising the issues specified in Article 32 of the Law on Planning are provided in the Appendix XI.
3. Detailed norms for each indirect activity shall be determined according to volume necessary for determining planning tasks.

Article 8. Norms for formulating planning components and developing proposed contents to be included in planning

1. Norms for formulating standard planning components to be integrated into the national comprehensive planning, serving national marine spatial planning and regional planning are provided in the Appendix IX hereof.
2. Norms for developing standard proposed contents to be included in the national sector planning and provincial planning are provided in the Appendix X hereof.
3. Guidelines for applying norms for formulation of planning components and formulation of proposed contents to be included in planning are provided in the Appendix II and Appendix I respectively.

Article 9. Norms for strategic environmental assessment

Norms for strategic environmental assessment with regard to planning required to undergo strategic environmental assessment shall comply with regulations of law on environmental protection.

Article 10. Norms for planning adjustment

Norms for adjustment to approved or decided planning are the same as those for formulation of new planning.

Chapter III

IMPLEMENTATION CLAUSE

Article 11. Effect

1. This Circular comes into force from July 01, 2019.
2. This Circular supersedes the Circular No. 01/2012/TT-BKHDT dated February 09, 2012 of the Minister of Planning and Investment.

Article 12. Implementation

1. Ministries, ministerial agencies, Governmental agencies, People's Committees of provinces and central-affiliated cities and relevant organizations and individuals are responsible for the implementation of this Circular.
2. In the cases where any of the legislative documents referred to in this Circular is amended or replaced, the newest one shall apply.
3. Difficulties that arise during the implementation of this Circular should be reported to the Ministry of Planning and Investment for instructions.

THE MINISTER

Nguyen Chi Dung

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