

Decree No. 21/2011/ND-CP of March 29, 2011, detailing the law on economical and efficient use of energy and measures for its implementation

THE GOVERNMENT

No. 21/2011/ND-CP

SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom – Happiness

Hanoi, March 29, 2011

DECREE

DETAILING THE LAW ON ECONOMICAL AND EFFICIENT USE OF ENERGY AND MEASURES FOR ITS IMPLEMENTATION

THE GOVERNMENT

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the June 28, 2010 Law on Economical and Efficient Use of Energy;

At the proposal of the Minister of Industry and Trade,

DECREES:

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Decree provides statistical work on energy use; major energy users; economical and efficient use of energy in state budget-funded agencies and units; energy labeling of energy-consuming devices and equipment; measures to promote economical and efficient use of energy; and examination and inspection of economical and efficient use of energy.

Article 2. Subjects of application

This Decree applies to organizations and individuals using energy in Vietnam.

Chapter II

STATISTICS ON ENERGY USE

Article 3. Statistical indicators on energy use

Statistical indicators on energy use within the national statistical indicator system shall be applied uniformly nationwide and updated annually, including the following principal indicators:

1. Groups of indicators on quantity and volume of used energy classified by:

- a/ Economic sector;
- b/ Major energy user;
- c/ Use purpose;
- d/ Type of energy.

2. Indicators on energy consumption rate classified by a number of essential products.

3. Group of indicators on quantity and type of manufactured and imported energy-consuming devices and equipment on the list of energy-consuming devices and equipment subject to energy labeling.

4. The Ministry of Planning and Investment shall assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade in, proposing the Prime Minister to add statistical indicators on energy use to the national statistical indicator system; and direct the regular public announcement of statistical information on energy use.

Article 4. Responsibilities for collection, summarization and analysis of statistical information on energy use

1. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with the Ministry of Planning and Investment in, guiding the collection, summarization and analysis of statistical information on energy use.

2. Ministries, ministerial-level agencies and provincial-level People's Committees shall make statistical reports on energy use in the sectors, domains and entities under their management and submit them to the Ministry of Industry and Trade.

Article 5. Organization of the national energy database

1. The Ministry of Industry and Trade shall organize and build the national energy database.

2. The national energy database includes:

- a/ Statistical indicators on energy use provided in Article 3 of this Decree;
- b/ Quantity and volume of domestically exploited and imported primary energy, including coal, crude oil, natural gas, hydropower, electric power, renewable energy and nuclear power;

c/ Quantity and volume of domestically generated energy, including electric power and fuel generated from oil and coal;

d/ Price indicators of essential energies.

Chapter III

MAJOR ENERGY USERS

Article 6. Identification of major energy users

1. Major energy users are establishments consuming energy at the following rates:

a/ Industrial and agricultural production establishments and transport units which annually consume energy of a total of one thousand tons of oil equivalent (1,000 TOE) or higher;

b/ Construction works used as offices and houses; educational, medical, entertainment, physical training and sports establishments; hotels, supermarkets, restaurants and shops which annually consume energy of a total of five hundred tons of oil equivalent (500 TOE) or higher.

2. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with concerned ministries and sectors in, proposing the Government to adjust the identification of major energy users suitable to national socio-economic development.

Article 7. Listing of major energy users

1. State economic groups and corporations shall examine, review and list major energy users under their management and send such lists to the Ministry of Industry and Trade before February 1 every year.

2. Provincial-level People's Committees shall direct local specialized agencies in examining, reviewing and listing major energy users in their localities for making a general list for submission to the Ministry of Industry and Trade before February 1 every year.

3. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with concerned ministries and sectors and provincial-level People's Committees in, proposing the Prime Minister to promulgate a list of major energy users nationwide before March 31 every year.

Article 8. Energy management model

Major energy users shall apply energy management models with the following principal contents:

1. Announcement of objectives and policies on economical and efficient use of energy in their establishments.

2. Annual and five-year planning of economical and efficient use of energy in their establishments; formulation and application of measures for economical and efficient use of energy according to their set objectives, policies and planning; definition of responsibilities of each, collective and person to implement plans on economical and efficient use of energy.

3. Availability of a network and energy managers as provided in Clause 1, Article 35 of the Law on Economical and Efficient Use of Energy.

4. Regular check and monitoring of energy consumption demands of devices and equipment of entire production chains, and the installation, upgrading and repair of energy-consuming equipment of their establishments.

5. Energy audit; proposal and selection of managerial and technological solutions for economical and efficient use of energy.

6. Regular training and retraining in economical and efficient use of energy for employees.

7. Adoption of reward and discipline regimes to promote economical and efficient use of energy in their establishments.

Article 9. Energy audit

1. Energy audit covers the following principal jobs:

a/ Surveying, measurement and collection of data on energy use by establishments;

b/ Analysis, calculation and evaluation of energy use efficiency;

c/ Assessment of energy saving potential;

d/ Proposal of solutions for energy saving;

e/ Analysis of investment effectiveness of proposed energy saving solutions.

2. Major energy users shall submit energy audit reports to provincial-level Industry and Trade Departments within 30 days after conducting energy audit.

Article 10. Planning on economical and efficient use of energy

1. Major energy users shall adopt annual and five-year plans on economical and efficient use of energy:

a/ Annual plans shall be made annually;

b/ Five-year plans shall be made for each five-year period.

2. Annual and five-year plans cover the following principal parts:

a/ Evaluation of implementation of the plan of the previous year (for annual plans) or the previous five years (for five-year plans);

b/ Planning on economical and efficient use of energy for the planning year (for annual plans) or the next five years (for five-year plans).

3. The Ministry of Industry and Trade shall guide contents and forms of, and time, order and procedures for submitting, the reports specified in Clauses 1 and 2 of this Article.

Chapter IV

ECONOMICAL AND EFFICIENT USE OF ENERGY IN STATE BUDGET-FUNDED AGENCIES AND UNITS

Article 11. Economical and efficient use of energy in state budget-funded agencies and units

1. The head of a state budget-funded agency or unit shall:

a/ Strictly comply with Articles 30 and 31 of the Law on Economical and Efficient Use of Energy;

b/ Set objectives and register targets for energy saving in the agency or unit; direct the formulation and implementation of annual plans on energy use;

c/ Examine the economical and efficient use of energy in the agency or unit; disseminate and educate about energy saving practices for employees of the agency or unit;

d/ Make statistics and reports on annual energy use under Clause 1, Article 13 of this Decree;

e/ Reward organizations and persons for good performance; promptly handle violations of regulations on economical use of energy in the agency or unit.

2. The head of a state budget-funded agency or unit on the list of major energy users shall fully comply with regulations on major energy users in the Law on Economical and Efficient Use of Energy and this Decree.

3. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with ministries, sectors and provincial-level People's Committees in, proposing to the Prime Minister a list of state budget-funded agencies and units rewarded for, or handled for violations of regulations on, economical and efficient use of energy.

Article 12. Procurement of devices and equipment by state budget-funded agencies and units

1. When replacing or buying devices and equipment, a state budget-funded agency or unit shall buy devices and equipment on the Prime Minister's list of energy-efficient devices and equipment permitted for furnishing and procurement.

2. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with concerned ministries and sectors in, proposing the Prime Minister to promulgate a list of energy-efficient devices and equipment permitted for furnishing and procurement.

3. The Ministry of Finance shall detail the procurement of energy-consuming devices and equipment on the list of energy-efficient devices and equipment permitted for furnishing and procurement.

Article 13. Energy use reporting by State budget-funded agencies and units

1. Annually, a state budget-funded agency or unit shall make a report on its energy use and submit it to a competent state management agency. A report covers:

a/ Name and address;

b/ Annual plan on energy use; plan on replacement or new procurement and repair of devices and equipment; annual targets and solutions for energy saving;

c/ Energy use situation; replaced or newly bought or repaired devices and equipment and energy saving solutions carried out in the year; comparison with plan.

2. Provincial-level People's Committees shall decentralize the receipt, examination, evaluation and summarization of reports provided in Clause I of this Article for submission to the Ministry of Industry and Trade.

3. The Ministry of Industry and Trade shall guide the form and deadline for submission of the report provided in this Article.

Chapter V

ENERGY LABELING FOR ENERGY- CONSUMING DEVICES AND EQUIPMENT

Article 14. Energy labeling

1. Devices and equipment on the list of devices and equipment subject to energy labeling shall be labeled before their market sale.

2. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with concerned ministries and sectors in, making a list of devices and equipment subject to energy labeling and its implementation roadmap for submission to the Prime Minister for decision.

Article 15. Classification of energy labels

1. Energy labels include:

a/ Comparative label, which provides information on energy consumption rate, type of energy, energy yield and other information to enable consumers to compare with products of the same type in the market

for recognition and selection of energy-efficient devices and equipment;

b/ Certification label, which certifies that the device or equipment has the highest energy yield compared with other devices or equipment of the same type.

2. Based on national standards on energy yield, the Ministry of Industry and Trade shall provide norms on energy yield in comparative and certification labels.

Article 16. Energy yield testing laboratories

A laboratory may obtain a certificate of testing energy yield standard conformity of devices and equipment for energy labeling when it meets the following conditions:

1. It is a specialized laboratory recognized according to the standards of the Vietnam Laboratory Accreditation Scheme (VILAS) or a laboratory recognized by the International Laboratory Accreditation Cooperation (ILAC) or the Asia-Pacific Laboratory Accreditation Cooperation (APLAC).

2. It is not recognized according to the standards of the Vietnam Laboratory Accreditation Scheme but is qualified for testing energy yield as examined, evaluated and designated by the Ministry of Industry and Trade to test energy yield standard conformity of energy-consuming devices and equipment when satisfying the following requirements:

a/ Having testing personnel technically trained in energy-consuming devices and equipment to be tested;

b/ Having testing equipment which is examined and calibrated under regulations and capable of accurately testing norms.

3. The Ministry of Industry and Trade shall announce a list of laboratories qualified for energy yield testing.

Article 17. Energy labeling registration dossiers and competence to issue energy label certificates for devices and equipment

1. An energy labeling registration dossier of a device or equipment comprises:

a/ Technical specifications of the device or equipment;

b/ Testing results of the energy yield of the device or equipment issued by a laboratory defined in Article 16 of this Decree;

c/ Written request for energy labeling.

2. The Ministry of Industry and Trade shall issue energy label certificates for devices and equipment.

3. The Ministry of Finance shall provide the fee for energy label certificates.

Article 18. Energy labeling

1. Energy labels comply with the form provided by the Ministry of Industry and Trade and shall be stuck on devices and equipment.

2. Manufacturers and importers themselves shall print energy labels and stick them on devices and equipment obtaining energy label certificates.

3. Sixty working days before an energy label certificate terminates its validity, the manufacturer or importer shall make re-registration. Manufacturers and importers may not stick energy labels on devices and equipment with expired energy label certificates.

Article 19. Termination of energy labeling and withdrawal of energy label certificates

1. Energy labeling shall be terminated in the following cases:

a/ Sticking of false energy labels;

b/ Energy labeling without an energy label certificate or with an expired or tampered energy label certificate;

c/ Energy labeling not according to contents and specifications provided by the Ministry of Industry and Trade or with incorrect energy yield of devices and equipment.

2. An energy label certificate shall be withdrawn when:

a/ Frauds are detected in the energy labeling registration dossier;

b/ Testing results do not match the actual energy yield of the device or equipment;

c/ Sanctions have been imposed twice for violations of Clause 1 of this Article.

3. The Ministry of Industry and Trade shall guide Clauses 1 and 2 of this Article.

Article 20. Reporting by manufacturers of energy-consuming devices and equipment on the list of devices and equipment subject to energy labeling

1. A manufacturer of energy-consuming devices and equipment on the list of devices and equipment subject to energy labeling shall annually submit to the provincial-level Industry and Trade Department a report on:

a/ Name and address of the manufacturer;

b/ Types of devices and equipment and quantity of each type of devices and equipment sold;

c/ Energy yield of each type of devices and equipment.

Provincial-level Industry and Trade Departments shall receive and summarize reports of manufacturers of energy-consuming devices and equipment on the list of devices and equipment subject to energy labeling in their localities for submission to the Ministry of Finance before March 31 of the subsequent year.

The Ministry of Industry and Trade shall guide the form of the report provided in this Article.

Article 21. Reporting by importers of energy-consuming devices and equipment on the list of devices and equipment subject to energy labeling

1. An importer of energy-consuming devices and equipment on the list of devices and equipment subject to energy labeling shall annually submit to the provincial-level Industry and Trade Department a report on:

a/ Name and address of the importer;

b/ Types of devices and equipment; countries of manufacture and quantity of each type of imported devices and equipment;

c/ Energy yield of each type of devices and equipment;

d/ Types of devices and equipment with energy[^] yield certificates granted in countries of manufacture.

2. Provincial-level Industry and Trade Departments shall receive and summarize reports of importers of energy-consuming devices and equipment on the list of devices and equipment subject to energy labeling in their localities for submission to the Ministry of Industry and Trade before March 31 of the subsequent year.

3. The Ministry of Finance shall provide information on types, quantities and origin of imported energy-consuming devices and equipment on the list of devices and equipment subject to energy labeling at the request of the Ministry of Industry and Trade.

4. The Ministry of Industry and Trade shall guide the form of the report provided in this Article.

Article 22. Energy labeling inspection and reporting

1. Annually, manufacturers and importers obtaining energy label certificates of devices and equipment shall make statistics on quantities and types of labeled devices and equipment marketed in the year and send them to the Ministry of Industry and Trade before March 1 of the subsequent year.

2. Manufacturers and importers of devices and equipment violating regulations on energy labeling shall be handled under law.

3. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with concerned ministries and sectors and provincial-level People's Committees in, examining the testing of devices and equipment for energy labeling at laboratories; inspecting energy label printing and labeling; and regularly or irregularly inspecting labeled devices and equipment circulated in the market.

Article 23. Energy-consuming devices and equipment subject to elimination

1. Bases for inclusion of devices and equipment into the list of those subject to elimination include:

a/ Failure to reach safety standards of devices and equipment;

b/ Failure to reach the minimum energy yield;

c/ Conformity with national socio-economic development and state management requirements in each period.

2. The Ministry of Science and Technology shall announce the minimum energy yield in energy yield standards for devices and equipment.

3. The Ministry of Science and Technology shall assume the prime responsibility for, and coordinate with concerned ministries and sectors in, making and proposing to the Prime Minister for promulgation a list of devices and equipment subject to elimination under Clauses 1 and 2 of this Article.

4. Import and circulation of devices and equipment on the list of those subject to elimination are prohibited.

Chapter VI

MEASURES TO PROMOTE ECONOMICAL AND EFFICIENT USE OF ENERGY

Article 24. Application of managerial and technological measures for economical and efficient use of energy

1. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with concerned ministries and ministerial-level agencies in, providing managerial and technological measures encouraged or compulsory for application to industrial production under Articles 9, 10, 11, 12 and 13 of the Law on Economical and Efficient Use of Energy.

2. The Ministry of Construction shall assume the prime responsibility for, and coordinate with concerned ministries and ministerial-level agencies in, providing managerial and technological measures encouraged or compulsory for application to construction activities under Article 15 of the Law on Economical and Efficient Use of Energy.

3. The Ministry of Transport shall assume the prime responsibility for, and coordinate, with concerned ministries and ministerial-level agencies in, providing managerial and technological measures encouraged or compulsory for application to transport activities under Article 19 of the Law on Economical and Efficient Use of Energy.

4. The Ministry of Agriculture and Rural Development shall assume the prime responsibility for, and coordinate with concerned ministries and ministerial-level agencies in, providing managerial and technological measures encouraged or compulsory for application to agricultural production under Articles 22 and 23 of the Law on Economical and Efficient Use of Energy.

Article 25. Energy audit and reporting on energy use at establishments outside the list of major energy users

1. Establishments outside the list of major energy users are encouraged to regularly conduct energy audit and report on their energy use.

2. State management agencies in charge of economical and efficient use of energy shall guide and assist establishments in conducting energy audit and reporting on their energy use like major energy users.

Article 26. National target program on economical and efficient use of energy

1. The national target program on economical and efficient use of energy covers the following principal contents:

a/ Completion of the institutional framework, updating of standards and technical regulations related to energy saving;

b/ Propaganda, dissemination, guidance and education to raise public awareness about economical and efficient use of energy;

c/ Study and development of projects to apply science and technology for raising energy yield in industrial production, construction, transport, agriculture and services;

d/ Support for projects to promote economical and efficient use of energy.

2. Funds for the national target program on economical and efficient use of energy come from:

a/ State budget funds for the national target program on economical and efficient use of energy outside annual state budget funds for science and technology;

b/ Funds originated from and outside the state budget;

c/ Contributions and donations of Vietnamese organizations and individuals, overseas Vietnamese and foreign organizations and individuals;

d/ Other lawful sources under law.

3. Implementation of the national target program on economical and efficient use of energy is provided as follows:

a/ The Prime Minister shall approve, and direct the implementation, examination and evaluation of the implementation of, the national target program on economical and efficient use of energy;

b/ The standing body for the national target program on economical and efficient use of energy is based in the Ministry of Industry and Trade. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with concerned ministries and ministerial-level agencies in, formulating contents, tasks and management mechanisms of the national target program on economical and efficient use of energy;

c/ The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade in, adopting a financial mechanism for the national target program on economical and efficient use of energy;

d/ Based on the national target program on economical and efficient use of energy, ministers, heads of ministerial-level agencies and chairpersons of provincial-level People's Committees shall perform their assigned and decentralized tasks.

Article 27. Investment incentives

Investment projects to manufacture energy-efficient devices and equipment; and upgrade production chains and expand production scales with energy-efficient technologies are entitled to supports under current regulations on investment credit and investment incentives.

Article 28. Support for the manufacture and import of energy-efficient devices and equipment; renewable energy-consuming devices and equipment, and energy audit

1. The State provides tax incentives and supports in capital and land for manufacturers of domestic energy-efficient products and renewable energy-consuming products to build manufacture facilities.

2. Energy-efficient and renewable energy-consuming devices and equipment, parts and components which are domestically unavailable are entitled to import duty exemption and reduction under the tax law, including:

- a/ Devices, equipment, parts and supplies for research into development and renovation of energy-efficient technologies, programs on survey, research, trial manufacture and formulation of typical projects to use renewable energy;
- b/ Parts and components for the manufacture of energy-efficient lighting devices and equipment; devices and equipment using solar and wind power;
- c/ Energy-efficient products, fuel-efficient vehicles and vehicles running on liquefied gas, natural gas, electricity, mixed fuel or bio-fuel which are domestically unavailable.

3. The national target program on economical and efficient use of energy shall partly fund energy users for conducting energy audits for the first time.

4. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with the Ministry of Finance and concerned ministries and sectors in, making a detailed list of imported devices, equipment, parts and components provided in Clause 2 of this Article for submission to the Government for promulgation.

5. The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade and concerned ministries and sectors in, detailing the tax exemption and reduction and financial support provided in Clauses 1, 2 and 3 of this Article.

Article 29. Raising of awareness about economical and efficient use of energy

1. Ministries, sectors and provincial-level People's Committees may conduct public information and propaganda activities in the mass media to raise public awareness about and encourage people's participation in economical and efficient use of energy.

2. Measures to raise awareness about economical and efficient use of energy include:

- a/ To train and develop energy management personnel for establishments, sectors and localities;
- b/ To popularize energy saving through the educational system of all levels and the mass media;
- c/ To introduce energy saving activities into the operation of science and technology associations and mass organizations;
- d/ To organize showrooms of energy -efficient products and competitions on energy saving initiatives.

Chapter VII

EXAMINATION AND INSPECTION OF ECONOMICAL AND EFFICIENT USE OF ENERGY

Article 30. Contents of examination and inspection of economical and efficient use of energy

1. Reporting regimes and contents and planning of economical and efficient use of energy and energy audit at major energy users.
2. Operations of energy audit consultancy institutions.
3. Reporting regimes and statistics on manufacture and import of devices and equipment on the list of devices and equipment subject to energy labeling.
4. Compliance with regulations on energy labeling.
5. Compliance with regulations on economical and efficient use of energy at state budget-funded agencies and units.
6. Provisions on prohibited acts provided in Article 8 of the Law on Economical and Efficient Use of Energy.

Article 31. Powers and responsibilities for examination and inspection of economical and efficient use of energy

1. Competent energy state management agencies shall regularly examine energy use by major users; and examine energy labeling for devices and equipment as provided by the Prime Minister.
2. When inspecting economical and efficient use of energy, inspection teams and inspectors shall:
 - a/ Comply with the inspection law regarding their powers and inspection order and procedures; not harass, trouble and obstruct production and business activities of inspected entities,
 - b/ Promptly take lawful measures to stop and handle violations of the law on economical and efficient use of energy; take responsibility before law for their inspection conclusions and handling measures.

Article 32. Rights and obligations of entities subject to inspection of economical and efficient use of energy

Entities subject to inspection of economical and efficient use of energy have the following rights and obligations:

1. To provide inspection-related documents to inspection teams and inspectors.
2. To create conditions for inspection teams and inspectors to perform their tasks.
3. To observe handling decisions of inspection teams and inspectors.
4. To perform other rights and obligations under the inspection law.

Chapter VIII

ORGANIZATION OF IMPLEMENTATION

Article 33. Responsibilities of ministries in the state management of economical and efficient use of energy**1. The Ministry of Industry and Trade:**

- a/ To take responsibility before the Government for its state management of economical and efficient use of energy according to the tasks provided in the Law on Economical and Efficient Use of Energy;
- b/ To coordinate with ministries, sectors and provincial-level People's Committees in supervising, inspecting and urging the implementation of the Law on Economical and Efficient Use of Energy and this Decree, and annually report to the Prime Minister;
- c/ To appropriately organize and arrange personnel to assist the Minister in performing the state management of economical and efficient use of energy.

2. The Ministry of Science and Technology:

To perform the tasks provided in the Law on Economical and Efficient Use of Energy and the following tasks:

- a/ To assume the prime responsibility for, and coordinate with concerned ministries and sectors in, formulating and announcing national standards on energy yield and minimum energy yield for popular energy-consuming devices and equipment according to the energy labeling roadmap; national standards on energy yield for architectural structures, construction, lighting, heating and cooling materials, and energy supply levels for key areas within buildings; and national standards on energy management systems in industrial and agricultural production establishments, buildings and transport businesses;
- b/ To coordinate with concerned line ministries in formulating policies on technology transfer and studying and applying scientific and technological advances in economical and efficient use of energy.

3. The Ministry of Construction:

To perform the tasks provided in the Law on Economical and Efficient Use of Energy and the following tasks:

- a/ To promulgate according to its competence or propose competent agencies to promulgate standards and technical regulations on economical and efficient use of energy in designing construction works and construction materials;
- b/ To assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade in, guiding major energy users in managing energy use in construction activities; to direct and guide the implementation of solutions for economical and efficient use of energy in construction activities;
- c/ To organize training and retraining in economical and efficient use of energy in construction activities.

4. The Ministry of Transport:

To perform the tasks provided in the Law on Economical and Efficient Use of Energy and the following tasks:

- a/ To promulgate according to its competence or propose competent agencies to promulgate standards, technical regulations and norms on energy consumption for a number of vehicles suitable to each period and inspect the observance of these regulations;
- b/ To promulgate regulations on technical management and guide transport businesses in formulating norms and conducting regular technical maintenance during the operation and use of vehicles in order to economically and efficiently use energy;
- c/ To assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade in, guiding major energy users in managing energy use in transport activities; to guide the implementation of solutions for economical and efficient use of energy in the organization and operation of the transport system;
- d/ To study and apply scientific and technological advances in order to raise energy use efficiency; to study and develop renewable fuels and energies to replace traditional fuels used in transport.

5. The Ministry of Agriculture and Rural Development:

To perform the tasks provided in the Law on Economical and Efficient Use of Energy and the following tasks:

- a/ To promulgate according to its competence or propose competent agencies to promulgate standards and technical regulations on economical and efficient use of energy in agricultural production and irrigation;
- b/ To assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade in, guiding major energy users in managing energy use in agricultural production; to direct and guide the implementation of solutions for economical and efficient use of energy in agricultural production and irrigation;
- c/ To organize training and retraining in economical and efficient use of energy in agricultural production, irrigation and rural areas.

6. The Ministry of Finance:

To perform the tasks provided in the Law on Economical and Efficient Use of Energy and the following tasks:

a/ To assume the prime responsibility for, and coordinate with concerned ministries and sectors in, formulating and promulgating or proposing competent agencies to promulgate detailed guidance on financial incentives for economical and efficient use of energy and energy-efficient products;

b/ To assume the prime responsibility for, and coordinate with concerned agencies in, guiding procedures for import of devices and equipment subject to energy labeling; to issue regulations on collection, remittance, management and use of the fee for energy label certificates.

7. The Ministry of Planning and Investment:

To coordinate with the Ministry of Industry and Trade in providing statistical indicators on energy use to be included in the national system of statistical indicators on energy use; to organize and direct the regular public announcement of statistical information on energy use.

8. The Ministry of Education and Training:

To introduce economical and efficient use of energy into educational and training activities suitable to each educational level.

9. The Ministry of Information and Communications:

To assume the prime responsibility for, and coordinate with the Ministry of Industry and Trade in, organizing and directing the mass media in implementing public programs to raise social awareness about economical and efficient use of energy.

Article 34. Responsibilities of provincial-level People's Committees

To perform the tasks provided in the Law on Economical and Efficient Use of Energy and the following tasks:

1. To formulate programs on economical and efficient use of energy for inclusion in their local socio-economic development plans and inspect and evaluate their implementation.

2. To direct local specialized agencies in examining, checking and listing major energy users.

3. To examine, evaluate and summarize reports and plans on energy use of state budget-funded agencies and units and major energy users in their localities.

Article 35. Effect

1. This Decree takes effect on May 15, 2011.

2. This Decree replaces the Government's Decree No. 102/2003/ND-CP of September 3, 2003. on economical and efficient use of energy.

Article 36. Implementation responsibilities

Ministers, heads of ministerial-level agencies, heads of government-attached agencies, chairpersons of provincial-level People's Committees and concerned organizations and individuals shall implement this Decree-

**ON BEHALF OF THE GOVERNMENT
PRIME MINISTER**

Nguyen Tan Dung