

*Hanoi, February 17, 2017*

**DECREE**  
**REGULATIONS ON FUNCTIONS, TASKS, POWERS AND ORGANIZATIONAL STRUCTURE OF**  
**THE STATE BANK OF VIETNAM**

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

*Pursuant to the Law on the State Bank of Vietnam dated June 16, 2010;*

*Pursuant to the Government's Decree No. 123/2016/ND-CP dated September 1, 2016 regulating the functions, tasks, powers and organizational structure of ministries and ministerial-level agencies;*

*At the request of the Governor of the State Bank of Vietnam;*

*The Government promulgates a Decree regulating the functions, tasks, powers and organizational structure of the State Bank of Vietnam.*

**Article 1. Location and functionality**

The State Bank of Vietnam (hereafter referred to as the State Bank) is a ministerial-level agency of the Government and the Central Bank of the Socialist Republic of Vietnam; performing the functions of state management of currency, banking and foreign exchange activities; performing the functions of the Central Bank on issuing money and banks of credit institutions and providing monetary services to the Government; state management of public services under the management of the State Bank.

**Article 2. Tasks and powers**

The State Bank shall perform the tasks and powers specified in the Law on state bank of Vietnam, decree No. 123/2016/ND-CP dated September 01, 2016 of the Government regulating the functions, tasks, powers and organizational structure of ministries, ministerial-level agencies and tasks, specific powers:

1. To submit to the Government draft laws and draft resolutions of the National Assembly, ordinance projects and draft resolutions of the National Assembly Standing Committee; draft decrees of the Government according to the approved annual law-making programs and plans of the State Bank and projects and schemes as assigned by the Government and the Prime Minister; annual and long-term development strategies, plans and plans; national target programs, action programs and nationally important projects and works under the State Bank's management.

2. To submit to the Prime Minister a draft decision, directive and other documents in the field of State Bank management or assignment.

3. To promulgate circulars and other documents under the state management of the State Bank. Direct, guide, inspect and take responsibility for organizing the implementation of legal documents; development programs, projects and plans that have been issued or approved under the management of the State Bank.

4. To formulate annual inflation targets to submit to the Government; use the tools to implement national monetary policy, including: Refinance, interest rate, exchange rate, reserves required, open market operations, issuance of State Bank bills and other tools and measures to implement national monetary policy.

5. To organize statistics, statistical survey, collection and storage of information on the economy, finance, currency and banks in domestic and foreign countries under the competence of the State Bank in order to study and analyze and forecast monetary developments to formulate and operate national monetary policies; publicize information about currencies and banks in accordance with the law.

6. Granting, amending, supplementing and revoking licenses for establishment and operation of credit institutions, licenses for establishment of foreign bank branches, licenses for establishment of representative offices of foreign credit institutions or other foreign organizations with banking activities; granting and revoking licenses for providing payment intermediary services to non-bank organizations; granting and revoking licenses to provide credit information services to organizations; approve the purchase, sale, division, separation, consolidation, merger and dissolution of credit institutions in accordance with law.

7. Decisions on applying special measures to credit institutions that seriously violate the provisions of the law on currencies and banks, encounter financial difficulties, risk causing insecurity to the banking system, including: Buying shares of credit institutions; suspension, suspension or dismissal of managers and operators of credit institutions; decisions on merger, consolidation or dissolution of credit institutions; placing credit institutions under special control; performing its tasks and powers in accordance with the law on bankruptcy for credit institutions.

8. To approve the expected list of persons elected or appointed as members of the Board of Directors, member councils, members of the Supervisory Board, General Director (Director) of credit institutions; approve other changes in accordance with the Law on Credit Institutions.

9. To implement the State management of money laundering prevention and control in accordance with the law on prevention and combat of money laundering.

10. Bank inspection, inspection and supervision; inspection and inspection of foreign exchange activities, gold trading activities, anti-money laundering activities; credit control; handling violations of law in the field of currency, banking activities, foreign exchange and prevention and combat of money laundering as prescribed by law.

11. To implement the state management of deposit insurance in accordance with the law on deposit insurance.

12. To assume the charge of making, monitoring, forecasting and analyzing the results of international balance of payments; report on the implementation of Vietnam's international balance of payments in accordance with law; as a focal force to provide

Vietnam's international balance of payments data to domestic and foreign organizations as prescribed by law.

13. To organize, manage, operate and supervise ensuring the safety and efficiency of the national payment system and providing payment services to banks; supervise payment intermediary service provision; participate in organizing and supervising the operation of payment systems in the economy; Management of means of payment in the economy.

14. State management of foreign exchange, foreign exchange activities and gold trading activities:

a) Managing foreign exchange and foreign exchange activities in current transactions, capital transactions, using foreign exchange in the territory of Vietnam; trading activities, provision of foreign exchange services and other transactions related to foreign exchange; foreign exchange activities in border areas as prescribed by law;

b) Management of State foreign exchange reserves as prescribed by law; foreign exchange trading in the domestic market for national monetary policy objectives; buy and sell foreign exchange with the state budget, international organizations and other sources; buy and sell foreign exchange on the international market and conduct other foreign exchange transactions in accordance with law;

c) Announcing the exchange rate; decide on the exchange rate regime and the mechanism for managing the exchange rate;

d) Granting and revoking documents of business approval and provision of foreign exchange services to credit institutions, foreign bank branches and other organizations as prescribed by law;

dd) Managing foreign exchange for foreign investment in Vietnam and Vietnamese investment abroad in accordance with law;

e) Managing gold trading activities in accordance with law.

15. To manage the activities of borrowing and repaying foreign debts of residents who are the subjects to be able to borrow and pay foreign debts themselves in accordance with law; to guide the process of organizing, registering and registering changes in foreign loans guaranteed by the Government.

16. To manage foreign debt lending and recovery activities and guarantees to non-residents of credit institutions and economic organizations in accordance with law.

17. Representing the Socialist Republic of Vietnam, the Government of Vietnam at the International Monetary Fund (IMF), The World Bank Group (WB), Asian Development Bank (ADB), International Investment Bank (IIB), Bank for International Economic Cooperation (IBEC), Asian Infrastructure Investment Bank (AIIB) and monetary institutions, Other international banks.

To exercise Vietnam's rights and obligations at international monetary institutions and banks represented by the State Bank; propose to the Government and the Prime Minister policies and measures to develop and expand cooperation with these organizations.

18. To assume the prime time and coordinate with relevant agencies in preparing contents, negotiating and signing international treaties with international monetary and financial institutions of which the State Bank is the representative and official representative

of the borrower specified in the international treaty as assigned, authorized by the President or the Government.

19. To carry out international cooperation in the field of currency, banking and foreign exchange in accordance with law; participate in and implement Vietnam's obligations as a member of international organizations on anti-money laundering.

20. Stability of monetary and financial systems:

a) Synthesize, analyze and forecast the monetary and financial situation; propose measures to prevent systemic risks in the field of currency and finance;

b) Develop policies and measures to respond to crises, ensure the stability of the monetary, banking and financial systems.

21. Performing central bank operations:

a) Organize the design of samples of money, print, mint, preserve and transport banknotes and coins; to issue, recover, replace and destroy banknotes and coins;

b) To refinance for the purpose of providing short-term capital and means of payment to credit institutions;

c) Organizing, operating and developing the currency market; organization of management and operation of the local currency market, interbank foreign currency market.

22. To organize credit information systems and provide credit information services; performing the function of state management for credit information operation organizations; analysis of legal and institutional credit ratings in the territory of Vietnam.

23. To be an agent and perform banking services for the State Treasury.

24. To engage with the Ministry of Finance in the issuance of government bonds and bonds guaranteed by the Government.

25. Decisions on approval and organization of implementation of investment projects under their competence; appraise and inspect the implementation of investment projects in the banking sector in accordance with law.

26. To organize and direct scientific research, application of scientific and technological advances and environmental protection in the banking sector as prescribed by law.

27. To organize training and retraining in the currency and banking professions in accordance with law.

28. To decide on specific guidelines and measures and direct the implementation of the mechanism of operation of public service units in the field of currency, banking and foreign exchange; management of public non-business units under its jurisdiction as prescribed by law.

29. To represent the owners of state capital at credit institutions, financial institutions and state-owned enterprises as prescribed by law.

Use legal capital to contribute capital to establish specific enterprises to perform the functions and tasks of the State Bank as decided by the Prime Minister.

30. Performing tasks and powers for associations and non-governmental organizations under the state management of the State Bank as prescribed by law.

31. To inspect, inspect and settle complaints and denunciations; anti-corruption, negativity, bureaucracy, and door of rights; practice saving and combating waste in accordance with law.

32. To decide and direct the implementation of the Administrative Reform Program of the State Bank according to the objectives and contents of the Government's administrative reform program and the direction of the Prime Minister; to decide and direct the renovation of working methods, modernization of the workplace, civil service culture and application of information technology for the operation of the State Bank.

33. To manage and organize the conduct of communication activities in the banking sector related to the state management function of the State Bank.

34. Management of organizational apparatus, civil servant payroll, employment position, structure of officials according to professional titles and number of people working in public non-business units, number of employees; decisions on rotation, mobilization, appointment, reappointment, dismissal, resignation, dismissal, retirement, severance, reward and discipline; regimes and policies on remuneration, training and retraining of cadres, civil servants, civil servants and employees under their competence as prescribed by law.

35. To submit to the Prime Minister the recruitment mechanism and the regime of treating cadres and civil servants in accordance with the specific professional activities of the State Bank.

36. To manage the assigned finances and assets in accordance with law.

37. Perform other tasks and powers assigned by the Government and prime minister and in accordance with law.

### **Article 3. Organizational structure**

1. Department of Monetary Policy.

2. Department of Foreign Exchange Management.

3. Payment Department.

4. Credit Department of economic sectors.

5. Department of Forecasting and Statistics.

6. Department of International Cooperation.

7. Department of Monetary and Financial Stability.

8. Internal Audit Department.

9. Legal Department.

10. Department of Finance and Accounting.

11. Department of Organization of Cadres.

12. Department of Emulation - Commendation.

13. Department of Communications.
14. Office.
15. Information Technology Department.
16. Department of Issuance and Treasury.
17. Administration.
18. Exchange.
19. Banking Inspection and Supervision Agency.
20. Branches in provinces and centrally-affiliated cities.
21. Institute of Banking Strategy.
22. Vietnam National Credit Information Center.
23. Bank Times.
24. Banking Magazine.
25. School of Training of Bank Officials.
26. Banking Academy.

The units specified from Clause 1 to Clause 20 of this Article are administrative units that help the Governor of the State Bank to perform the functions of state management and the central bank function; the units specified from Clause 21 to Clause 26 of this Article are non-business units serving the state management functions of the State Bank.

The Department of Monetary Policy and the Department of International Cooperation have 7 rooms; Department of Foreign Exchange Management, Department of Finance and Accounting, Department of Forecasting, Statistics, Department of Credit of economic sectors has 6 rooms; The Department of Internal Audit, the Department of Organization of Cadres has 5 departments; The Department of Payment and The Legal Department has 4 rooms; The Department of Monetary And Financial Stability has 3 rooms.

The office has 5 rooms; The Department of Issuance and Treasury has 09 rooms and sub-departments in Ho Chi Minh City; The Department of Management has 7 rooms and sub-departments in Ho Chi Minh City; The Information Technology Department has 7 rooms and sub-departments in Ho Chi Minh City; The Exchange has 9 rooms.

Branches in provinces and centrally-affiliated cities: Hanoi city branch has 7 rooms; Ho Chi Minh City branch has 8 rooms; Provincial branches, Hai Phong city, Da Nang, Can Tho, Nghe An, Dak Lak have 5 rooms; The remaining 56 provincial branches have 4 rooms.

The Governor of the State Bank shall submit to the Prime Minister for promulgation a decision regulating the functions, tasks, powers and organizational structure of the Banking Inspection and Supervision Agency; submit to the Prime Minister for promulgation a list of other public non-business units belonging to the State Bank of Vietnam.

The Governor of the State Bank shall issue a decision regulating the functions, tasks, powers and organizational structure of units under the State Bank as prescribed by law, except for the Banking Inspection and Supervision Agency.

#### **Article 4. Enforcement effect**

1. This Decree takes effect from the date of signing.
2. This Decree replaces the Government's Decree No. 156/2013/ND-CP dated November 11, 2013 regulating the functions, tasks, powers and organizational structure of the State Bank of Vietnam.

#### **Article 5. Terms of transition**

The Banking Inspection and Supervision Agency shall continue to comply with the current legal provisions until the Prime Minister issues a decision regulating the functions, tasks, powers and organizational structure of the Banking Inspection and Supervision Agency.

#### **Article 6. Enforcement responsibilities**

The Governors of the State Bank, ministers, heads of ministerial-level agencies, heads of government-affiliated agencies, chairpersons of people's committees of provinces and centrally-run cities are responsible for implementing this Decree.

#### ***Place of receipt:***

- Party Central Committee;- Prime Minister, Deputy Prime Minister;- Ministries, ministerial-level agencies, government-affiliated agencies;- People's Council, People's Committees of provinces and centrally-affiliated cities;- Central Offices and Party Committees;- General Secretary's Office;- Office of the President;- Ethnic Council and Committees of the National Assembly;- Office of the National Assembly;- People's Court Supreme;- Supreme People's Procuracy;- State Audit;- National Financial Supervision Commission;- Bank for Social Policy;- Vietnam Development Bank;- Central Committee of Vietnam Fatherland Front;- Central agency of unions;- VPCP: BTCN, PCNs, TTg Assistants, Ceo of e-commerce portal, departments, departments, affiliated units, public announcements; - Save: VT, TCCV (3).