

**THE GOVERNMENT OF  
VIETNAM**

**THE SOCIALIST REPUBLIC OF VIETNAM**  
**Independence - Freedom - Happiness**

No. 45/2026/ND-CP

Hanoi, January 26, 2026

**DECREE**

**MANAGEMENT OF STATE INVESTMENT IN INFORMATION TECHNOLOGY  
APPLICATION ACTIVITIES**

*Pursuant to the Law on Government Organization No. 63/2025/QH15;*

*Pursuant to the Law on Information Technology No. 67/2006/QH11;*

*Pursuant to the Law on Bidding No. 22/2023/QH15;*

*Pursuant to the Law on Public Investment No. 58/2024/QH15;*

*Pursuant to the Law on State Budget No. 89/2025/QH15;*

*Pursuant to the Law on amendments to the Law on Bidding, Law on Public-Private Partnership Investment, Law on Customs, Law on Value-Added Tax, Law on Export and Import Duties, Law on Investment, Law on Public Investment, and Law on Management and Use of Public Property No. 90/2025/QH15;*

*Pursuant to the Law on Promulgation of Legislative Documents No. 64/2025/QH15, amended by Law No. 87/2025/QH15;*

*At the request of the Minister of Science and Technology of Vietnam;*

*The Government of Vietnam hereby promulgates the Decree on the management of state investment in information technology application activities.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope**

1. This Decree provides for the management of the following information technology application (IT application) activities:

a) IT application investment projects using state budget funds allocated for public investment;

b) IT application tasks using recurrent expenditures from the state budget.

2. For IT application investment projects funded by various sources, among which the state budget accounts for 30% or more, or constitutes the largest proportion of the project's total investment, this Decree shall apply.

3. For IT application activities prescribed in Clause 1 of this Article, carried out by overseas Vietnamese representative missions, implementation shall comply with the separate regulations of the Government of Vietnam, based on proposals and recommendations from the project-owning authority, consistent with the specific characteristics of the project and the laws of the host country.

4. For IT application activities falling within the list of state secrets, the competent investment decision-making authority (hereinafter referred to as "the investment decision maker") shall decide the application of this Decree and comply with the regulations on the protection of state secrets.

## **Article 2. Regulated entities**

1. This Decree applies to agencies, organizations, and individuals participating in or related to the management of state investment in IT application activities.

2. Agencies, organizations, and individuals implementing IT application activities using other funding sources are encouraged to apply this Decree.

## **Article 3. Interpretation of terms**

For the purpose of this Decree, the following terms shall be construed as follows:

1. Technical-economic report refers to the feasibility study report of an IT application investment project (hereinafter referred to as "the feasibility study report"), prepared in cases where the project is implemented under a one-step design approach.

2. IT services available on the market refer to services that can be provided immediately upon request without needing to be developed or customized to meet the specific requirements of an agency or organization.

3. IT services not available on the market refer to services that are designed, developed, and provided according to specific requirements to meet the particular needs of an agency or organization.

4. IT application investment projects and tasks using state budget funds refer to the use of all or part of state budget funds to invest in or procure IT products, or to lease IT services, to improve productivity, quality, efficiency, and promote digital transformation in activities in the fields of socio-economic development, foreign affairs, national defense, security, and other activities.

5. Investment in information systems, hardware, software, and databases refers to activities carried out directly or through contracting organizations or individuals to design and build (develop), upgrade, or expand systems to establish and form systems for creating, providing, transmitting, collecting, processing, storing, and exchanging information.
6. Author's supervision refers to activities of inspection, clarification, or handling of difficulties, changes, or arising issues to ensure the installation, setup, and calibration of supplies, IT equipment, and commercial software, or the building, development, upgrading, or expansion of internal-use software and databases in accordance with the detailed design, while ensuring copyright for the detailed design in accordance with regulations.
7. Completion dossier refers to the collection of records and documents generated during the process of IT application investment, which must be archived when the project products or work items are utilized and used, or after the completion of IT service leasing.
8. Overall model of an information system refers to the highest-level model of an information system. This model fully represents the architecture and layers/components of an information system, including users, business operations, applications, data, and IT infrastructure (including cybersecurity and network safety assurance), as well as their relationships with external systems that interact with, integrate with, connect to, or share information with that system.
9. Logical model of an information system refers to a model representing a more detailed level of the overall model. The logical model describes the processing flows between system components or between the system and other related systems to address the system's technical requirements and produce desired outcomes.
10. Physical model of an information system refers to a model representing a more detailed level of the logical model. This model presents the design of the information system based on the logical model and the selected design solution, including information on solutions, technical parameters, and equipment or tools used (if any), consistent with the applicable standards and technical regulations.
11. Software expansion refers to the modification of existing software to enhance its functionality to meet additional user or business requirements in the operational environment.
12. Software upgrading refers to the modification of existing software to improve its performance, safety, and security, optimize its capacity to process user requests, and minimize risks in the operational environment.
13. Internal-use software refers to software designed, built, developed, upgraded, or expanded according to specific requirements of an organization or user to meet their particular needs. The building, development, upgrading, or expansion of internal-use software is considered an activity of procuring IT equipment.

14. Commercial software refers to software that is readily available and can be provided immediately upon request without needing to be ordered for design, development, upgrading, or expansion.

15. Quality management refers to management activities during the implementation of surveys (if any); design; requirements for IT services quality; implementation; supervision of implementation; testing; trial operation; provision of IT services; supervision of IT service quality; and acceptance and handover to ensure quality requirements for products, services, and work items.

16. Cost management refers to the management of the preliminary total investment, total investment, and cost estimates of IT application investment projects, as well as procurement or IT service leasing cost estimates.

17. Fundamental design refers to documents that consist of explanatory descriptions and preliminary diagrams presenting the design of information systems, hardware, software, databases, and other matters necessary to demonstrate the design plan. A fundamental design may include one or more IT application investment items.

18. Detailed design refers to documents presented in explanatory descriptions, diagrams, design descriptions, and other technical requirements that must be satisfied.

19. IT equipment refers to hardware, software, databases, and other digital devices used to produce, transmit, collect, process, store, and exchange digital information.

20. "Software development or building" refers to the processing and production of software to meet the requirements of an organization/user or for commercial purposes on the market. Software development or building is carried out in a production environment, also known as a development environment.

21. Database building refers to activities that include one or more of the following tasks: building, upgrading, or expanding databases; creating databases; standardizing and converting data for data input and database creation; and data input.

#### **Article 4. Compliance with National Digital Architecture Framework and assurance of capacity for connection, interoperability, and data sharing**

1. The development, appraisal, and decision on IT application investment projects and tasks using state budget funds, and their implementation, must comply with the National Digital Architecture Framework or one of the following digital architecture frameworks: the Digital Architecture Framework of CPV agencies; the Digital Architecture Framework of the National Assembly of Vietnam; the Digital Architecture Framework of the Vietnamese Fatherland Front; the Vietnam Digital Government Architecture Framework; the ministerial-level digital architecture framework; the provincial-level digital architecture framework; or the digital architecture framework of other agencies or organizations (hereinafter referred to as

“architecture frameworks of ministries, central authorities, and local authorities”) currently in effect.

2. The development of national databases and databases of ministries, central authorities, and local authorities must ensure compliance with the principles for the development, protection, governance, processing, and use of data as prescribed by the Law on Data, and ensure the capacity for connection, interoperability, and data sharing in accordance with regulations.

#### **Article 5. Announcement of list of common software**

1. Common software refers to software meeting the following criteria:

a) It is required for investment, procurement, or leasing of IT services by multiple ministries, central authorities, or local authorities with similar requirements regarding functions and basic technical features;

b) Its list, basic functions, and technical features are developed and announced by the competent authority as prescribed in Clause 2 of this Article.

2. Ministries and central authorities shall develop and announce the list, basic functions, and technical features of sectoral or specialized common software.

The Ministry of Science and Technology of Vietnam shall develop and announce the list, basic functions, and technical features of the national common software.

3. The announcement of the list, basic functions, and technical features of common software shall be carried out on the web portals of the relevant ministries and central authorities, as well as on the web portal managed by the Ministry of Science and Technology of Vietnam. Such announcement shall be conducted annually before January 30 or on an ad hoc basis when there are changes, adjustments, or additions to the list of common software.

4. The investment, procurement, or leasing of IT services for common software (including the modification or addition of specific functions, features, or performance improvements) shall be implemented in accordance with the procedures for investment and procurement of commercial software or the leasing of available IT services on the market.

5. The Ministry of Science and Technology of Vietnam shall urge and inspect the announcement of sectoral or specialized common software.

#### **Article 6. Testing of products not available on market**

1. In cases where an IT product is not available on the market, and where necessary, an agency or organization shall consider reporting to the competent authority for a decision on conducting testing, the testing period, and the selection of organizations or individuals to research and propose solutions and technical or technological plans, and to develop and test the product. The organizations or individuals conducting research, proposing solutions and technical or

technological plans, and developing and testing the product shall bear all arising costs (if any). Upon completion of the testing period, or during the testing process, once the technical solution, technology, and cost have been determined, the agency or organization may proceed with the procedures for the investment, procurement, or leasing of IT services in accordance with this Decree.

2. The competent authority prescribed in Clause 1 of this Article is the head of a ministry or head of a central authority, the President of a provincial People’s Committee, or the head of a subordinate or affiliated agency or organization, as decentralized or authorized.

3. The testing process shall include at least the following steps:

a) Determining that the product is not available on the market, and reporting to the competent authority specified in Clause 2 of this Article to permit the selection of organizations or individuals to conduct the testing;

b) Selecting organizations or individuals to conduct the testing: the agency or organization assigned the testing task shall send direct invitations to organizations or individuals considered capable of conducting the testing, or publicly announce the demand for organizations or individuals to participate in the research, development, and testing on its web portal/website or that of its supervisory authority so that interested parties may submit proposals; based on the list of organizations or individuals proposing participation, the agency or organization shall consider selecting one or more organizations or individuals to participate in the product testing;

c) Researching and proposing solutions and technical or technological plans by the selected organizations or individuals;

d) Conducting the product testing;

dd) Reporting the testing results to the competent authority and concluding the testing process by the agency or organization assigned the testing task.

## **Chapter II**

### **MANAGEMENT OF IT APPLICATION INVESTMENT PROJECTS USING STATE BUDGET FUNDS FOR PUBLIC INVESTMENT**

#### **Section 1. GENERAL PROVISIONS**

##### **Article 7. Management of IT application investment projects**

1. IT application investment projects using state budget funds for public investment include:

a) Investment projects on information systems, hardware, software, and databases as prescribed in Clause 5 Article 3 of this Decree (hereinafter referred to as “system investment projects”);

b) Projects for procuring backup or replacement hardware equipment and commercial software of existing information systems; procuring commercial software; procuring standalone hardware equipment; procuring hardware equipment, software, and databases not falling under the activities prescribed in Clause 5 Article 3 of this Decree (hereinafter referred to as “procurement projects”);

c) IT service leasing projects.

2. IT application investment projects using state budget funds for public investment shall be implemented in accordance with the Law on Public Investment and this Decree.

The procedures for investment decision-making for urgent IT application investment projects shall comply with Article 45 of the Law on Public Investment, as well as its amending, supplementing, and elaborating documents; the procedures for investment decision-making for special IT application investment projects shall comply with Clause 21 Article 7 of Law No. 90/2025/QH15, as well as its amending, supplementing, and elaborating documents.

3. Project classification, project owners, and cases of project adjustment shall be determined in accordance with the Law on Public Investment, as well as its amending and supplementing documents.

4. Where an IT application investment project includes investment items related to telecommunications works, construction works, or other fields, the cost management and quality management of such items shall comply with the telecommunications law, construction law, and other specialized laws (if any).

Where a project in another field includes an IT application item, the cost management and quality management of such an IT application item shall comply with this Decree.

5. Where a project consists of multiple component projects or subprojects, and each component project or subproject can be independently operated, utilized, or implemented according to the phased investment schedule specified in the investment guidelines, each such component project or subproject may be implemented from the investment preparation stage (except for the step of preparing, appraising, and deciding the investment guidelines) as an independent IT application investment project.

A component project or subproject shall follow the procedures for preparation, appraisal, and decision on project investment applicable to the project group to which it belongs.

6. The allocation of funds for project implementation shall comply with the Law on Public Investment, as well as its amending, supplementing, and elaborating documents. The selection of contractors, contract negotiation, contract conclusion, and contract implementation shall comply with the Law on Bidding, as well as its amending, supplementing, and elaborating documents.

The package for preparing the detailed design and carrying out implementation activities for internal-use software, as prescribed in Article 20 of this Decree, shall be implemented as an engineering and procurement (EP) package in accordance with the law on bidding.

The bidding document template for packages involving the building, development, upgrading, or expansion of internal-use software shall apply the bidding document template for procurement of goods under the law on bidding.

7. Payment and settlement of IT application investment projects shall be carried out in accordance with regulations. The project owner shall take legal liability for the accuracy and legality of the unit prices, quantities, and values proposed for payment in the payment dossier.

8. The handling of assets formed from the project and assets serving project activities shall comply with the law on management and use of public assets and other specialized laws.

### **Article 8. Investment procedures for projects**

1. The investment procedure for an IT application investment project includes the following stages:

- a) Investment preparation;
- b) Investment implementation;
- c) Investment completion.

2. Activities in the investment implementation stage and the investment completion stage can be carried out sequentially or concurrently, depending on the specific conditions of each project, as determined by the investment decision maker.

3. In the investment preparation stage, the main activities include:

- a) Preparing, appraising, and deciding the investment guidelines;
- b) Preparing, appraising, and deciding the project investment.

4. In the investment implementation stage, the main activities include:

- a) For system investment projects: preparing, appraising, and approving the detailed design dossier, and preparing the detailed design in cases of two-step design; organizing contractor selection and implementing contracts; project management; implementation activities; supervision of implementation activities; testing; trial operation; user training and guidance; acceptance and handover; and preparation of the completion dossier;
- b) For procurement projects: organizing contractor selection and implementing contracts; project management; implementation activities; supervision of implementation activities (if any); trial

operation; user training and guidance (if any); acceptance and handover; and preparation of the completion dossier;

c) For IT service leasing projects: organizing contractor selection and implementing contracts; project management; trial operation; user training and guidance; acceptance and provision of IT services; supervision of IT service quality; acceptance and handover; and preparation of the completion dossier.

5. In the investment completion stage, the main activities include:

a) Warranty for project products (for system investment projects and procurement projects);

b) Settlement of investment capital and approval of the settlement.

### **Article 9. Project design**

1. Project design applies to system investment projects. The design may be carried out in one step or two steps. The one-step design consists of detailed design. The two-step design consists of fundamental design and detailed design.

2. One-step design applies to the following projects:

a) Projects with a total investment not exceeding VND 20 billion;

b) Projects not falling under Point a of this Clause where the project owner considers that the one-step design is feasible and reports to the investment decision maker for approval.

3. The two-step design applies to projects not specified in Clause 2 of this Article.

4. In cases of using the two-step design:

a) The detailed design must be consistent with the approved fundamental design in terms of the overall model, logical model, and physical model of the information system or its components (if any);

b) For projects involving the building, development, upgrading, or expansion of internal-use software, or projects containing such investment items (hereinafter referred to as “system investment projects with internal-use software items”), after the investment decision maker issues the investment decision, the project owner shall either perform by itself or hire a contractor to conduct additional surveys (if necessary), prepare the detailed design, and carry out implementation activities.

5. Organizations or individuals responsible for the detailed design must carry out the author’s supervision throughout the implementation process, as well as acceptance of project products or work items when requested by the project owner.

## **Section 2. INVESTMENT PREPARATION**

### **Article 10. Preparation, appraisal, and decision on investment guidelines**

1. The preparation, appraisal, and decision on the investment guidelines shall comply with Section 1 Chapter II of the Law on Public Investment, as well as its amending, supplementing, and elaborating documents. The preliminary total investment or estimated total investment shall be determined in accordance with Clause 2 of this Article.

The unit assigned to prepare the pre-feasibility study report or the project investment guideline proposal report may either carry out the preparation itself or hire organizations or individuals to prepare such a report.

2. The preliminary total investment or estimated total investment (collectively referred to as “the preliminary total investment”) refers to the estimated costs for investment or procurement (for system investment projects and procurement projects) or the estimated costs for IT service leasing (for IT service leasing projects) of the project, determined in accordance with the contents of the pre-feasibility study report for Group A projects or the project investment guideline proposal report for Group B and Group C projects.

The determination of the preliminary total investment in the pre-feasibility study report or the project investment guideline proposal report shall be carried out using the comparison method, the expert method, price quotations, a combination of these methods, or based on approved strategies, planning, programs, plans, or schemes.

### **Article 11. Preparation, appraisal, and decision on project investment**

The preparation, appraisal, and decision on project investment shall comply with the Law on Public Investment and this Decree:

1. The authority to decide project investment shall comply with Articles 38 and 89 of the Law on Public Investment, as well as its amending, supplementing, and elaborating documents.

2. The grounds for preparing, appraising, and deciding project investment shall comply with Article 39 of the Law on Public Investment, as well as its amending, supplementing, and elaborating documents.

3. The procedures for preparing, appraising, and deciding project investment shall comply with Article 43 of the Law on Public Investment, as well as its amending and supplementing documents.

The project owner or the agency/organization assigned the investment preparation task may either carry out the implementation by itself, or hire organizations or individuals to conduct surveys (if required) and prepare the feasibility study report or the technical-economic report.

4. The procedures for preparing, appraising, and approving the cost estimate for the investment preparation task shall comply with Article 44 of the Law on Public Investment, as well as its amending, supplementing, and elaborating documents.

5. The design steps shall comply with Article 9 of this Decree.

6. The contents of the feasibility study report and the technical-economic report shall comply with Article 12 of this Decree.

7. The project decision dossier, as well as the contents and duration of the project appraisal and decision-making, shall comply with Article 17 of this Decree.

### **Article 12. Contents of feasibility study report and technical-economic report**

1. The contents of the feasibility study report and the technical-economic report for a system investment project shall comply with Clause 2 Article 47 of the Law on Public Investment, in which the following must be clearly explained: the fundamental design (for projects applying two-step design) in accordance with Article 13 of this Decree, or the detailed design (for projects applying one-step design) in accordance with Article 14 of this Decree.

2. The contents of the feasibility study report for a procurement project shall comply with Clause 2 Article 47 of the Law on Public Investment, in which the following must be clearly explained:

a) Assessment of compliance with the National Digital Architecture Framework in accordance with Article 4 of this Decree;

b) Quantity statistics and the list of hardware equipment and commercial software, and the technical requirements for such equipment and software; the list of applicable technical regulations and standards (if any);

c) The scope of training on the use, administration, and operation (if any), and other related activities.

3. The contents of the feasibility study report for an IT service leasing project shall comply with Clause 2 Article 47 of the Law on Public Investment, in which the following must be clearly explained:

a) Assessment of compliance with the National Digital Architecture Framework in accordance with Article 4 of this Decree;

b) Determination of IT service quality requirements; requirements and conditions for connection, interoperability, and data sharing with relevant information systems, hardware, software, and databases;

c) Determination and clarification of the ownership of information and data generated during the provision of IT services, and the plan for their management and transfer to the lessee.

4. The total investment shall be determined in accordance with Article 16 of this Decree.

### **Article 13. Fundamental design**

#### 1. Requirements for the fundamental design

- a) It must comply with the National Digital Architecture Framework in accordance with Article 4 of this Decree;
- b) It must comply with applicable technical regulations and standards, and must ensure compliance with regulations on data management, connection, and sharing within state agencies;
- c) It must present the principal parameters, functions, and main features;
- d) It must ensure that the total investment can be determined.

#### 2. Main contents of the fundamental design

##### a) Explanatory section:

Description of the project requirements; list of applicable technical regulations and standards; and analysis of compliance with the National Digital Architecture Framework in accordance with Article 4 of this Decree;

Analysis and selection of technological solutions, technical solutions, and equipment solutions, including analysis and selection of solutions ensuring connection, interoperability, and data sharing with relevant information systems, hardware, software, and databases; requirements for IPv6 readiness, or system upgrade solutions ensuring IPv6 readiness where activities are related to the Internet environment; analysis and selection of technological solutions, technical solutions, and equipment solutions ensuring cybersecurity and network safety;

Explanatory description of the overall model, logical model, and physical model of the information system or its components (if any), identifying the investment items of the project according to the selected solution and ensuring the representation of internal and external connections, transmission lines (if any) of the system, together with sizing calculations for technical parameters and the quantity of hardware equipment and commercial software;

b) Preliminary diagram section: Documents describing the current technical infrastructure and other conditions; preliminary installation diagrams (for the installation of networks, IT equipment, and accessories); preliminary diagrams showing connection and interoperability with relevant information systems, hardware, software, and databases;

c) For the installation of networks, hardware equipment, and accessories, as well as commercial software installation and adjustment of supplies and equipment: Applicable technical specifications for installation, setup, inspection, and calibration of equipment and software; list of hardware equipment and commercial software and their technical parameters; quantity

statistics of installation work, setup activities, equipment, and software for both main and auxiliary investment items;

d) For internal-use software: Description of the technical requirements that the internal-use software must satisfy in accordance with Article 15 of this Decree;

dd) Preliminary quantities of training and drills on the use, administration, and operation, and other related activities;

e) Description of the requirements for ensuring cybersecurity and network safety of the project.

#### **Article 14. Detailed design**

##### 1. Requirements for the detailed design

a) It must comply with the National Digital Architecture Framework in accordance with Article 4 of this Decree;

b) It must comply with applicable technical regulations and standards, and must ensure compliance with regulations on data management, connection, and sharing within state agencies;

c) It must present detailed technical parameters, functions, and features;

d) It must ensure that the total investment can be determined.

##### 2. Main contents of the detailed design

a) Explanatory section:

Description of the project requirements; list of applicable technical regulations and standards; and analysis of compliance with the National Digital Architecture Framework in accordance with Article 4 of this Decree;

Analysis and selection of technological solutions, technical solutions, and equipment solutions, including analysis and selection of solutions ensuring connection, interoperability, and data sharing with relevant information systems, hardware, software, and databases; requirements for IPv6 readiness, or system upgrade solutions ensuring IPv6 readiness where activities are related to the Internet environment; analysis and selection of technological solutions, technical solutions, and equipment solutions ensuring cybersecurity and network safety;

Explanatory description of the overall model, logical model, and physical model of the information system or its components (if any), identifying the investment items of the project according to the selected solution and ensuring the representation of internal and external connections, transmission lines (if any) of the system, together with sizing calculations for technical parameters and the quantity of hardware equipment and commercial software;

b) For the installation of networks, hardware equipment, and accessories, as well as commercial software installation and adjustment of supplies and equipment: Applicable technical specifications for installation, setup, inspection, and calibration of equipment and software; list of hardware equipment and commercial software and their technical parameters; quantity statistics of installation work, setup activities, equipment, and software for both main and auxiliary investment items; implementation instructions (in cases of complex implementation); measures for operational safety and fire and explosion prevention and control (if any);

c) Diagram section: Documents describing the current technical infrastructure and other conditions; existing layout diagrams; diagrams and detailed explanations of network design solutions, transmission lines, technical infrastructure, cybersecurity and network safety, power supply, lightning protection, cooling systems, and transmission bandwidth calculations; diagrams and explanations of IP network address planning; equipment installation diagrams, indicating location, installation distance, and installation elevation (if any), as well as connection points; ;lists of materials and supplies used for installation and equipment setup; network installation diagrams, including cabling, installation of protective cable trays, lightning surge protection, supplies/materials used in network installation, interconnection between network subsystems, and connections to external systems with principal dimensions and materials; for line-based network installations (if any): presentation of route alignment solutions, route direction changes, installation elevations and coordinates, major intersections along the route, and route protection corridors with principal dimensions and materials;

d) For internal-use software: Description of the technical requirements that the internal-use software must satisfy in accordance with Article 15 of this Decree; analysis and description of software functions; requirements regarding fault tolerance for programming syntax errors, logical errors in data processing, and errors in input data validation; requirements regarding the technical and aesthetic quality of program interfaces; other non-functional requirements;

dd) Detailed requirements for training and drills on the use, administration, and operation; implementation, support, administration, and operation of project products or work items before acceptance and handover (if any); and requirements and conditions (if any) for warranty, operation, and maintenance;

e) The cybersecurity and network safety assurance plan of the project.

## **Article 15. Description of technical requirements for internal-use software**

1. Main parameters:

a) Business processes, including process organization and operation, products of the business process, and processing transactions within the business process;

b) Entities participating in the business process and their relationships (including human resources, supporting resources, equipment used in business processing, and other supporting elements);

c) List of user requirements.

2. Non-functional requirements:

a) Requirements applicable to the database;

b) Requirements for cybersecurity and network safety;

c) Requirements regarding processing time and processing complexity of the software;

d) Requirements for installation, infrastructure, transmission lines, and operational safety in operation, utilization, and use;

dd) System constraints, including environmental constraints and dependencies on platform systems;

e) Requirements for IPv6 readiness, or upgrade solutions ensuring IPv6 readiness where the system operates in the Internet environment;

g) Requirements regarding the capacity and qualifications of personnel participating in the design, development, upgrading, or expansion of software;

h) Other non-functional requirements.

### **Article 16. Total investment**

1. Total investment refers to the entire investment cost of a project, determined in accordance with the contents of the feasibility study report or the technical-economic report of the project. It serves as the ground for the project owner to prepare the project funding plan and manage the project's capital.

2. The total investment of a system investment project and a procurement project, as prescribed in Clauses 1 and 2 Article 12 of this Decree, includes the following costs:

a) Equipment costs:

Costs for procuring IT equipment, including equipment requiring installation and setup, equipment not requiring installation and setup, auxiliary equipment, peripheral devices, commercial software, and accompanying support services (as required by the manufacturer), internal-use software, and other equipment; costs for transportation and insurance of equipment; and related taxes and fees;

Costs for database development, data standardization, and data conversion for data input and database creation, as well as data input for databases;

Costs for equipment installation, software installation, and inspection and calibration of equipment and software;

Costs for procurement and installation of IT networks, network accessories, and other costs serving network installation;

Costs for training and drills on the use, as well as training and drills for system administrators and operators (if any);

Costs for implementation, support, administration, and operation of project products or work items before acceptance and handover of the entire project deliverables (if any).

b) Project management costs: Costs for organizing and performing project management from the investment preparation stage until project completion, acceptance, handover, commissioning of project products for operation and use, project settlement, and costs for investment supervision and assessment.

c) Investment consultancy costs, including costs for: Surveys (if surveys are conducted); Preparation of the pre-feasibility study report, investment guideline proposal report, feasibility study report, and technical-economic report; investigations and studies serving the preparation of the pre-feasibility study report, investment guideline proposal report, feasibility study report, and technical-economic report, and the selection of solutions; verification of the pre-feasibility study report, investment guideline proposal report, feasibility study report, and technical-economic report; preparation and adjustment of the detailed design and detailed design dossier; verification of the detailed design and detailed design dossier; preparation and appraisal of contents in the contractor selection process; quality inspection of materials and equipment; product quality assessment; investment capital conversion; supervision of implementation activities; other consultancy services;

d) Other costs: Fees and charges; insurance (excluding equipment insurance specified in Point a of this Clause); testing; trial operation; audit; verification and approval of the settlement of investment capital; installation and leasing of transmission lines; costs for IT service leasing to support activities during project implementation; valuation costs and other related costs;

dd) Contingency costs: Price escalation contingency during the project implementation period; contingency for additional quantities; contingency for provisional items (if any).

Where the project is implemented across multiple locations or overseas, the costs specified in Points a, b, c, and d of this Clause shall include additional costs for transportation of equipment and workforce.

3. The total investment of an IT service leasing project, as prescribed in Clause 3 Article 12 of this Decree, includes the following costs:

a) IT service leasing costs;

b) Project management costs: Costs for organizing project management from the preparation stage until completion of the IT service leasing period, and costs for investment supervision and assessment of the leasing project.

c) Consultancy costs, including costs for: Surveys (if conducted); preparation of the pre-feasibility study report; preparation of the investment guideline proposal report; preparation of the feasibility study report; verification of the pre-feasibility study report, investment guideline proposal report, and feasibility study report; preparation and appraisal of contents during the contractor selection process; supervision of IT service quality; other consultancy services;

d) Other costs: Fees and charges; insurance; audit; verification and approval of the settlement of investment capital; valuation; trial operation; other related costs;

dd) Contingency costs: Price escalation contingency during the project implementation period; contingency for additional quantities; contingency for provisional items (if any).

4. The costs included in the total investment specified in Points a and d Clause 2 and Points a and d Clause 3 of this Article (except audit costs and costs for verification and approval of investment capital settlement) shall be determined based on one of the following methods:

a) Quotations from providers or manufacturers. The project owner or the agency/organization assigned the investment preparation task shall collect quotations, ensuring publicity and transparency. Providers or manufacturers providing quotations shall ensure that the information on the price of equipment, goods, and services corresponds to their provision capacity, and that the provision of quotations does not violate the law on competition, dumping, or price inflation;

b) Results of contractor selection for similar equipment, goods, or services;

c) Valuation results from organizations providing valuation services or valuation councils in accordance with the law (if any);

d) Listed prices of manufacturers, importers, agents, distributors, providers, or enterprises;

dd) A combination of the methods specified in Points a, b, c, and d of this Clause.

5. The costs included in the total investment specified in Points b and c Clause 2 and Points b and c Clause 3 of this Article shall be determined based on one of the following methods:

a) Quotations from providers. The project owner or the agency/organization assigned the investment preparation task shall collect quotations, ensuring publicity and transparency. Providers providing quotations shall ensure that the information on the price of the services corresponds to their provision capacity, and that the provision of quotations does not violate the law on competition, dumping, or price inflation;

b) Results of contractor selection for similar services;

- c) Preparation of estimates following the consultancy experts;
- d) Valuation results from organizations providing valuation services or valuation councils in accordance with the law (if any);

dd) A combination of the methods specified in Points a, b, c, and d of this Clause.

6. Where the costs specified in Clauses 2 and 3 of this Article are implemented directly by the project owner or by a competent state authority, they shall be determined in accordance with the calculation methods and expenditure levels prescribed by competent authorities.

7. The contingency cost for additional work quantities shall be calculated based on the total of the costs specified in Points a, b, c, and d Clause 2 of this Article (for system investment projects and procurement projects) or Points a, b, c, and d Clause 3 of this Article (for IT service leasing projects). The price escalation contingency shall be calculated based on the project implementation period, taking into account potential domestic and international price fluctuations.

#### **Article 17. Dossier for project decision; contents and period/time limits for project appraisal and decision**

1. The project owner or the agency/organization assigned the task of investment preparation shall hire organizations or individuals with sufficient capacity and experience to verify the feasibility study report or the technical-economic report. The verification contents may cover part or all of the project appraisal contents. For projects of national significance, the verification of the feasibility study report shall comply with the law on projects of national significance.

#### 2. Organization of project appraisal

a) The Appraisal Council or the specialized authority conducting project appraisal, as prescribed in Point c Clause 2 Article 43 of the Law on Public Investment (hereinafter referred to as the “project appraisal focal unit”), shall inspect the completeness and validity of the appraisal dossier. The appraisal dossier shall be submitted in electronic form, except for dossiers and documents containing state secrets in accordance with the law on protection of state secrets.

After receiving a complete and valid dossier, within 2 working days, the project appraisal focal unit shall solicit opinions from the competent unit specified in Clause 3 of this Article on the appraisal of the fundamental design (for two-step design projects) or the detailed design (for one-step design projects) in accordance with Point d Clause 4 of this Article for system investment projects; the appraisal of conformity of the contents specified in Point dd Clause 4 of this Article for procurement projects; the appraisal of conformity of the contents specified in Point e Clause 4 of this Article for IT service leasing projects; and opinions from relevant agencies, organizations, and individuals.

b) The project appraisal focal unit shall appraise the contents specified in Points a, b, c, and g Clause 4 of this Article, consolidate the design appraisal results and the opinions of relevant agencies, organizations, and individuals (if any), and prepare the project appraisal report.

3. Authority to appraise the fundamental design (for two-step design projects), the detailed design (for one-step design projects), and the contents specified in Points dd and e Clause 4 of this Article (hereinafter referred to as “design appraisal authority”)

a) Projects under the investment decision authority of ministries or central authorities: The head of the ministry or central authority shall establish a Design Appraisal Council or assign the specialized IT unit of the ministry or central agency to conduct the appraisal.

Where a Design Appraisal Council is established, the head of the ministry or central authority shall decide whether the Project Appraisal Council will also perform the design appraisal responsibility, or a separate Design Appraisal Council will be established.

b) Projects under the investment decision authority of local authorities: The President of the provincial People’s Committee shall establish a Design Appraisal Council or assign the specialized IT unit of the provincial People’s Committee to conduct the appraisal.

For projects under the investment decision authority of the President of the provincial People’s Committee, where a Design Appraisal Council is established, the President of the provincial People’s Committee shall decide whether the Project Appraisal Council will also perform the design appraisal responsibility, or a separate Design Appraisal Council will be established.

c) Where the design appraisal unit is simultaneously the project owner or the agency/organization assigned the task of investment preparation, the head of the ministry or central authority, or the President of the provincial People’s Committee shall establish an Appraisal Council to conduct the appraisal or assign another specialized unit to conduct the design appraisal.

4. Contents of project appraisal:

a) Compliance with regulations on the project appraisal dossier as prescribed in Clause 1 Article 48 of the Law on Public Investment;

b) Consistency of the project with the approved investment guidelines of the project;

c) Consistency of the contents of the feasibility study report or the technical-economic report as prescribed in Clause 2 Article 47 of the Law on Public Investment and Article 12 of this Decree, excluding the contents specified in Points d, dd, and e of this Clause;

d) For system investment projects, consistency of the fundamental design (for two-step design projects) or the detailed design (for one-step design projects), including: Compliance of the design components and specifications with legal requirements, including design explanations, design diagrams, survey documents (if any), and other dossiers as prescribed by relevant laws;

compliance with the National Digital Architecture Framework; appropriateness of the selected technological solutions, technical solutions, and equipment solutions; consistency of the design with the selected solutions; suitability of the design in ensuring connection, interoperability, and data sharing with relevant information systems, hardware, software, and databases; compliance of the design with applicable standards, technical regulations, and requirements for technical functions and features; appropriateness of operational safety measures and fire and explosion prevention and control measures (if any, applicable to one-step design projects); consistency of other contents of the design;

dd) For procurement projects: Appropriateness of the quantity and list of hardware equipment, commercial software, and their technical requirements; compliance with applicable standards and technical regulations; compliance with the National Digital Architecture Framework;

e) For IT service leasing projects: Appropriateness of IT service quality requirements; suitability in ensuring connection, interoperability, and data sharing with relevant information systems, hardware, software, and databases; compliance with the National Digital Architecture Framework;

g) Compliance with the law on determination of total investment; consistency of cost items in the total investment with the project contents and requirements; consistency between the total investment of the project and the capital balance in the medium-term and annual public investment plans; structure of investment capital sources, capacity to balance public investment capital, and the mobilization of other funding sources and resources for project implementation.

5. The project appraisal period, including the appraisal period of the Appraisal Council or the competent unit specified in Clause 3 of this Article, the period for soliciting opinions from relevant agencies, organizations, or individuals (if any), from the date the project appraisal focal unit receives a complete and valid dossier, shall not exceed 30 working days for Group A projects; 20 working days for Group B and Group C projects.

The appraisal period of the contents specified in Points d, dd, and e Clause 4 of this Article by the Appraisal Council or the competent unit specified in Clause 3 of this Article shall not exceed 15 working days for Group A projects; 10 working days for Group B and Group C projects.

6. Dossier submitted to the investment decision maker for project investment decision:

a) Statement requesting the investment decision maker to make the project investment decision, together with the feasibility study report or technical-economic report completed in accordance with the appraisal opinions;

b) The decision on the investment guidelines of the project;

c) The project appraisal report;

d) Other relevant documents (if any).

## 7. Contents and time limits for project investment decision

a) The decision on investment in an IT application project shall include the following principal contents: Project name; project owner; consulting organization preparing the feasibility study report or technical-economic report (if any); project objectives, investment scale, or IT service leasing scope; project implementation period; project location; total investment; funding sources and the expected allocation of funds according to project schedule; the project management form to be applied;

b) The time limit for issuing the project investment decision, from the date the competent authority receives a complete and valid dossier, shall not exceed 5 working days for Group A projects; 3 working days for Group B and Group C projects.

8. The project owner may organize the adjustment, appraisal, and approval of adjustments to the fundamental design (for two-step design projects) or the detailed design (for one-step design projects) of system investment projects; the technical requirements of equipment and software of procurement projects; the IT service quality requirements of IT service leasing projects, provided that such adjustments do not change the objectives or scale of the project and do not exceed the approved total investment. The project owner shall only appraise and approve the adjusted contents, and shall not be required to appraise or approve contents that remain unchanged. The project owner shall comply with the applicable design requirements when making such adjustments, assume full responsibility for the adjusted contents, and submit the adjusted design, technical requirements of equipment and software, or IT service quality requirements to the investment decision maker for supervision purposes.

Depending on the specific conditions of the project, the project owner may hire organizations or individuals with sufficient capacity and experience to carry out the adjustments to the fundamental design (for two-step design projects) or the detailed design (for one-step design projects) of system investment projects; the technical requirements of equipment and software of procurement projects; the IT service quality requirements of IT service leasing projects in accordance with this Clause. The procedures for adjustment shall be decided and organized for implementation by the project owner.

## **Section 3. PROJECT INVESTMENT IMPLEMENTATION**

### **Article 18. Preparation, appraisal, approval, and adjustment of detailed design and detailed design dossier of system investment projects**

For two-step design projects as prescribed in Clause 3 Article 9 of this Decree, after the competent authority issues the decision on project investment, the preparation of the detailed design and detailed design dossier shall be carried out as follows:

1. For system investment projects without internal-use software items, the project owner shall organize the preparation, appraisal, approval, and adjustment of the detailed design dossier of the project (including the detailed design and cost estimate) in accordance with Article 19 of this Decree.

2. For system investment projects with internal-use software items, the preparation, appraisal, approval, and adjustment of the detailed design shall comply with Article 20 of this Decree.

**Article 19. Preparation, appraisal, approval, and adjustment of detailed design dossier for system investment projects without internal-use software items**

1. The project owner shall carry out, or hire organizations or individuals to carry out, additional surveys (if necessary) and prepare the detailed design dossier in accordance with this Article.

2. Documents serving as the grounds for the detailed design

a) The decision on project investment and the approved feasibility study report;

b) The list of applicable IT-related technical regulations and standards;

c) The National Digital Architecture Framework as prescribed in Article 4 of this Decree;

d) Survey results (if any) or additional survey results (if any) and other requirements (if necessary).

3. Requirements for the detailed design

a) It must comply with the National Digital Architecture Framework in accordance with Article 4 of this Decree;

b) It must comply with applicable technical regulations and standards, and must ensure compliance with regulations on data management, connection, and sharing within state agencies;

c) It must be consistent with the approved fundamental design in terms of the overall model, logical model, and physical model of the information system or its components (if any);

d) It must present detailed technical parameters, functions, and features;

dd) It must ensure that the cost estimate can be determined.

4. The principal contents of the detailed design shall comply with Points a, b, c, dd, and e Clause 2 Article 14 of this Decree.

5. The cost estimate is a component of the detailed design dossier, covering all project implementation costs determined at the investment implementation stage for each specific project, consistent with the feasibility study report, the detailed design, and other required work items.

a) The cost estimate shall include the following cost items: Equipment costs; project management costs; investment consultancy costs; other costs; contingency costs;

b) The cost estimate shall be determined based on the calculation of the cost items specified in Point a of this Clause at the time the estimate is prepared, using the methods prescribed in Clauses 4, 5, 6, and 7 Article 16 of this Decree.

6. The project owner shall organize the appraisal and may hire organizations or individuals to carry out the verification of the detailed design and cost estimate as grounds for appraisal. The verification contents may cover part or all of the appraisal contents of the detailed design and cost estimate. The appraisal contents of the detailed design and cost estimate shall include:

a) Compliance of the components and specifications of the detailed design with legal requirements, including the principal contents of the detailed design and other dossiers as required by relevant laws;

b) Compliance with the National Digital Architecture Framework;

c) Consistency with the fundamental design in the approved feasibility study report and with relevant laws;

d) Appropriateness of the equipment solutions;

dd) Suitability of the design solutions in ensuring connection, interoperability, and data sharing with relevant information systems, hardware, software, and databases;

e) Compliance with the applicable standards and technical regulations;

g) Appropriateness of operational safety measures and fire and explosion prevention and control measures (if any);

h) Consistency between the detailed design-related volume and the cost estimate-related quantities;

i) Appropriateness in the application of calculation methods, relevant policies, regulations, and cost items in the cost estimate in accordance with regulations;

k) Consistency of other contents of the detailed design and cost estimate.

7. The project owner shall approve the detailed design and the cost estimate. The approval of the detailed design and cost estimate shall be carried out simultaneously, and the detailed design shall not be approved separately from the cost estimate. The approved detailed design shall serve as one of the grounds for organizing and supervising the project's implementation, trial operation, acceptance, and handover of products or work items.

8. Adjustment of approved detailed design and cost estimate

a) The detailed design shall be adjusted in the following cases:

When the project is adjusted in accordance with regulations; when the fundamental design is adjusted, leading to the need to adjust the detailed design; or when, during project implementation, unreasonable factors are discovered that, if the design is not adjusted, will affect the investment quality, project implementation schedule, implementation measures, or investment efficiency of the project.

b) The cost estimate shall be adjusted where the project is adjusted in accordance with regulations and the detailed design is adjusted in accordance with Point a of this Clause.

Where the cost structure in the cost estimate changes (including contingency costs), but does not exceed the approved total investment, and the case falls within the circumstances where the project owner is authorized to adjust the detailed design, the project owner shall organize the adjustment of the cost estimate for project investment items.

c) Depending on the specific conditions of the project, the project owner may hire organizations or individuals with sufficient capacity and experience to carry out the adjustment of the detailed design and cost estimate in accordance with this Clause.

d) The adjusted detailed design and cost estimate must be appraised and approved by the project owner. Contents that are not adjusted shall not be subject to appraisal or approval. Where the adjustment of the detailed design and cost estimate leads to the need to adjust the project, the project owner shall organize the project adjustment in accordance with regulations as the grounds for adjusting the detailed design and cost estimate, and assume full responsibility for the adjustment of the detailed design and cost estimate leading to the adjustment of the project.

## **Article 20. Preparation and adjustment of detailed design for system investment projects with internal-use software items**

1. Organizations or individuals shall conduct additional surveys (if necessary), prepare the detailed design, and carry out the implementation (hereinafter referred to as the “implementation contractor”) in accordance with this Article and Article 22 of this Decree. The implementation contractor may, based on an agreement with the project owner, prepare the detailed design and carry out the implementation for the entire project or for each project item.

2. Documents serving as the grounds for the detailed design

a) The decision approving the project and the approved feasibility study report;

b) The list of applicable IT-related technical regulations and standards;

c) The National Digital Architecture Framework as prescribed in Article 4 of this Decree;

d) Survey results (if any) and other requirements (if necessary).

3. The requirements for the detailed design shall comply with Points a, b, c, and d Clause 3 Article 19 of this Decree.

4. The principal contents of the detailed design shall comply with Clause 2 Article 14 of this Decree.

5. The project owner shall organize the appraisal and may hire organizations or individuals to conduct the verification of the detailed design as grounds for appraisal. The verification contents may cover part or all of the appraisal contents of the detailed design. The appraisal contents shall include the contents prescribed in Points a, b, c, d, dd, e, and g Clause 6 Article 19 of this Decree, and the consistency of other contents in the detailed design.

6. The project owner shall approve the detailed design. The approved detailed design shall serve as one of the grounds for organizing and supervising the project's implementation, testing, trial operation, acceptance, and handover of products or work items.

7. Adjustment of the approved detailed design

a) The detailed design shall be adjusted in the following cases:

When the project is adjusted in accordance with regulations; when the fundamental design is adjusted, leading to the need to adjust the detailed design; when, during project implementation, unreasonable factors are discovered that, if the design is not adjusted, will affect the investment quality, project implementation schedule, implementation measures, or investment efficiency of the project; or where the detailed design requires adjustment during implementation, the implementation contractor shall report to the project owner for consideration and decision;

b) The adjusted detailed design must be appraised and approved by the project owner. Contents that are not adjusted shall not be subject to appraisal or approval;

c) Where adjustment of the detailed design leads to the need to adjust the project, the project owner shall organize the project adjustment in accordance with regulations as grounds for adjusting the detailed design, and assume full responsibility for the adjustment of the detailed design leading to the project adjustment.

## **Article 21. Contents and procedures for preparation and appraisal of project adjustments**

1. Responsibilities of the project owner:

a) Organize the assessment of the entire project implementation process, up to the time of proposing the adjustment and preparing a project assessment report;

b) Organize the preparation of the adjusted feasibility study report or adjusted technical-economic report;

c) Finalize the adjusted feasibility study report or adjusted technical-economic report, and submit it to the competent authority for consideration and decision on project adjustment.

2. Procedures for appraisal and decision on project adjustment:

a) The project appraisal focal unit shall appraise the project adjustment contents specified in Points a, b, c, and g Clause 4 Article 17 of this Decree; solicit opinions from the competent unit prescribed in Clause 3 Article 17 of this Decree regarding the appraisal of the adjusted design and other adjustment contents specified in Points d, dd, and e Clause 4 Article 17 of this Decree; and solicit opinions from relevant agencies, organizations, and individuals.

b) Based on the appraisal opinions on the project adjustment, the project owner shall finalize the adjusted feasibility study report or adjusted technical-economic report for submission to the competent authority for consideration and decision on project adjustment.

3. Dossier submitted to the competent authority for decision on project adjustment includes:

a) Statement requesting the competent authority to decide the project adjustment, specifying the objectives and reasons for the adjustment in accordance with Clause 2 Article 46 of the Law on Public Investment;

b) Adjusted feasibility study report or adjusted technical-economic report, including the adjusted contents of the feasibility study report or technical-economic report as prescribed in Clause 2 Article 47 of the Law on Public Investment. The adjusted feasibility study report or adjusted technical-economic report must specify the reasons for the adjustment and the contents of the adjustment (for each content, specifying the adjusted content, changes compared with the approved content, the reasons for the change, and the adjustment), ensuring compliance with Article 46 of the Law on Public Investment;

c) Decision on investment guidelines of the project and decision on adjustment of the investment guidelines (if any);

d) Decision on project investment and previous decisions on adjustment of project investment (if any);

dd) Other appraisal reports as prescribed by the law (if any);

e) Reports on appraisal, inspection, and assessment of the project implementation situation as prescribed in Clause 4 Article 46 of the Law on Public Investment;

g) Other relevant documents (if any).

4. Appraisal contents of project adjustment: The appraisal contents of the adjusted feasibility study report or adjusted technical-economic report shall correspond to the project appraisal contents applicable to the contents proposed for adjustment.

5. Appraisal period and approval time limit of project adjustment:

a) The project appraisal period, including the appraisal period of the Appraisal Council or the competent unit specified in Clause 3 Article 17 of this Decree, the period for soliciting opinions

from relevant agencies, organizations, or individuals (if any), from the date the project appraisal focal unit receives a complete and valid dossier, shall not exceed 5 working days;

b) The time limit for issuing a decision on investment in project adjustment, from the date the investment decision maker receives a complete and valid dossier, shall not exceed 3 working days.

6. Contents of the decision on investment in project adjustment include the following principal contents: the project name; the project owner; the adjusted contents; and the contents that remain unchanged.

7. Where the change or adjustment of the project falls into the cases requiring adjustment or termination of the investment guidelines, such adjustment or termination shall be carried out in accordance with Article 37 and Clause 5 Article 46 of the Law on Public Investment, Decree No. 85/2025/ND-CP dated April 8, 2025, and other amending, supplementing, or elaborating documents.

## **Article 22. Implementation, supervision of implementation, testing, and trial operation for system investment projects and procurement projects**

1. For system investment projects, the project owner shall carry out the implementation activities or hire organizations or individuals to carry out such activities after the competent authority issues the decision on project investment (for one-step design projects) or after the project owner approves the detailed design dossier and detailed design (for two-step design projects).

2. For procurement projects, the project owner shall carry out the implementation activities or hire organizations or individuals to carry out such activities after the competent authority issues the decision on project investment.

### 3. Supervision of implementation and testing

a) During the implementation and installation of networks, hardware equipment, and accessories, installation of commercial software, and calibration of supplies and equipment as prescribed in Clause 1 of this Article, the supervision of implementation activities must be carried out; the implementation of internal-use software items must undergo testing;

b) During the implementation and installation of networks, hardware equipment, and accessories, installation of commercial software, and calibration of supplies and equipment as prescribed in Clause 2 of this Article, the supervision of implementation activities shall be carried out (if necessary);

c) The project owner shall carry out, or hire organizations or individuals to carry out, the supervision of implementation activities and testing as prescribed in Points a and b of this Clause.

### 4. Trial operation

- a) The project products or work items must undergo trial operation before acceptance and handover;
- b) The results of the trial operation must be documented in writing and referred to as the report on trial operation results. The report on trial operation results shall serve as grounds for participating parties to consider during acceptance, or for the project owner to request the implementation contractor to continue modifying, supplementing, or completing the products or work items;
- c) After the contractor has supplemented or completed the project products or work items, the project owner shall organize the re-trial operation. This process shall only conclude when the products or services satisfy the related quality requirements.

**Article 23. Implementation, trial operation, and supervision of IT service quality for IT service leasing projects**

1. For IT service leasing projects, after the investment decision maker issues the decision on project investment, the project owner shall hire organizations or individuals to implement and provide IT services.

2. Trial operation

- a) IT services must undergo trial operation and satisfy the related service quality requirements before acceptance and provision for use by the project owner;
- b) The results of the trial operation must be documented in writing and referred to as the report on trial operation results. The report on trial operation results shall serve as grounds for participating parties to consider during acceptance and service provision, or for the project owner to request the contractor implementing and providing services to continue modifying, supplementing, or completing the services;
- c) After the contractor has supplemented or completed the IT services, the project owner shall organize the re-trial operation. This process shall only conclude when the services satisfy the related service quality requirements.

3. Supervision of IT service quality

- a) During the provision of IT services, IT service quality supervision shall be carried out;
- b) The project owner shall carry out, or hire organizations or individuals to carry out, IT service quality supervision as prescribed in Point a of this Clause.

**Article 24. Acceptance and handover of project products, information, and data**

1. For system investment projects or procurement projects, the project products or work items may only be handed over to the project owner after they have been accepted as meeting the

related quality requirements. The project owner shall organize the acceptance and handover of project products or work items with the participation of organizations or individuals providing consultancy, equipment, and those carrying out implementation activities, as well as relevant agencies or organizations (if any).

Depending on the specific conditions of each project, the contractor may hand over individual completed products/work items, component projects, or the entire completed project to the project owner for utilization and use.

a) The contractor shall simultaneously hand over the following documents: the completion dossier; user, administration, operation, and maintenance manuals for completed products or work items; technical documents for system connection in accordance with regulations (for projects involving data connection and sharing); technical guidance and applicable standards or technical regulations (if any). These documents must be specified in the contract and form part of the project completion dossier;

b) For construction, development, upgrading, or expansion of internal-use software, the contractor shall hand over: documentation and detailed designs for each stage of the software building, development, upgrading, or expansion process in accordance with the signed contract; the software installation program package (if any); the program source code; installation, user, administration, and operation manuals; training materials for users, administrators, and operators; documentation on maintenance procedures, conditions (if any), and maintenance tasks.

2. For IT service leasing projects, the project owner shall accept the service provision results when the services satisfy the related quality requirements. The project owner shall organize the acceptance of the service provision results with the participation of organizations or individuals providing consultancy and services, as well as relevant agencies or organizations (if any).

After the IT service leasing period ends, the contractor shall hand over all information and data generated during the IT service leasing process to the project owner.

3. The project owner must archive all dossiers and documents related to the project in accordance with the law on archives.

4. Where the project cannot continue to be implemented due to force majeure or by decision of the investment decision maker, the project owner shall organize acceptance of the completed work with the participation of consulting organizations/individuals, designing organizations/individuals, and relevant agencies or organizations (if any), serving as the grounds for fulfilling the contractual obligations between the parties.

## **Article 25. Preparation and archiving of project completion dossier**

1. The project owner shall fully prepare the project completion dossier before the products or work items of the project are utilized or used, or after the IT service leasing period has ended.

2. The project completion dossier shall be prepared once for the entire project, where the products or work items of the project are utilized and used simultaneously, or after the IT service leasing period has ended.

For system investment projects and procurement projects, where the products or work items of the project are utilized and used at different times, separate project completion dossiers may be prepared for each product or work item.

3. The project owner shall be responsible for organizing the preparation of the project completion dossier. The contractors shall be responsible for preparing the project completion dossiers for the products or work items under their responsibility. The project owner shall decide the number of project completion dossiers based on specific agreements with the contractors and relevant parties.

4. The archiving of the project completion dossier shall be carried out in accordance with the law on archives.

## **Section 4. COMPLETION OF INVESTMENT; UTILIZATION AND USE OF PROJECT PRODUCTS**

### **Article 26. Warranty for project products**

1. The minimum warranty period for project products shall be from the date on which the project owner signs the acceptance and handover record and commissions the products or work items of the project for utilization and use, and shall be as follows:

a) 24 months for products of projects of national significance and Group A projects;

b) 12 months for products of Group B and Group C projects.

c) The warranty periods specified in Points a and b of this Clause are obligations of the contractor providing the project products and independent of the warranty period for individual IT equipment provided by the manufacturer or supplier, including extended warranties (if any). The warranty period for each IT equipment item shall comply with the regulations or policies of the manufacturer or supplier.

2. The minimum warranty security amount shall be calculated as a percentage (%) of the value of the project products and shall be as follows:

a) 3% for products with a 24-month warranty period;

b) 5% for products with a 12-month warranty period.

The contractor shall submit a bank guarantee of equivalent value to the project owner or other forms of guarantee accepted by the project owner.

The contractor shall only be refunded the guarantee after the warranty period ends, and the project owner confirms that the warranty obligations have been fulfilled.

### 3. Responsibilities of the concerned parties regarding warranty

#### a) Responsibilities of the project owner or the agency/organization managing and using the project products:

Inspect and detect defects or errors that arise during normal use to request the contractor to repair, remedy, or replace the products. Where the contractor fails to perform the warranty obligations, the project owner or the agency/organization managing or using the products may hire another contractor to perform the work. The hiring costs shall be paid from the warranty security for the project products.

Supervise and accept the remedial, repair, or replacement work performed by the contractor;

Confirm the completion of the warranty obligations for the contractor;

b) The contractor providing the project products shall perform warranty responsibilities and obligations for the products it provides in accordance with the law and agreements in the contract with the project owner; organize remedial actions, repairs, and correction of software functional errors that arise during use within the warranty period; replace products within the time limit required by the project owner or the agency/organization managing or using the project products, and bear all costs related to remedy, repair, or replacement. The contractor has the right to refuse warranty and shall not be liable for compensation where damage or defects are not caused by the contractor, or where the project owner or agency/organization managing or using the project products violates state management regulations and is required by a competent state authority to remove, stop, or suspend the use of the project products;

c) The contractor shall compensate for damages caused by its faults that lead to damage, incidents, or defects in the project products during the warranty period and in accordance with agreements in the contract with the project owner. Depending on the severity of the violation, the contractor may also be subject to specific handling measures in accordance with the law.

### 4. This Article does not apply to IT service leasing projects.

## **Article 27. Administration, operation, and maintenance of project products**

1. The products of the project must be administered, operated, and maintained regularly and continuously, immediately after acceptance, handover, and being put into use.

2. Responsibilities of the agency or organization assigned to manage and use the project products:

a) Organize the administration, operation, and maintenance of the project products;

- b) Determine the costs of administration, operation, and maintenance based on price quotations from service providers;
  - c) Take legal liability where the quality of the project products deteriorates or malfunctions due to failure to perform administration, operation, and maintenance in accordance with regulations;
  - d) Submit to the competent authority for balancing and allocating funds for the administration, operation, and maintenance of the project products;
  - dd) Perform other responsibilities and obligations in accordance with the law on management and use of public property and other relevant laws.
3. The administration, operation, and maintenance of systems that are project products, including information systems, hardware, software, and databases, are specialized tasks and shall be funded from the state budget's recurrent expenditure.
4. This Article does not apply to IT service leasing projects.

## **Section 5. PROJECT MANAGEMENT ORGANIZATION**

### **Article 28. Forms of project management**

1. The investment decision maker shall decide the form of project management in accordance with the management requirements, specific conditions of the project, and relevant specialized laws, such as establishing a project management board, hiring project management consulting services, or direct management by the project owner.
2. The project owner shall establish a project management board where the project owner directly manages the project. Such a board shall serve as the focal unit for project management, assisting the project owner.

For system investment projects and IT service leasing projects with a total investment of VND 20 billion or less, the project owner may decide not to establish a project management board, but instead use its own professional apparatus to manage and administer the project, or hire persons with professional expertise and experience to support the project management.

For procurement projects, the project owner may decide not to establish a project management board, but instead use its own professional apparatus to manage and administer the project, or hire persons with professional expertise and experience to support the project management.

3. For emergency IT application investment projects in accordance with the Law on Public Investment:

- a) The investment decision maker shall decide the organization of emergency project management;

b) The investment decision maker may authorize the project owner to decide and assume responsibility for organizing the project management from the project preparation stage until the stage of completion, utilization, and use, and shall be responsible for such authorization.

## **Article 29. Responsibilities of project owner in project management**

1. The project owner shall manage the implementation of the project, perform its tasks and entitlements from the investment preparation stage until acceptance and handover for utilization and use of project products (for system investment projects and procurement projects), or until the end of the IT service leasing period (for IT service leasing projects), ensuring the effectiveness and feasibility of the project and compliance with the law, including tasks assigned to the project management board or project management consulting organizations.

2. The project owner shall prepare project supervision and assessment reports and update information on the project in the information system for supervising and assessing investment programs and projects using state budget funds, in accordance with regulations.

3. Where the project owner directly manages the project but does not establish a project management board, the project owner shall use its juridical person to manage the project implementation directly. The project owner shall issue a decision on the assignment of personnel to participate in project management, specifying their tasks, including a person directly responsible for project management. The personnel assigned to participate in project management may work on either a concurrent or full-time basis.

4. Where the project owner directly manages the project and establishes a project management board, the project owner shall:

a) Assign tasks and entitlements to the project management board based on the following principles: suitability with the actual conditions of the project owner and the requirements of the project; clear division of responsibilities between the project owner and the project management board; delegation to the project management board on the principle that responsibilities must be accompanied by corresponding entitlements to minimize administrative procedures between the project owner and the project management board; assurance of the necessary conditions for the project management board to perform its tasks.

The assignment of tasks and delegation or authorization to the project management board must be reflected in the decision to establish the project management board and in documents on task assignment and delegation/authorization issued by the project owner.

b) The project owner may assign one project management board to manage multiple projects, where sufficient capacity conditions are satisfied.

5. Where project management consulting services are hired, the project owner shall:

a) Assign at least one leader of the agency or organization to be responsible for project implementation management, and assign tasks to professional units within its organizational

apparatus to advise and assist the leader in performing the tasks and entitlements of the project owner, and inspect and monitor the implementation of the contract by the project management consulting organization to ensure that the project is implemented in accordance with its contents, schedule, quality, and efficiency;

b) Organize the selection and sign a contract with a project management consulting organization appropriate to the assigned tasks to assist the project owner in managing project implementation.

6. The project owner shall perform other responsibilities in accordance with laws related to the management of investment in IT application.

### **Article 30. Tasks and entitlements of project management board and project management consulting organization**

1. Where the project owner establishes a project management board, the project management board shall have the following tasks and entitlements:

a) The project management board shall perform the tasks assigned by the project owner and exercise the entitlements authorized by the project owner, and be responsible to the project owner and before the law for the tasks assigned and the entitlements authorized;

b) The project management board shall not establish affiliated project management boards or affiliated public service providers to perform project management;

c) Where the project management board is assigned to manage multiple projects, it shall ensure that each project is managed, monitored, and recorded separately, and that settlement is carried out promptly after the completion of each project in accordance with regulations.

d) Where necessary, the project management board may hire organizations or individuals with sufficient capacity and experience to participate in managing or supervising certain tasks that the project management board does not have sufficient conditions or professional capacity to perform, provided that the project owner's approval is obtained.

dd) The project management board may sign contracts to hire foreign consulting organizations or individuals with sufficient capacity and experience to manage tasks that domestic consultants are not capable of performing or where other special requirements arise; the hiring of such foreign consultants must be permitted by the investment decision maker;

e) The project management board shall perform project management tasks in accordance with Article 31 of this Decree.

g) The project management board shall perform other responsibilities in accordance with laws related to the management of investment in IT application.

2. Where the project owner hires a project management consulting organization, the project management consulting organization shall have the following tasks and entitlements:

a) The project management consulting organization shall perform project implementation management tasks in accordance with the contract signed with the project owner; such contract must specify the scope of work, management contents, and the entitlements and responsibilities of the consultant and the project owner;

b) The project management consulting organization shall organize its apparatus and appoint a person in charge to perform project implementation management tasks directly in accordance with the contract signed with the project owner; it shall notify the project owner in writing of the tasks and entitlements of the person in charge and the organizational apparatus directly performing project management, and notify other contractors and relevant organizations and individuals;

c) The project management consulting organization may hire organizations or individuals with sufficient capacity and experience to perform certain project management tasks, provided that the project owner's approval is obtained, and in accordance with the tasks and entitlements specified in the contract signed with the project owner.

d) The project management consulting organization shall perform project management tasks in accordance with Article 31 of this Decree and the commitments in the contract, as well as compensate for damages caused by its faults during the project management process.

dd) The project management consulting organization shall perform other responsibilities in accordance with laws related to the management of investment in IT application.

### **Article 31. Project management contents**

The contents of project management work for investment in IT application include:

1. Perform procedures and tasks serving the implementation of the project.
2. Organize the preparation of requests for proposals and bidding documents; organize contractor selection.
3. Negotiate and sign contracts with contractors at the request of the project owner.
4. Manage quality, quantities, implementation schedule, implementation costs, fire and explosion safety, operational safety, and industrial hygiene at the site.
5. Organize acceptance and handover of project products (for system investment projects and procurement projects); organize acceptance and use IT services, as well as acceptance and handover after the end of the IT service leasing period (for IT service leasing projects); carry out payment, settlement, and finalization of signed contracts at the request of the project owner.
6. Prepare the settlement report upon completion of the project and its utilization and use.

7. Perform other tasks in accordance with laws related to the management of investment in IT application.

### **Chapter III**

#### **MANAGEMENT OF IT APPLICATION ACTIVITIES USING RECURRENT EXPENDITURES FROM STATE BUDGET**

##### **Article 32. Management of implementation of IT application activities using recurrent expenditures from state budget**

1. The following IT application activities using recurrent expenditures, after the allocation of state budget recurrent expenditure estimates, shall be implemented through procurement, leasing of services, and use of funds in accordance with the law on the state budget, the law on bidding, the law on the management and use of public property, and other relevant laws, and shall not be required to prepare IT service leasing project or plan:

a) Activities involving the procurement of backup or replacement hardware equipment and commercial software for existing information systems; the procurement of commercial software (including updates of commercial software licenses); the procurement of standalone hardware equipment; and the procurement of hardware equipment, software, and databases not falling under the activities prescribed in Clause 5 Article 3 of this Decree;

b) Extending warranties in accordance with manufacturers' policies (extended warranty); maintaining and repairing information systems, hardware, and software; performing administration and operation of information systems, leasing system administration services, and providing technical support for information systems; ensuring the regular operation of online provision of information and public services; and providing cybersecurity services;

c) Activities involving the establishment of databases; the digitization, standardization, and conversion of data for data input and database establishment; the inputting of data into databases; and the maintenance of database systems;

d) Activities involving the leasing of IT services available on the market. Agencies and organizations may lease IT services for multiple years to ensure the stable and continuous operation of such services. The service leasing price (calculated according to the unit price of each service used or the unit price of the service output products) shall be determined based on quotations provided by service providers at the time of service leasing.

Where the person competent to decide the service leasing requires the preparation of an IT service leasing plan, such plan shall be prepared in accordance with Article 34 of this Decree;

dd) Activities involving the implementation of IT application activities to immediately remedy or promptly address consequences caused by natural disasters, fires, or cybersecurity and information security incidents, or to perform incident response tasks as requested by the National Assembly of Vietnam, the Government of Vietnam, or the Prime Minister of Vietnam;

e) Activities involving the upgrading or expansion of information systems, hardware, software, or databases as prescribed in Clause 5 Article 3 of this Decree, where immediate implementation is required due to changes in professional processes, administrative procedures, or online public services in accordance with relevant legislative documents;

g) Activities involving the building, development, upgrading, or expansion of information systems, hardware, software, or databases as prescribed in Clause 5 Article 3 of this Decree that are tasks required to be implemented immediately under directives set out in Resolutions of the National Assembly of Vietnam, Resolutions of the Government of Vietnam, Decisions, Directives, or written notices conveying the opinions of leaders of the Government of Vietnam, where the application of the procedures prescribed in Articles 33 and 34 of this Decree would not ensure compliance with the required implementation schedule.

The heads of ministries and central authorities, and Presidents of provincial People’s Committees shall decide the application of the exemption from the requirement to prepare a service leasing project or plan for the IT application activities prescribed in this Point. Ministries, central authorities, and provincial People’s Committees shall inspect and supervise budget-using units in implementing tasks to ensure thrift, efficiency, and the prevention of loss, wastefulness, and negative practices. Budget-using units shall manage and use funds for the proper purposes and for ensuring the quality and efficiency of task implementation;

h) Other IT application activities not prescribed in Clause 5 Article 3 of this Decree.

2. For activities involving the building, development, upgrading, or expansion of information systems, hardware, software, or databases prescribed in Clause 5 Article 3 of this Decree, except for the activities prescribed in Points e and g Clause 1 of this Article, after the allocation of state budget recurrent expenditure estimates, implementation shall be organized in the form of a project as prescribed in Article 33 of this Decree (hereinafter referred to as the “project on IT application using recurrent expenditures from the state budget”).

3. For activities involving the leasing of IT services not available on the market, after the allocation of state budget recurrent expenditure estimates, implementation shall be organized in the form of an IT service leasing plan as prescribed in Article 34 of this Decree.

4. Authority to approve IT service leasing projects and plans prescribed in Clauses 2 and 3 of this Article:

a) At ministries and central authorities: the Minister or the Director of the central authority shall have the authority to decide Group A, Group B, and Group C projects and IT service leasing plans under their management; and may delegate or authorize the decision on Group B and Group C projects and IT service leasing plans to affiliated agencies or organizations;

b) At local authorities: the authority to decide projects and IT service leasing plans shall be determined in accordance with the regulations on authority to approve tasks and cost estimates for procurement, repair, renovation, and upgrading of assets and equipment, and for leasing

goods and services as prescribed in Decree No. 98/2025/ND-CP dated May 6, 2025 of the Government of Vietnam, as well as its amending, supplementing, and replacing documents;

c) At CPV agencies: the authority to decide projects and IT service leasing plans shall comply with the regulations of CPV agencies.

5. The procedures for preparing and allocating estimates, as well as settling funds for implementing IT application activities using recurrent expenditure funds from the state budget, shall comply with Decree No. 98/2025/ND-CP, its amending, supplementing, and replacing documents, and other relevant laws.

6. The procedures for preparing and allocating estimates, as well as settling funds for implementing IT application activities using recurrent expenditure funds from the state budget, shall comply with Decree No. 98/2025/ND-CP, its amending, supplementing, and replacing documents, and other relevant laws.

The package for preparing the design and carrying out implementation activities for internal-use software, as prescribed in this Decree, shall be implemented as an EP package in accordance with the law on bidding.

The bidding document template for packages involving the building, development, upgrading, or expansion of internal-use software shall apply the bidding document template for procurement of goods under the law on bidding.

7. Quality management for IT application activities using recurrent expenditures from the state budget:

a) The IT application activities prescribed in Points a, e, and g Clause 1 of this Article shall undergo trial operation before acceptance and handover;

b) The IT application activities prescribed in Clause 2 of this Article shall be subject to quality management in accordance with Article 33 of this Decree;

c) Activities involving the leasing of IT services not available on the market prescribed in Clause 3 of this Article shall be subject to quality management in accordance with Article 34 of this Decree.

### **Article 33. Management of IP application projects using recurrent expenditures from state budget**

1. Project classification shall be determined in accordance with Articles 8, 9, 10, and 11 of the Law on Public Investment, as well as its amending and supplementing documents.

2. After the allocation of state budget recurrent expenditure estimates, the project shall be implemented in accordance with Clause 1, Clause 2, Point b Clause 3, Point a Clause 4, and Clause 5 Article 8 of this Decree.

a) The budget-using unit (hereinafter referred to as the “project owner”) shall conduct surveys (if necessary) and prepare the feasibility study report or the technical-economic report, either by itself or by hiring organizations or individuals to do so, and shall submit the report to the competent authority for decision on project approval;

b) The appraisal dossier shall include: Statement requesting project appraisal; feasibility study report or technical-economic report; and other relevant documents (if any). The appraisal dossier shall be submitted in electronic form, except for dossiers and documents containing state secrets in accordance with the law on protection of state secrets;

c) The project owner may hire organizations or individuals to review the feasibility study report or the technical-economic report. The verification contents may cover part or all of the project appraisal contents.

3. The project design steps shall comply with Article 9 of this Decree.

4. The feasibility study report or the economic-technical report shall include the following principal contents:

a) Necessity of investment;

b) Assessment of consistency with relevant planning, plans, programs, or schemes;

c) Analysis and determination of project objectives, tasks, and output results; analysis and selection of the investment scale; and selection of the investment form. The report must clearly explain the basic design (for two-step design projects) in accordance with Article 13 of this Decree, or the detailed design (for one-step design projects) in accordance with Article 14 of this Decree;

d) Analysis of natural conditions and technical-economic conditions and selection of the investment location;

dd) Plan for organization of project management, utilization, and use;

e) Environmental impact assessment and environmental protection measures;

g) Overall plan for compensation, site clearance, and resettlement (if any);

h) Estimated project implementation schedule and major project milestones;

i) Determination of the total investment and the structure of funding sources. The total investment shall be determined in accordance with Clauses 2, 4, 5, 6, and 7 Article 16 of this Decree;

k) Determination of costs incurred during project implementation and operating costs during the project utilization stage;

l) Project management organization, including analysis and selection of the project management organization form, relationships, and responsibilities of entities involved in the project implementation process, as well as organization of the project utilization management apparatus;

m) Analysis of investment efficiency, including socio-economic impacts, national defense and security impacts, and capital recovery capacity (if any).

#### 5. Procedures for project appraisal and approval

a) The authority competent to decide project approval shall either establish a Project Appraisal Council or assign a specialized agency under its management to conduct the project appraisal (hereinafter referred to as the “project appraisal focal unit”);

b) The project appraisal focal unit shall organize the project appraisal. Within 2 working days after receiving a complete and valid dossier, it shall solicit appraisal opinions on the basic design or detailed design from the competent unit prescribed in Clause 6 of this Article, as well as opinions from relevant agencies, organizations, or individuals (if necessary). The project appraisal period, calculated from the date the project appraisal focal unit receives a complete and valid dossier and including the design appraisal period and the period for soliciting opinions from relevant agencies, organizations, and individuals, shall not exceed 20 working days;

c) The unit competent to appraise the basic design or detailed design shall appraise compliance of the basic design or detailed design in accordance with Point c Clause 7 of this Article and send the design appraisal report to the project appraisal focal unit. The design appraisal period shall not exceed 10 working days;

d) The project appraisal focal unit shall appraise the project appraisal contents prescribed in Points a, b, and d Clause 7 of this Article, consolidate the design appraisal results, and prepare the project appraisal report;

dd) Based on the appraisal opinions, the project owner shall finalize the feasibility study report or the technical-economic report and submit it to the competent authority for consideration and decision on project approval;

e) The dossier submitted to the competent authority for decision on project approval shall include: the statement requesting decision on project approval, the feasibility study report or technical-economic report finalized in accordance with appraisal opinions, the decision approving the task and recurrent expenditure estimate from the state budget, the project appraisal report, and other relevant documents (if any).

#### 6. Authority to appraise the basic design (for two-step design projects) or the detailed design (for one-step design projects):

a) The head of the authority competent to decide project approval shall establish a Design Appraisal Council or assign a specialized IT unit under its management to conduct the design appraisal.

Where a Design Appraisal Council is established, the head of the authority competent to decide project approval shall decide whether the Project Appraisal Council will also perform the design appraisal responsibility, or a separate Design Appraisal Council will be established;

b) Where the design appraisal unit is also the project owner, the head of the authority competent to decide project approval shall establish an Appraisal Council or assign another specialized unit to conduct the appraisal.

7. Contents of project appraisal:

a) Compliance with regulations on the project appraisal dossier;

b) Consistency of the contents of the feasibility study report or technical-economic report with the requirements prescribed in this Article, excluding the contents specified in Point c of this Clause;

c) Consistency of the fundamental design (for two-step design projects) or the detailed design (for one-step design projects), including: Compliance of the design components and specifications with legal requirements, including design explanations, design diagrams, survey documents (if any), and other dossiers as prescribed by relevant laws; compliance with the National Digital Architecture Framework; appropriateness of the selected technological solutions, technical solutions, and equipment solutions; consistency of the design with the selected solutions; suitability of the design in ensuring connection, interoperability, and data sharing with relevant information systems, hardware, software, and databases; compliance of the design with applicable standards, technical regulations, and requirements for technical functions and features; appropriateness of operational safety measures and fire and explosion prevention and control measures (if any, applicable to one-step design projects); consistency of other contents of the design;

d) Compliance with the law on determination of total investment; consistency of cost items in the total investment with the project contents and requirements; consistency with the structure of investment capital sources, capacity to balance funding sources, and the mobilization of other funding sources and resources for project implementation.

8. The time limit for issuing a decision on project approval, from the date the authority competent to decide project approval receives a complete and valid dossier, shall not exceed 3 working days.

9. The decision on project approval shall include the following principal contents: Project name; project owner; consulting organization preparing the feasibility study report or technical-economic report (if any); project objectives, investment scale, and project implementation period; project location; total investment; funding sources and the expected allocation of funds according to project schedule; the project management form to be applied;

10. The project owner may organize the adjustment, appraisal, and approval of adjustments to the basic design (for two-step design projects) or the detailed design (for one-step design projects) as prescribed in Clause 8 Article 17 of this Decree.
11. The preparation, appraisal, approval, and adjustment of detailed design dossiers shall comply with Articles 18, 19, and 20 of this Decree.
12. Implementation activities, supervision of implementation activities, testing, and trial operation shall comply with Article 22 of this Decree.
13. The acceptance and handover of project products shall comply with Article 24 of this Decree.
14. The preparation and archiving of project completion dossiers shall comply with Article 25 of this Decree.
15. The warranty of project products shall comply with Clauses 1, 2, and 3 Article 26 of this Decree.
16. The administration, operation, and maintenance of project products shall comply with Clauses 1, 2, and 3 Article 27 of this Decree.
17. The organization of project management shall comply with Articles 28, 29, 30, and 31 of this Decree.
18. Project adjustment
  - a) Project adjustment shall be carried out in the following cases: When the tasks assigned by the competent authority are adjusted or terminated; when planning, plans, programs, or schemes are adjusted in a manner that directly affects the project; when force majeure events lead to changes in project objectives, investment scale, cost overruns, or prolongation of the project implementation period; when the project is affected by natural disasters, fires, or other force majeure events; when factors arise that may produce higher financial or socio-economic efficiency as a result of adjusting the project and are appraised by a competent authority; when the allocation of recurrent expenditure estimates for project implementation differs from the approved state budget estimate under a decision of the competent authority in the case specified in Point b Clause 1 Article 6 of Decree No. 98/2025/ND-CP.
  - b) Where the project adjustment results in changes to project objectives, project location, the allocated capital level, or the approved total investment, or prolongation of the project implementation period, the adjustment must be submitted to the competent authority for decision on approval of the project adjustment. For other changes, the project owner may organize the preparation, appraisal, and approval of the adjustment.
  - c) The competent authority that decides the approval of the project adjustment shall be responsible for its decision.

d) The procedures for appraisal and decision on project adjustment shall be implemented in the same manner as those applicable to project appraisal and approval. Only the adjusted contents shall be subject to appraisal and approval; unchanged contents shall not be reappraised or reapproved.

#### 19. Cessation of project implementation

a) Authority to decide the cessation of project implementation: The authority competent to approve the tasks and recurrent expenditure estimates in accordance with Decree No. 98/2025/ND-CP, as well as its amending, supplementing, and replacing documents, shall have the authority to decide the cessation of project implementation.

b) Cessation of project implementation shall be carried out in the following cases: Where the continued implementation of the project would cause serious consequences for socio-economic development, national defense, security, foreign affairs, or the environment; where cessation would result in greater financial or socio-economic efficiency; where cessation is required due to a force majeure event; where cessation is required by the authority competent to approve the tasks and recurrent expenditure estimates.

c) Procedures for cessation:

Where the project has not yet been approved, the project owner shall report to the authority competent to decide project approval, so that such authority may report to the authority competent to approve the tasks and recurrent expenditure estimates to decide the cessation of project implementation.

Where the project has already been approved, the project owner shall report to the authority competent to decide project approval, so that such authority may organize inspection and assessment of the project implementation process. The authority competent to decide project approval shall then report to the authority competent to approve the tasks and recurrent expenditure estimates regarding the cessation of project implementation, specifying the reasons for the cessation in accordance with regulations. The authority competent to approve the tasks and recurrent expenditure estimates shall consider deciding to cease project implementation, including the decision on the handling of the completed work volume of the project in accordance with relevant laws.

20. The handling of assets formed from the project and assets serving project activities shall comply with the law on management and use of public assets and other specialized laws.

### **Article 34. Management of leasing of IT services not available on market**

#### 1. Implementation procedures

a) After the allocation of state budget recurrent expenditure estimates, the budget-using unit (hereinafter referred to as the “service-leasing unit”) shall conduct surveys (if necessary) and prepare an IT service leasing plan (hereinafter referred to as the “leasing plan”), either by itself

or by hiring organizations or individuals to do so, and submit the plan to the competent authority for decision on approval of the IT service leasing plan, and organize the implementation of the IT service leasing.

The appraisal dossier shall include: the statement; the leasing plan; the decision approving the task and the recurrent expenditure estimate in accordance with Decree No. 98/2025/ND-CP; the review report on the leasing plan (if any). The appraisal dossier shall be submitted in electronic form, except for dossiers and documents containing state secrets in accordance with the law on protection of state secrets.

The service-leasing unit may hire organizations or individuals to review the leasing plan. The review contents may cover part or all of the leasing plan appraisal contents.

b) The head of the authority competent to approve the leasing plan shall establish an Appraisal Council or assign a specialized agency or organization under its management to conduct the appraisal of the leasing plan (hereinafter referred to as the “appraisal focal unit”).

The appraisal focal unit shall solicit appraisal opinions from the competent unit prescribed in Point c of this Clause regarding the compliance of the contents specified in Points c and d Clause 2 of this Article, as well as opinions from other relevant agencies, organizations, or individuals (if necessary).

The total appraisal period for the leasing plan shall not exceed 20 working days, calculated from the date the appraisal focal unit receives a complete and valid dossier, including: the appraisal period of the competent unit prescribed in Point c of this Clause (not exceeding 10 working days); and the period for soliciting opinions from relevant agencies, organizations, or individuals. This period shall not include the time required for supplementation or completion of the dossier. Where supplementation or clarification of the leasing plan contents is required, within 3 working days from the date of receipt of the dossier, the appraisal focal unit shall request, in writing, the service-leasing unit to provide supplementation or clarification.

c) Authority to appraise the contents specified in Points c and d Clause 2 of this Article

The head of the authority competent to approve the leasing plan shall establish an Appraisal Council or assign a specialized IT unit under its management to conduct the appraisal.

Where an Appraisal Council is established, the head of the competent authority shall decide whether the Leasing Plan Appraisal Council will also perform the appraisal of the contents specified in Points c and d Clause 2 of this Article, or a separate Appraisal Council will be established.

d) The appraisal result document shall serve as the grounds for consideration and approval of the leasing plan.

The dossier submitted by the appraisal focal unit to the authority competent to approve the leasing plan shall include: the statement requesting approval of the leasing plan; the draft

decision approving the leasing plan; the leasing plan finalized in accordance with appraisal opinions; the document on the appraisal results of the leasing plan; the appraisal result document issued by the competent unit prescribed in Point c of this Clause; opinions of other relevant agencies, organizations, or individuals (if any); other relevant legal documents and dossiers.

The appraisal dossier shall be submitted in electronic form, except for dossiers and documents containing state secrets in accordance with the law on protection of state secrets.

dd) The time limit for approval of the leasing plan shall not exceed 3 working days from the date the authority competent to approve the leasing plan receives a complete and valid dossier.

2. The leasing plan shall include the following principal contents:

a) Current conditions and necessity of service leasing;

b) Main items to be leased, including objectives, contents, scale, scope, location, and the agencies or organizations using the service;

c) Assessment of compliance with the current National Digital Architecture Framework in accordance with Article 4 of this Decree;

d) Determination of IT service quality requirements; requirements and conditions for connection, interoperability, and data sharing with relevant information systems, hardware, software, and databases;

dd) Determination and clarification of the ownership of information and data generated during the provision of IT services, and the plan for their management and transfer to the lessee.

e) Leasing duration: The service-leasing unit may lease IT services for multiple years to ensure stable and continuous operation of the service;

g) Requirements regarding issues arising during the utilization and use of the service;

h) Service leasing cost estimate, including: Service leasing costs; management costs (including necessary costs prescribed by regulations for the service-leasing unit to organize management and implementation); consulting costs (including survey costs, if surveys are conducted; costs for preparation of the leasing plan; costs for verification of the leasing plan; costs for preparation and appraisal of specific contents during the contractor selection process; costs for supervision of IT service quality; and costs for other consulting tasks); other costs (including audit costs, valuation costs, testing or trial operation costs, and other specific costs); contingency costs (including contingency for additional work volumes and contingency for provisional items, if any).

3. Service leasing costs (calculated based on the unit price of each service used or the unit price of service output products), management costs, consulting costs, and other costs in the service leasing estimate shall be determined based on one of the following methods:

a) Quotations from providers. The service-leasing unit shall collect quotations, ensuring publicity and transparency. Providers providing quotations shall ensure that the information on the price of the services corresponds to their provision capacity, and that the provision of quotations does not violate the law on competition, dumping, or price inflation;

b) Results of contractor selection for similar services;

c) Preparation of estimates following the consultancy experts (applicable to management costs and consulting costs);

d) Valuation results from organizations providing valuation services or valuation councils in accordance with the law (if any);

dd) A combination of the methods specified in Points a, b, c, and d of this Clause.

Where the costs included in the service leasing estimate specified in Clause 3 of this Article are implemented directly by the service-leasing unit or by a competent state authority, they shall be determined in accordance with the calculation methods and expenditure levels prescribed by competent authorities.

#### 4. Appraisal contents of the leasing plan

a) Consistency of the contents of the leasing plan;

b) Compliance with the law on determination of the service leasing estimate; consistency of cost items in the service leasing estimate with the contents and requirements of the leasing plan; consistency with the structure of funding sources, capacity to balance funding sources, and the mobilization of other funding sources and resources for service leasing.

#### 5. Implementation and trial operation

a) After the competent authority approves the leasing plan, the service-leasing unit shall hire organizations or individuals to implement and provide IT services;

b) IT services must undergo trial operation and satisfy the related service quality requirements before acceptance and provision for use by the service-leasing unit;

c) The results of the trial operation must be documented in writing and referred to as the report on trial operation results.

The report on trial operation results shall serve as grounds for participating parties to consider during acceptance and service provision, or for the service-leasing unit to request the contractor to continue modifying, supplementing, or completing the services.

d) After the contractor has supplemented or completed the IT services, the service-leasing unit shall organize the re-trial operation. This process shall only conclude when the services satisfy the related service quality requirements.

#### 6. Supervision of IT service quality

a) During the provision of IT services, IT service quality supervision shall be carried out;

b) The service-leasing unit shall carry out, or hire organizations or individuals to carry out, IT service quality supervision as prescribed in Point a of this Clause.

7. After the IT service leasing period ends, the contractor shall hand over all information and data generated during the IT service leasing process to the service-leasing unit.

#### 8. Preparation and archiving of completion dossiers for IT service leasing

a) The completion dossier for IT service leasing tasks must be fully prepared by the service-leasing unit after the end of the IT service leasing period;

b) The service-leasing unit shall be responsible for organizing the preparation of the completion dossier. The contractors shall be responsible for preparing the completion dossiers for the work items under their responsibility. The service-leasing unit shall decide the number of completion dossiers based on specific agreements with the contractors and relevant parties;

c) The archiving of the completion dossier shall be carried out in accordance with the law on archives.

#### 9. Adjustment of the leasing plan

a) The approved leasing plan may be considered for adjustment in the following cases: where additional requirements arise regarding the quality or quantity of IT services to be leased; where the IT service leasing period changes; where factors arise that result in higher efficiency of the leasing activity; where force majeure events occur, including natural disasters, fires, or other force majeure events that directly affect the leasing activity; where competent authorities adjust planning, strategies, programs, plans, or schemes or where changes in professional requirements prescribed in legislative documents directly affect the scope, contents, scale, or objectives of the leasing plan; where the allocation of recurrent expenditure estimates for implementation of the task differs from the approved state budget estimate under a decision of the competent authority in the case specified in Point b Clause 1 Article 6 of Decree No. 98/2025/ND-CP, as well as its amending, supplementing, and replacing documents.

b) The service-leasing unit may appraise and approve the adjustment itself where the adjustment of the leasing plan does not change the objectives or scale and does not exceed the approved estimate. Where the adjustment changes the objectives or scale or exceeds the approved estimate, the service-leasing unit shall submit the adjustment to the competent authority for consideration and decision. The changed contents must be appraised before a decision is made. The dossiers,

procedures, appraisal period, and approval time limit for the adjusted leasing plan shall be implemented in the same manner as those applicable to the appraisal and approval of the leasing plan.

c) The person deciding the adjustment of the leasing plan shall take legal liability for their decision.

#### 10. Cessation of IT service leasing

a) Authority to decide the cessation of IT service leasing: The authority competent to approve the tasks and cost estimates in accordance with Decree No. 98/2025/ND-CP, as well as its amending, supplementing, and replacing documents, shall have the authority to decide the cessation of IT service leasing;

b) Cessation of IT service leasing shall be carried out in the following cases: Where the continued implementation of the leasing task would cause serious consequences for socio-economic development, national defense, security, foreign affairs, or the environment; where cessation would result in greater financial or socio-economic efficiency; where cessation is required due to a force majeure event; where cessation is required by the authority competent to approve the tasks and cost estimates;

c) Procedures for cessation:

Where the IT service leasing task has yet to have the leasing plan approved, the service-leasing unit shall report to the authority competent to approve the leasing plan so that such authority may report to the authority competent to approve the tasks and cost estimates for a decision on cessation of IT service leasing.

Where the leasing plan has been approved for the IT service leasing task, the service-leasing unit shall report to the authority competent to approve the leasing plan to organize inspection and assessment of the IT service leasing. The authority competent to approve the leasing plan shall report to the authority competent to approve the tasks and cost estimates regarding the cessation of IT service leasing, clearly identifying the causes of cessation in accordance with regulations. The authority competent to approve tasks and cost estimates shall consider deciding the cessation, including the decision on the handling of the completed work volume of the IT service leasing task in accordance with relevant laws.

### **Chapter IV**

#### **PROVISION OF INFORMATION AND INSPECTION OF IT APPLICATION INVESTMENT ACTIVITIES**

##### **Article 35. Provision of information for management of state investment in IT application activities**

1. Provision of information on project completion

a) Within 20 days from the date of acceptance, handover, and commissioning of the project product or work item for utilization and use, the project owner shall provide information on project completion to the investment decision maker and to the specialized IT unit under the relevant Ministry, central authority, or provincial People's Committee;

b) Within 30 days from the receipt of information on project completion provided by the project owner, the specialized IT unit under the relevant Ministry, central authority, or provincial People's Committee shall provide information on each project under its management scope to the Ministry of Science and Technology of Vietnam.

2. Provision of information on the assessment of the achievement of objectives and the socio-economic efficiency of IT application and digital transformation projects and tasks

a) In January each year, the agency or organization assigned to manage, utilize, and operate the project or the IT service-leasing unit (collectively referred to as the "user entity") shall provide information on the assessment of the achievement of objectives and the socio-economic efficiency of the project or task to the specialized IT unit under the relevant Ministry, central authority, or provincial People's Committee for inspection purposes;

b) Within 30 days from the receipt of the assessment information provided by the user entity, the specialized IT unit under the relevant Ministry, central authority, or provincial People's Committee shall provide information on the assessment of the achievement of objectives and socio-economic efficiency of each project or task under its management scope to the Ministry of Science and Technology of Vietnam.

### **Article 36. Inspection of state investment in IT application activities**

1. Inspection of IT application investment activities by competent authorities shall prioritize implementation in the electronic environment in accordance with Clause 2 Article 44 of the Law on Electronic Transactions.

2. The Ministry of Science and Technology shall organize inspections of state investment in IT application activities at ministries, ministerial agencies, governmental agencies, and other central and local authorities according to periodic or ad hoc plans approved by the Minister of Science and Technology of Vietnam.

Agencies or organizations assigned the function of managing state investment in IT application activities under the Ministry of Science and Technology of Vietnam shall assist the Minister of Science and Technology of Vietnam in conducting inspections in accordance with this Clause.

3. Ministries, ministerial agencies, governmental agencies, and other central authorities shall organize inspections of state investment in IT application activities for IT application projects and tasks of units under their management.

4. Provincial People's Committees shall organize inspections of state investment in IT application activities for units under their management.

Departments of Science and Technology shall assist provincial People's Committees in conducting inspections in accordance with this Clause.

5. Commune-level People's Committees shall:

- a) Organize inspections of state investment in IT application activities for units under their management;
- b) Cooperate with the Departments of Science and Technology and other relevant agencies in inspecting state investment in IT application activities when requested.

6. Inspection contents shall include one or more of the following activities:

- a) Compliance with the law on management of state investment in IT application activities (excluding matters related to bidding; formulation, appraisal, allocation, and arrangement of capital);
- b) The efficiency of investment, procurement, and leasing of IT services using state budget funds.

## **Chapter V**

### **TASKS AND RESPONSIBILITIES OF AGENCIES, ORGANIZATIONS, AND INDIVIDUALS IN STATE INVESTMENT IN IT APPLICATION ACTIVITIES**

#### **Article 37. Responsibilities of Ministry of Science and Technology of Vietnam**

1. Promulgate and provide guidelines on legislative documents on the management of state investment in IT application activities, as well as IT application-related standards and technical regulations within its jurisdiction.
2. Organize training and advanced training to enhance the capacity, knowledge, and skills of individuals directly participating in or related to the management of state investment in IT application activities.
3. The Minister of Science and Technology of Vietnam shall stipulate and elaborate on the following contents in state investment in IT application activities:
  - a) Determination of the preliminary total investment of projects using state budget funds for public investment; determination of the total investment and project estimates; determination of the estimate for leasing IT services not available on the market; and contents and methods for determining administration, operation, and maintenance costs;
  - b) Survey activities; implementation activities; supervision of implementation activities; testing; trial operation; acceptance; handover; and completion dossiers;

c) Determination of service quality requirements, supervision of service quality, and acceptance of the results of IT service provision;

d) Provision of information serving the management of state investment in IT application activities.

**Article 38. Responsibilities of ministries, central authorities, provincial People's Committees, and commune-level People's Committees**

1. Provide guidelines on the implementation of legislative documents on the management of state investment in IT application activities within their respective management scope. Ministries and central authorities shall promulgate IT application-related standards and technical regulations within their sectors and fields in accordance with their jurisdiction.

2. Monitor and inspect the implementation of IT application and digital transformation programs and plans within their management scope, ensuring that investment and procurement are carried out in accordance with proper objectives and achieve efficiency.

3. Arrange and ensure state budget funds for the implementation of IT application activities in accordance with this Decree (including activities whose implementation period extends beyond one budget year).

4. Organize training and advanced training to enhance the capacity, knowledge, and skills of individuals within ministries, central authorities, and local authorities who directly participate in or are involved in the management of state investment in IT application activities.

**Article 39. Responsibilities of appraisal agencies, organizations, and councils**

1. Operate independently and objectively when conducting an appraisal.

2. Request the project owner or the entity submitting the dossier for appraisal to provide complete dossiers and relevant documents and to provide explanations regarding the contents submitted for appraisal (where necessary).

3. Maintain the confidentiality of information and documents related to the appraisal process.

4. Provide relevant information and documents upon request from competent authorities, inspection authorities, or other state management authorities in accordance with regulations.

5. Assume responsibility before the law and competent authorities for the appraisal results and for the tasks assigned in accordance with this Article.

6. Perform other responsibilities as prescribed in this Decree and other relevant laws.

**Article 40. Responsibilities of organizations and individuals participating in IT application investment activities**

1. Request the project owner or the procuring entity to provide information and documents related to the performance of tasks within the scope of the contract signed between the parties.
2. Perform tasks in accordance with the quality and quantity requirements specified in the signed contract and in accordance with relevant laws.
3. Assume responsibility for the results of the work performed in IT application investment activities in accordance with the signed contract and the law.

## **Chapter VI**

### **IMPLEMENTATION**

#### **Article 41. Entry into force**

1. This Decree comes into force as of March 1, 2026.
2. This Decree replaces Decree No. 73/2019/ND-CP dated September 5, 2019 of the Government of Vietnam and Decree No. 82/2024/ND-CP dated July 10, 2024 of the Government of Vietnam.
3. Resolution No. 04/2025/NQ-CP dated August 20, 2025 of the Government of Vietnam shall cease to have effect from the effective date of this Decree.
4. Article 6 of Decree No. 132/2025/ND-CP dated June 12, 2025 of the Government of Vietnam, and Articles 34 and 35 of Decree No. 133/2025/ND-CP dated June 12, 2025 of the Government of Vietnam, are hereby annulled.

#### **Article 42. Transitional provisions**

1. Projects and tasks involving procurement or leasing of IT services using state budget funds, for which decisions on investment, procurement, or service leasing have been issued before the effective date of this Decree, shall continue to be implemented in accordance with the regulations in force at the time of approval. Where necessary, the authority competent to decide the investment, procurement, or service leasing may consider applying this Decree.
2. Projects and tasks involving procurement or leasing of IT services using state budget funds, for which decisions on investment, procurement, or service leasing have yet to be issued before the effective date of this Decree, shall be implemented in accordance with this Decree.

Where appraisal reports have been issued but decisions on investment, procurement, or service leasing have yet to be made before the effective date of this Decree, the authority competent to decide the investment, procurement, or service leasing shall consider and decide whether to apply Decree No. 73/2019/ND-CP, Decree No. 82/2024/ND-CP, Resolution No. 04/2025/NQ-CP, or this Decree.

#### **Article 43. Implementation**

1. Where any document cited in this Decree is amended or replaced, comply with its new edition.
2. Ministers, Directors of ministerial agencies, Directors of governmental agencies, Presidents of provincial People's Committees, and Directors of relevant agencies and units shall implement this Decree.
3. During the implementation of this Decree, any arising difficulty shall be promptly reported to the Ministry of Science and Technology of Vietnam for consideration and guidance, or for consolidation and reporting to competent authorities.

**ON BEHALF OF THE GOVERNMENT  
PP. PRIME MINISTER  
DEPUTY PRIME MINISTER**

**Nguyen Chi Dung**

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