**Procedures for approving the investment policy of the provincial People’s Committee**

**1. Authority**

Except for investment projects under the competence of the National Assembly and the Prime Minister to approve investment policies, the People's Committees of provinces shall approve investment policies for the following investment projects:

- Investment projects that request the government to allocate or lease out of land without auction or land use right bidding to select investors,

- Investment projects that require the government to allocate or lease land from households or individuals subject to written approval of the provincial People's Committee in accordance with the law on land;

- Investment projects that require the government to allocate or lease land not in the case of receiving the transfer of land use rights and land-attached assets;

- Investment projects that request the change of land use purpose required written permission for the change of land use purpose issued by a competent government agency in accordance with the law on land, except for cases where the land use purposes of households and individuals are not subject to approval by the provincial People's Committee in accordance with the law on land.

- Projects on construction of residential housing (for sale, lease or lease purchase) and urban areas that use at least 50 hectares of land or less than 50 hectares of land and with a population of at least 15,000 people in an urban area; or that use at least 100 hectares of land or less than 100 hectares of land and with a population of at least 10,000 people in a non-urban area; or investment projects regardless of the area of land used or population within a restricted development area or within an historic inner area (determined in accordance with urban area planning projects) of a special urban area;

- Projects on investment in golf course construction and business;

- Investment projects of foreign investors and foreign-invested business organizations executed on islands or in border or coastal communes; in other areas affecting national defense and security.

**2. Document composition**

- An application form for execution of the investment project, including a commitment to incur all costs and risks if the project is not approved *(Form A.I.1 Circular 03/2021/TT-BKHDT)*;

- A document on the investor’s legal status;

- Document(s) proving the financial capacity of the investor including at least one of the following documents: the investor’s financial statements for the last two years; commitment of a parent company to provide financial support; commitment of a financial institution to provide financial support; guarantee for the investor’s financial capacity; other document proving the investor’s financial capacity;

- Investment Project Proposal *(Form A.I.3 Circular 03/2021/TT-BKHDT)*

If the law on construction requires formulation of a pre-feasibility study report, the investor is entitled to submit the pre-feasibility study report instead of a proposal for the investment project;

- A copy of the list of land acquisition approved by the City People's Council; documents proving land clearance (if available), other explanation documents (if available) in case of selecting investors through auction of land use right;

- A copy of the list of land acquisition projects approved by the City People's Council; documents proving that the land has not been cleared (if available), other explanation documents (if available) in the case of selecting investors through bidding for projects using land. In this case, the investment project proposal shall preliminarily determine the total cost of project implementation, which is determined on the basis of the total investment of the project in accordance with the law on construction, excluding costs of compensation, support and resettlement.

In case of selecting investors through bidding according to the provisions of the law on socialization and specialized law, documents explaining the legal grounds and conditions for applying the form of investor selection through bidding according to the provisions of law on socialization and specialized law;

- Documents proving that the project is not on the list of land acquisition projects approved by the provincial People's Council; a valid copy of the land allocation decision or the land lease decision, the land use right lease contract or the certificate of land use right, certificate of house ownership and residential land use right, the certificate of land use right, house ownership and other land-attached assets in case the proposal for approval of investment policies is concurrent with investor approval for investors with land use rights as prescribed in Point a, Clause 4, Article 29 of the Law on Investment;

- A valid copy of the document of the People's Committee of the competent level approving the transfer, receipt of capital contribution or lease of land use rights for the implementation of the investment project and valid copies of documents and other agreement on the use of the site for the implementation of an investment project in case the proposal for approval of the investment policies is concurrently with the investor's approval for the investor receiving the transfer, capital contribution, or lease of the right to use the agricultural land for implementation of non-agricultural production and business investment projects as prescribed at Point b, Clause 4, Article 29 of the Law on Investment.

- The explanation of technology used in the investment project, for the project subject to appraisal and collection of opinions on technology in accordance with the law on technology transfer;

- BCC contract for investment projects in the form of BCC contract;

- Other documents related to the investment project, requirements on conditions and capacity of the investor as prescribed by law (if available).

**3.** **Dossiers - receiving agency:** Department of Planning and Investment.

**4. Decision Authority:** The People’s Committee

**5. Number of dossiers:** 04 sets

**6. Time limit for settlement:** 32 days from the date of receipt of complete and valid dossiers (excluding the time for transferring dossiers between agencies).