

**MINISTRY OF EDUCATION AND TRAINING MINISTRY OF JUSTICE
HANOI UNIVERSITY OF LAW**

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**RENOVATING ORGANIZATION AND OPERATION
OF SPECIALIZED AGENCIES OF PEOPLE'S
COMMITTEE IN CONTEMPORARY VIETNAM**

Specialty : Theory and history of state and law

Code : 62 38 01 01

SUMMARY OF LAW STUDY DOCTORAL THESIS

HANOI - 2013

The thesis was completed at Hanoi Law University

Supervisors: Assoc.Prof. Dr. Nguyen Van Dong

Reviewer 1:

Reviewer 2:

Reviewer 3:

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THE SCIENTIFIC WORKS OF AUTHORS HAVE REGARD TO PUBLICATION PhD THESIS

1. Ta Quang Ngoc (2013), “Relation between professional Sub- bodies of people’s Committees and Other State Agencies and political- Social Organizations”, *State and Law*, 3(299), page 43-46.
2. Ta Quang Ngoc (2013), “Renovating and improving the structure of specilized bodies belonging to people committee at district level in our country at present”, *Legal professions Review*, (2), page 35-40.
3. Ta Quang Ngoc (2013), “The position and nature of specialized bodies under the people’s Committee in our country at present”, *State manegement*, (4), page 30- 35.

INTRODUCTION

1. Rationale of the research paper

After the success of the August 1945 Revolution, our Party and State paid much attention to reinforcing, building and developing local governments. Some acts of organizing local governments in that period were passed, some of which were acts of specialized agencies of Administration Committee (then People's Committee) such as 63/SL Decree dated 22 November 1945 regulating the People's Council and Committee of Administration of different levels, 77/SL Decree dated 21 December 1945 regulating the organization of government in town and city... After that, the Constitution of 1946, 1959, 1980, and 1992 (amended and supplemented in 2001) and acts of organizing local governments continue to be issued in order to strengthen the organization and operation of the local authorities in general and in particular specialized agencies of People's Committees.

Depending on the tasks and goals of each revolutionary period, specialized agencies followed various regulations (including name, location, and function). They are required by law, directly or indirectly, in the Laws that contribute to gradual improvement of the organization and activities of the specialized agencies of People's Committee, originating from requirements of the administrative reform of the state that focus on reforming the state apparatus, enhance the effectiveness and efficiency of state management in the context of building a law-governed state socialism (socialist), international economic integration.

The contents of the administrative reform, building a streamlined, formal, modern state were expressed in the document in the midterm VII of National Conference of the Party, first mentioning the building and improving the rule of law in Vietnam, namely: "to continue building and gradual improving the rule of law in Vietnam. This is the State of the people, by the people, managing all aspects of life in the society by law, developing countries under the socialist orientation ". Along with this issue, the content of public

administration reform continues to be confirmed in the Central Resolution 3 (VIII), plenum, IX, X and XI of the Party.

In order to institutionalize the Party's viewpoint, the 1992 Constitution (as amended and supplemented in 2001) states: "The People's Committee in the scope of powers prescribed by law, makes a decision and supervises the implementation of the text... Chairman of The People's Committee has the right to suspend or annul the wrong documents of the Agencies of the People's Committee ..." Recently, the Government has issued two important Laws Decree, first No. 171/2005/ND-CP of the Government dated 09.29.2005 held regulations of specialized agencies belonging to Provincial People's Committee (now replaced by Decree No. 13 / 2008/ND-CP dated 04/02/2008 of Government regulating the organizations of specialized agencies of PPCs) and second, Decree No. 172/2005/ND-CP of the Government dated 09.29.2005 regulating specialized agencies belonging to District People's Committee (now replaced by Decree No. 13/2008/ND-CP of the Government dated 04/02/2008 regulating specialized agencies belonging to District People's Committee). Thus, two specialized agencies in these two levels were strengthened and meet requirements, functional management sectors in the time of innovation and integration in our country today.

In fact, the organizational structure of local government in countries around the world is associated with the division of administration - territory (usually administration and representative office). The administrative agencies perform the management functions of the fields of social life according to the delineation of certain administrative boundaries, ensuring unified management and keeping the relationship between the local and central government. Depending on the specific conditions of each country, the administrative agency can be organized into authorities at the intermediate administrative units (such as the Nordic countries, Latin America, India ...), in Western countries, the management functions of local authorities are carried out by two offices (administrative office and self-autonomy office).

Up to now, the organizations and activities of the provincial specialized agencies still reveal certain shortcomings, such as unified name, irrational unclear and specific organizational structure. Therefore, further research should be carried to clarify the theoretical and practical issues about this kind of authority at the provincial level, district level, in order to suggest proposed solution to innovate and perfect organizations and activities of the specialized agencies of People's Committee in time of innovation and international integration in our country, which has important implications in both theory and practice.

That doing a systematic, comprehensive research paper on specialized agencies of the People's Committee, making their achievements and limitations clear in the organization of specialized agencies; proposing solutions to continue innovating the organization as well as activity of specialized agencies of the People's Committee, to meet the demand of rising the effectiveness of specialized agencies in our contemporary scenario is necessary and urgent.

For these reasons, I chose the theme "Reforming organization and activity of the specialized agencies of the People's Committee in contemporary Vietnam" for my doctoral thesis in the field of jurisprudence.

2. Purposes, duties and scope of the thesis

Research Subjects

The object of the study is the specialized agencies of People's Committees.

Scope of the Study

This is a huge issue, complex topic. Hence, it is comprehensible to focus on reforming organization and activity of the specialized agencies of the People's Committee in contemporary Vietnam.

Research purposes

The purpose of this research is to propose the scientific perspective and the possible solutions to continue to reform the organization and activities of the specialized agencies of the People's Committee in terms of administrative reform in our country.

The task of the thesis

First, analyzing related scientific opinions to make appropriate concept(s) of the specialized agencies of the People's Committee, organizations and activities as well as opinions of reforming organization and activity of the specialized agencies of the People's Committee in contemporary Vietnam.

Second, studying the in-practice organization and operation of the specialized agencies of People's Committee from the start of renovation in our country so far, pointing out the advantages and limitations of them and the cause of such conditions.

Third, on the basis of the above two tasks, the research paper will suggest some solutions to continue to reform the organization and activities of the specialized agencies of People's Committees in our country in the future.

3. Methodology and Research Methods

The research paper is done on the basis of the scientific method of Marxism - Leninism, thoroughly applying the perspective of dialectical materialism and historical materialism on the relationship between infrastructure the superstructure, the relationship between the state apparatus with socio-economic conditions ...

At the same time, the thesis is also studied on the basis of the thoroughly deep thoughts of President Ho Chi Minh on the state and laws; opinions of the Communist Party of Vietnam, policies and laws of the State building and perfecting the socialist law-governed State Vietnam, in terms of continuing the national renewal and international integration today .

The thesis research was conducted on the basis of using the method of dialectical materialism, historical materialism method, and the specific methods such as methods of analysis and synthesis, comparison, historical explanation...

4. The new scientific contribution of the research paper

The thesis is a comprehensive, insightful and organizational research paper about the activities of the specialized agencies of People's Committee

in time of innovation and international integration in contemporary Vietnam. Those are new scientific contributions of the research paper:

First, the thesis focuses on analyzing the complete organization and operation of the provincial and district specialized agencies of People's Committee. With a systematic approach, the thesis offers its own contribution to improve the organization and operation of the specialized agencies of People's Committee in the implementation of management on the sectors of social life.

Second, the thesis builds up concepts, characteristics of specialized agencies of People's Committee, analyzes thoroughly, and clarifies positions, duties, functions, powers and organizational structure of the specialized agencies of People's Committee.

Thirdly, the thesis analyzes deeply and comprehensively achievements, strengths as well as shortcomings in the organization and activities of the specialized agencies of People's Committee in our country since 1986. The thesis is a generalized overview of the practical innovation and organizational activities of the specialized agencies of People's Committee in the country renovation, the management of the economy under the socialist-oriented market, expand exchanges and international cooperation in our country today.

Fourthly, the thesis provides some practical solutions and viable option to ensure an organizational model of the specialized agencies of People's Committee in each level, ensuring consistency and specificity levels of government, each area, contribute to improving the effectiveness and efficiency of state management for industry, the public sector from the central to grassroots levels.

Fifth, with these views, the solution proposed in the thesis not only works in the current period but also has profound implications in the long run to continue to reform public administration, constructs and completes the improvement of the state apparatus helping Vietnam to participate deeper in the integration in the fields of social life, and the trend of globalization...

5. The scientific and practical meaning of the thesis

The results of the thesis research contribute to supplement, improve and deepen the theoretical issues about the organizational structure of the state administrative agency as well as the organization and activities of the specialized agencies of People's Committee. At the same time, it contributes to further develop and perfect the theoretical knowledge of the state apparatus and the current legal system.

The dissertation can also be used as a valuable reference in the research and teaching in the field of specialized state management and forensic science as well as practical activities.

The solution proposed in the thesis contributes to improve policies and laws on local government institutions, organizations and activities of the specialized management agency, management and use of personnel, civil servants, state officials ... in terms of innovation and integration of the country. At the same time, with the perspective, solutions that thesis offers are also valuable references for competent agencies and organizations in constructing activity, and enacting legislation implementing.

6. The structure of the thesis

Besides the introduction, conclusion, list of references and appendices, the contents of the dissertation include 4 chapters, 9 sections.

CONTENTS OF THE THESIS

Chapter 1

OVERVIEW OF RESEARCH TOPICS RELATED TO THE THESIS

1.1. Literature Review

In the current legal documents and papers, the study of the organization of specialized agencies of People's Committee is not abundant; these papers only refer to the organization and activities of the agency at various angles,

not the thorough cover of all aspects of the organization and operation of specialized agencies of People's Committee.

1.2. The content of the research related to the thesis

1.2.1. The domestic studies

In the 184-page doctoral thesis of Truong Dac Linh: *Local Government with the ensure of implementing the Constitution and laws in local areas*, protected in 2002, the author analyzed the position, role, duties and powers of local authorities in ensuring the implementation of the Constitution and local laws. The thesis outlined the direction to strengthen the role of local authorities (mentioned specialized agencies) in ensuring the implementation of the Constitution and the laws in our country today.

Master thesis of Vu Huu Khang with the theme: *Innovating the organization and operation of the People's Committee of municipality (throughout experience of the organization and activities of the People's Committee of Hai Phong City)*, protected in 2001, provides information on the organizations and activities of the People's Committee through a specific grant.

These above-mentioned theses and dissertations do not directly mention the structure, organization and operation of specialized agencies of People's Committee in our country today, but because specialized agencies of People's Committee have a close relationship with the CPC, it needs to be examined to ensure the relationship, the interaction between specialized agencies with the same level People's Committee.

The curriculum of the training institutions and legal studies, training and research in public administration {courses such as: Administrative Law, Administrative Litigation Law ; Bar investigations, complaints and denunciations...} provides the basis of the background knowledge necessary for innovating the organization and operation of specialized agencies of People's Committee in terms of international innovation and integration in Vietnam today.

1.2.2. The foreign studies

In the 832-page book titled *Administrative laws of the Republic of France*, by Martine Lombard, Professor at University of Pantheo-Assas

(Paris II) and Gilles Dumont, University Professor of Law and Economics Limoges, Dao Nguyet Anh , Vietnam Nguyen Thi Ha , Tran Quang Hieu , Doan Thanh Loan and Ho Thu Phuong Loan translated, Nguyen Van Binh, proofread, Publishing House of Justice published in 2007. The authors analyze the formation and development of the administrative legal system of the Republic of France; the new changes are updated as well as their influence on European Union law. Then the 274-page book *Administrative Law, Administrative documents, Administrative Organizations; Police Authority, Responsibility Administrative Tribunals*, by Professor Gustave Peiser, published by Dalloz , 11 , Soufflot city , 75240 Paris , Cedex 05 France published. The book was proofread and published by the Department of International Relations, National Academy of Public Administration; National Political Publishing House, Hanoi, in 1994. The book presents a summary of the basic content of administrative law, the basic content of the French rule of law.

Local Government and Urban Affairs in International Perspective. Edition by Joachim Jens Hesse, Published Nomos Verlagsgesellschaft, Baden - Baden 610.7570 Postfach, 1991. Publisher Nomos Verlagsgesellschaft Baden - Baden, 1991. The book was studied by many authors (including 623 pages). The authors focus on analyzing the local government and urban issues in international perspective of 20 industrialized countries in the world such as America, England, and France ... In particular, the authors focus on analyzing the formation and development of local government, the question of urban in international perspective. The content of specialized agencies was not abundantly mentioned in the local government apparatus.

1.3. The basic content of the research directly related to the thesis

1.3.1. Groups of research referring to the concept of "specialized agencies of the People's Committee"

The first, according to the textbook *Vietnam's Administrative Law*, Hanoi Law University, People's Public Security Publishing House, 2013,

specialized agencies of People's Committee do not perform functions of national administration, these agencies are: "specialized agencies of People's Committees at provincial, district levels... are not the state administrative agencies but are only the agencies that implement executive decisions of committees helping them to fulfill the state management function", the notion that specialized agencies function as an assisting apparatus of PPC is not entirely correct.

Second, Do Xuan Dong selected topics *Reorganizing urban bureaucracy in national administrative reform in our country in the contemporary scenario*, the thesis consists of 150 pages, protected in 1996. The author has identified specialized agencies in the view of national administration in sectors and fields of the jurisdiction of the People's Committee of the same level, not considered specialized agencies of their organizations, duties and powers.

Third, in the master's thesis, with the theme: *Innovating organizations and activities of the provincial People's Committee through the experience of the People's Committee of Nam Dinh province* (protected in 2002), Bui Thi Nguyet offered the opinion of the specialized agencies of People's Committee: "the competent legal entity having independence". This idea is somewhat consistent with the content of specialized agencies as prescribed by law.

Tran Nho Thin supposes that the specialized agency of PPC is a competent private agency, performing the function of state management of certain industries or sectors, according to rule of one head...). In terms of position, the nature of specialized agencies of PPC, it is inappropriate to suppose that specialized agencies of PPC have their own power.

1.3.2. In terms of the position and function of the specialized agencies of the People's Committees

- Author Vu Duc Dan with the 172-page doctoral thesis's topic: *State government at the municipality level in the implementation of state power over the city*, protected in 1996. When considering the position of "the specialized agencies are placed under the unified leadership of the centralized

administrative committee and are subjected to the direction of professional and technical expertise of the agency superiors". In my opinion, defining positions and functions of the specialized agencies of People's Committee is not appropriate. It may cause confuse between *one is advising, helping People's Committees in the function of administrating and the other is administrating fields of specialized agencies*.

- *Renewing the organization and operation of the commune People's Committee* is the subject of a 121-page doctoral dissertation of Tran Nho Thin, protected in 1996. According to the authors, "The specialized agencies of the People's Committee are competent authorities which implement laws and the governing documents of superior agencies, the People's Councils and People's Committees of the same level". This is one of the valuable contents helping me in my research.

- In the master thesis of jurisprudence of Bui Thi Nguyet, the author classifies specialized agencies at the provincial level into three different types, and the specialized agencies are held vertically from the central in each province. This view stems from conditions of socio-economic development, local characteristics and management practices of a particular industry.

1.3.3. Regarding to the organizational structure and activities of the specialized agencies of the People's Committee

Article: *Innovating the organization and operation of the apparatus of local government at provincial, district levels to meet the requirements of socialist-oriented market economy*, by Doctor Ha Quang Ngoc, Journal of the State and Law, No. 1, 2007. This paper analyzed the current status and activities of organized local government apparatus in recent years, especially the rearrangement of organization in the direction of multidisciplinary and multi-sector.

Article: *Innovating and completing the specialized agencies of the district People's Committee, from the practical experience of Ho Chi Minh City*, by MSc. Thao Huynh Thu, Journal of Political Science, No. 4, 2011.

From the practical organization and activities of the specialized agencies of the People's Committee, it is possible to point out the advantages and limitations, give the new directions to renew the organization of the specialized agencies of the DPC in the way of streamlining, compacting, ensuring the multi-disciplinary management.

Chapter 2

THEORETICAL RATIONALE OF RENEW OF ORGANISATION AND ACTIVITIES OF SPECIALIZED AGENCIES UNDER PEOPLE'S COMMITTEE

2.1 Specialised agencies under People's Committee: Definition, characteristics, position, functions, tasks, manner of organisation; Content, form and functional operation

Based on analyses of notions of specialised agencies (SAs) under People's Committee (PC), characteristics of these agencies, it is possible to consider that the agencies are competent specialising in position, consultation, assisting People's Committee of the same level to perform its functions of state management on a branch and a field or given fields and branches in the locality; the agencies' organisation, tasks, power and activities under laws in order to perform citizens' and organisations' affairs in their functional scope of implementation, operation (direction, operation) of local state administration organs of the same level ensure the unified management of a branch or a field of work from the center to the locality, contributing to the enhancement of effectiveness and performance of state administration function of the People's Committee of the same local level.

2.1.2. Position, characteristics, functions and duties of specialized agencies under the People's Committee.

** Position and characteristics of specialized agencies under the People's Committee*

Position, characteristics of specialized agencies under the People's Committee are organs "under - belonging to" the People's Committee, giving

advice, assisting the People's Committee in performing its function of state administration in a branch and a field of work in locality.

** Functions and duties of specialized agencies under the People's Committee*

Specialized agencies under People's Committee at all levels function counseling, giving advice and assisting People's committee and the President of the People's Committee of the same level in making and adopting legal paragraphs, adopting administrative decisions, making policies, organize and perform legal rules on a branch, a field according to its power of state administration of the people's committee in locality, ensuring legal paragraphs adopted by competent authorities are implemented unifiedly and effectively from the center to locality.

2.1.3. Organisation of specialized agencies under the people's committee

** Manner of Organizations of specialized agencies under the people's committee according to the form of division of geographical boundaries of administrative units in locality*

Division of geographical boundaries of administrative units are popular in the world, which is not only based on the form of structural Nation but also other specialised features such as politics, history, population and geographical location and the like of each nation in order for choosing appropriately forms and organization of specialized agencies under the People's Committee.

** Manner of establishing specialized agencies under the People's Committee*

Organisation of organs in national machinery/ apparatus is established under a legal procedure of competent authorities and dismissal. Specialized agencies under the People's committee are established in the same way, despite the period, the establishment manner is in accordance with given principles.

Manner and procedure of establishing specialised agencies under the People's committee in present are instructions of the Government. Based on the Government's decrees, circulars of the Ministry of Internal Affairs, the

provincial people's committee makes and proposes the projects of establishing these specialized agencies.

** Manner of internal organisation of specialized agencies under the People's Committee*

Manner of organisation means arrangement, management and the link between elements and units of an organisation. Manner of specialized agencies under the people's committee means structure of elements and units and the links between these element and units of these agencies in order to ensure the effective and purposedful operation.

2.1.4. Content of renew organisation and activities of specialized agencies under the people's committee

2.1.4.1. Content of renew of organisation of specialized agencies under the people's committee

These contents include basically:

- Renew organisation of specialized agencies under the people's committee is compulsorily in accordance with state administration of the PC. It is necessary, during the implementation, to ensure the selective inheritance and improvement of disadvantages. These are: renewing organisation, quantity and activities of these agencies and renewing manner of organisation and management in the form of a single branch and field into management in the form of multiple branches and fields.

2.1.4.2. Content of renew of activities of specialized agencies under the people's committee

Specialized agencies under provincial people's committee are established in order to perform tasks and duties such as submission of drafts of decisions, instructions; long term plans, projects and methods of implementation of administration reform in a branch, field of their duties; drafts of legal paragraphs. It is necessary, therefore to renew method, manner and procedure and the like of activities of these agencies.

2.2. Notion, targets, principles, effecting factors and guaranties of renew of organisation and activities of specialized agencies under PC

2.2.1. Notions, targets, principles of renew of organisation and activities of specialized agencies under PC

2.2.1.1. Notions of renew of organisation and activities of specialized agencies under PC

** Notions of renew of organisation of SA under PC*

Renew of organization essentially is renew of elements of structure of these SA, resting on renew of duties and functions of SA.

** Notion of renew of activities of SA under PC*

Renew of activities of SA under PC is renew of content, manner and method of activities of SA..., choosing thereby content, form and method of activities of SA appropriately.

2.2.1.2. Targets and principles of renew of organization and activities of SA under PC

**. Targets of renew of organization and activities of SA under PC*

General Targets:

Renew of organization and activities of SA under PC is to organize the SAs at each level suitable to demands in reality and ensuring unified and effective management in given branches, fields.

Specific targets of renew organizations and activities of SA under PC:

a) *Specific targets of renew of organizations of SA under PC*

- *From now on to 2015 and targeting to 2020, renew of organization of SA are simple and management in multiple branches and fields*

- *Establishing a system of organs of local state administration appropriate to social - economic condition of locality. Researches and implementation of the form without People's Council at district and commune level;*

- *Renew and improvement of organization and activities of SA in the social - economic conditions of development of locality;*

- *Renew of management, improvement of governmental officials of SA*

b) *Specific targets of renew of activities of SA under PC*

- Checking continuously, correcting, fixing the relations between SAs, SA and other national organ and social organizations;
- Checking SA managing multiple branches, fields and manner of renew of organization and activities appropriately.
- Allocating, leveling specifically work and responsibilities of each organ and official;
- Renew both content, form and manner of activities of SA under PC, ensuring well tasks and duties.

* *Principles of renew of organization and activities of SA under PC*

Firstly, ensuring the Communist Party's leading during the renew of SA

Secondly, ensuring the principle of people owning state power

Thirdly, renew of organization and activities of SA attaches to the political stability, orderly social security

Fourthly, grasping thoroughly, fully, objectively and completely notions of renew of SAs under PC;

Fifthly, reform continuously of administration, evaluation of organization and activities of SAs, according to the demand, duties and social - economic conditions.

- The currently specific principles of renew of organization and activities of SAs under provincial and district PC include:

Firstly, necessity of reform of group leading, responsible individual regime into the regime of administrative leaders.

Secondly, arrangement of SAs under PC ensures appropriate quantity and structure of SAs suitable to reality.

Thirdly, ensuring SAs under PC are multiple branches and fields management in order to meet demands of economic market.

Fourthly, along with renew of organization and activities of SAs under PC, performing step by step appointing leaders of these agencies by exam

Fifthly, organization and activities of SAs under PC is in accordance with form and manner of certain activities of each agency.

2.2.2. Factors effecting renew of organization and activities of SAs under PC

Firstly, make a coherent and stable legal frame in order for renewing organization and activities of SAs;

Secondly, dividing clearly functional management of each level, thereby devolving obviously management suitable to reality in locality;

Thirdly, necessary consideration of area and local features during renew organization and activities of SAs;

Fourthly, improvement of governmental officials in order to meet demands of economic development and globalization tendency;

2.2.3. Guaranties of renew of organization and activities of SAs under PC

* *General guaranties of renew of organization and activities of SAs under PC*

- Renew of organization and activities of SAs under PC must be in accordance with Communist Party's leading;

- Renew of organization and activities of SAs under PC must be in accordance with fully political perception;

- Renew of organization and activities of SAs under PC must be in accordance with social - economic conditions;

* *Particular guaranties of renew of organization and activities of SAs under PC*

Guaranties of policies and law

Guaranties of organization, apparatus, governmental officials

Guaranties of technical and material facilities

Investing in facilities and equipments must be parallel with reform and structuring modern administration

2.3. SAs under local administration in several nations in the world

Form of local administration is always in relation with organization of organs managing specialized branches and fields. These are organs which are

in position to assist local administrations in well performing their functions, duties of managing all social-life areas in locality. Therefore, it is possible to , regarding manner of organisation of SAs under PC, consult form of organization of local administration of several countries with developed administration in the world, namely, France, Japan, Thailand and the like and theirs experiences in application of Vietnam.

In general, along with establishment of form of local administration and self managed in locality of several countries in the world, management of a branch, a field is also organized in the form of organs with specialized-branch management in locality (organs specializing in management of given branches). These organs are directed and managed by the head of locality such as Provincial President, Mayor... Surveillance and control of management of a branch, a field in locality of center organs are executed through local administrations and the Presidents.

Chapter 3

REALITY OF ORGANISATION, ACTIVITIES AND RENEW OF ORGANISATION, ACTIVITIES OF SPECIALISED AGENCIES

3.1. Reality of organization and activities of SAs under PC

3.1.1. Reality of organization of SAs under PC

3.1.1.1. Organization of SAs under provincial PC

Between 1980 and 1992, geographical boundaries of provincial level and provincial PC reduced substantially, ministries, similar organs and SAs under PC increased remarkably.

Since 1993, SAs under PC has decreased, lessened official quantity, position and characteristics are defined more specifically.

Regarding organizations, SAs of provincial PC currently include SAs are established unifiedly in all localities and SAs under provincial PC are established based on local features.

3.1.1.2. Organization of SAs under district PC

Organisation of SAs under district PC at present is based on principle of not only ensuring unity but local features of each as well, meeting the demand of management of multiple branches and fields. For example, SAs are established unifiedly and SAs are established according to each district units.

Manner of organization of SAs under provincial and district PC (since 1986) is renewed substantially and has obtained encouraging progresses. For example:

- Regarding their functions, duties and power: SAs under PC have performed well function of giving advice to management of a branch, a field.
- Regarding their organization of apparatus: SAs of both provincial and district level are arranged simpler, more streamline, scientific and appropriate.

3.1.2. Reality of activities of SAs under PC

3.1.2.1. Reality of activities of SAs under provincial PC

In respect of activities, the relation between SAs and PC of the same level is the horizontal one. However, there is no substantive rule stipulating mechanism, characteristic of activities of SAs under PC of each level.

To define the relation between SAs and the PC, the PC and the Presidents are competent in managing, operating the SAs.

Regarding reports, the head of SAs report to the People's Council of the same level when requested. The relations between SAs and SAs and other governmental organs and social organizations are provided for by law.

3.1.2.2. Reality of activities of SAs under district PC

SAs under the PC, according to their duties and power, give advice and assist the district PC in performing functions of state administration and other tasks under the district PC's mandate.

Regarding activities of management and finance., SAs operate tasks economically, reasonably and effectively.

3.2. Reality of renew of organization and activities of SAs under the PC

3.2.1. Reality of renew of organization and activities of SAs under the PC

3.2.1.1. Advantages, progresses and causes of renew of organization of SAs under the PC

Firstly, based on organization of SAs under the PC of every level, according to the Government's leading, the Ministry of Internal Affairs has verified and evaluated reality of organization and activities of SAs under the PC of all levels, thereby making opportunely projects of organization and activities of these agencies.

Secondly, local administrative machinery, along with reform of administration, has reformed thoroughly, regularly and modernly.

Thirdly, The National Assembly, along with the modification and amendment of Constitution of 1992, modified Law on organisation of People's Council and People's Committee, thereby making important legal frames in order for renew and improvement of organisation and activities of SAs under the PC suitable to reality.

Fourthly, SA's position and duties, according to substantive rules, are specified more accurately.

Fifthly, along with the tendency of development in the 21st Century, there is always the mutual relations between economic and politic factors...

3.2.1.2. Disadvantages and causes of renew of organisation of SAs under the provincial PC

Firstly, organisation of SAs under the provincial PC is still scattered, disunified and non-complex;

Secondly, renew of organisation has been slowly, instable; allocation of functions, duties and power is not clear and still overlapped.

Thirdly, mechanism of cooperation between SAs and each other, defining relations between SAs and vertically local organs or between SAs and social - politic organisations, one amongst them, are still not transparent.

Fourthly, technical and specialised instructions of Ministries and Branches of center level to SAs under the PC of all levels are not frequent and timely.

Causes of these disadvantages include:

Firstly, reform of administration in locality has happened slowly. There has been "sensitive" and complicated problems arisen during re-organisation of SAs under the PC.

Secondly, legal frame of renew of organization of SAs under the provincial PC has not been unified, complex and stable.

Thirdly, knowledge, capability, skills, experiences of management, foreign language... of governmental and local officials are not good and dissatisfied to the standardization of officials.

Fourthly, the reason lies in providing for duties and power of communes' and cities' authorities, provinces with seaside, ocean, island and Cities of center level.

Fifthly, mergers and acquisitions, dismissal of provincial departments lack good preparation, thoughtful evaluation. There are still essential theories of these departments which has been unclear.

3.3.1.2. Structure of organization of SAs under the district PC

** Advantages and causes*

Firstly, renew of organization of SAs under the district PC, along with the renew of SAs under the provincial PC, has taken place continuously with appropriate form

Secondly, making legal rules of organization of SAs under the district PC has made legal frame in order that these intermediate agencies operate suitable to reality, obtaining certain progresses.

Thirdly, a following benefit is clear allocation of duties, power and responsibilities of each official and unit of SAs

Fourthly, pilot application of administration system without district and commune People's Council has positive effects to organization and activities of SAs under the district PC

Fifthly, facilities, equipments and finance are invested appropriately along with social and economic development.

** Disadvantages and causes*

Firstly, after long period with concentrated administration, geographical boundaries of provinces were only merged.

Secondly, improvement of district authorities took place slowly. There are some districts which, after long period of time, began functioning.

Thirdly, in spite of substantive legal rules of organization of SAs under the district PC, there are several provisions which are not unified, stable. Functions and duties of several SAs, moreover, are not reasonable.

Fourthly, the strict rule of quantity of 10 to SAs under the district PC and not over 10 to SAs under island districts PC is not appropriate.

Chapter 4

SOLUTIONS TO CONTINUOUS RENEW OF ORGANIZATION AND ACTIVITIES OF SPECIALIZED AGENCIES UNDER THE PEOPLE'S COMMITTEE IN NOWADAY VIETNAM

4.1. Solutions to continuous renew of organization of SAs under the PC

4.1.1. Specification of position, characteristic of SAs under the PC

4.1.2. Organisation of SAs under the PC in the form of division of geographically administrative boundaries

Continuous renew of SAs under PC in the form of geographically administrative division are threefold:

Firstly, remain of organization of SAs under the PC at two administrative levels of Province and District.

Secondly, possibility of form of SAs under the PC at three administrative levels based on conditions in reality.

Thirdly, form of organization of SAs under the PC only in two administrative levels.

4.1.3. Solutions to continuous renew of manner of internal organization of SAs under the PC

4.1.3.1. Renew of manner of internal organization of SAs under the provincial PC

- It is necessary to do researches and specific evaluation in order for mergers and acquisitions or new establishment of SAs so as to manage unifiedly new problems arisen.

- Renew must be more streamline by decreasing quantity and structure of SAs simply, rationally, scientifically and appropriate to real conditions of social - economic development.

- Renew must ensure the unity, features of a branch, a field and a locality in order for appropriate SAs under provincial PC suitable to real conditions.

4.1.3.2. Renew of manner of internal organization of SAs under the district PC

- Renew of organization of SAs under the district PC, thereby designing a reasonable form of machinery in regard of functions, duties and power.

- Cùng với việc đổi mới chính quyền địa phương theo Hiến pháp sửa đổi năm 2013, cơ cấu tổ chức của các CQCM phải kiện toàn theo hướng tinh giảm đầu mối nhưng bảo đảm tính khách quan, khoa học và hợp lý.

- The manner of organization of SAs should, along with renew of local administrative authorities under modified Constitution of 2013, improve streamlinedly, objectively, scientifically and rationally.

- It is necessary to surmount remaining problems of manners of organization with many intermediate units of SAs at system level and each level;

- It should apply the form of unified organization across the country. Meanwhile, it should considerate adequately social and economic features of each locality.

4.2. Solutions to renew of activities of SAs under PC

4.2.1. Solutions to renew of activities of SAs under provincial PC

- Continuous renew of characteristics of activities of SAs under PC, based on theirs functions, duties, in order to meet social demands nowadays.
- Renew of ways and characteristics of activities of SAs, pursuant to their functions and duties, must be suitable to reality.
- Continuous doing researches of renew of method of activities of SAs under the PC, along with renew of ways and characteristics of their activities, should be unified, complex and effective.

4.2.2. Solutions to renew of activities of SAs under district PC

- Renew of characteristics of activities of SAs under the district PC suitable to theirs functions and local features of locality.
- Renew of way of activities of SAs under the district PC suitable to conditions of development of local authorities in coming future.
- Renew of ways of activities, improvement of manners of management in order for enhancement of effectiveness of SAs suitable to local conditions in reality.

CONCLUSION

With Communist Party's leading, Vietnam has renewed in order for prosperity, strength and fair and democratic society. Progresses achieved in over 20 years are adequate confirmation of renew policy of The Party and the Government. However, those are just results at the beginning. To complete this mission, it is vitally necessary for continuously complex solutions to reform of administration in order for positively global intergration. SAs under PC, which are in position of counselor, assisting PC of the same level operating well their functions and duties, should renew continuously their organizations and activities suitable to conditions and features of locality of both cities and rural areas, surmounting timely disadvantages of organization of SAs under provincial and district PC as abovementioned.

The organs of local state administration, with new challenges and under The Party's renew policy, are always improved suitably to each period's tasks. At each period, SAs under the PC are arranged, re-organized with more responsibilities and renewed manner of state administration management in order for more democratic, shifting from concentrated administration mechanism into economic market in the way of socialism. Thereby, local administration apparatus and SAs under the PC are increasingly reinforced, which are encouraging results of state management. These positive changes, which come from objective demand and real need, are for social and economic development, supporting renew and industrialization and modernization policies and tasks in Vietnam.

However, because of the fact that SAs are structural elements of the PC, these agencies' organization and activities, therefore, still remain certain problems and disadvantages which result from internal factors of organization of SAs. Thus, it is demanded for continuous researches in order for specifying sources of both advantages and disadvantages, thereby proposing solutions appropriate to arrangement and improvement of these agencies, which is contributing to enhancing more greatly effectiveness of management of a branch and a field in locality. These are very difficult and complicated. It hence demands taking patience and long term studies, surveys, objective and scientific evaluation and analysis suitable to theories and reality during development of Vietnam.