

LAW ON DUTIES AND POWERS OF ECONOMIC ZONE MANAGEMENT BOARD IN VIETNAM

Dr. NGUYEN SON HA

University of Law, Hue University, Vietnam. Email: hans@hul.edu.vn

Abstract

Building economic zones in Vietnam is to test new models, institutions, and policies in order to create breakthrough development drivers, thereby bringing vitality, enhancing competitiveness, and improving economic efficiency boosting exports for the whole economy, associated with economic restructuring not only of the locality but also of the region and the whole country. The economic zone management board plays a vital role in the state management agencies on economic zones. However, through practical implementation, the regulations on the duties and powers of the Economic Zone Management Board have revealed limitations and shortcomings. Therefore, this study aims to analyze and clarify in order to make recommendations to improve further the duties and powers of the Economic Zone Management Board.

Keywords: Economic zones, Economic zone management boards, State management of economic zones

INTRODUCTION

Currently, in Vietnam, economic zones are gradually making quite positive contributions to the overall development of the country in the direction of industrialization and modernization that the Party and Government have identified. With the formation and operation of many economic zones, a new face has been created for many localities. In the early years of the establishment of economic zones, the system of legal documents in our country stipulates the duties and powers of the Economic Zone Management Board are limited and inadequate. In recent years, the State has gradually realized the importance of the Economic Zone Management Board in the operation of economic zones; therefore, the legal documents regulating this agency were also revised and born in turn. The law on the duties and powers of the Economic Zone Management Board is recorded in Decree No.35/2022/ND-CP on the management of industrial parks and economic zones, and the Law on Environmental Protection in 2020. In addition, they are also guided in a number of other specialized legal documents.

However, at present, the legal provisions on the duties and powers of the Economic Zone Management Board still have many shortcomings in practical application. These regulations are scattered in many legal documents, making it difficult to search; moreover, between regulations, there is still overlap and lack of consistency. Especially in the period when the country is in the process of international integration, the requirement to build a stable legal corridor, and minimize conflicts is posed as an objective factor to bring the country to development.

LITERATURE REVIEW

The law on the powers and duties of the Economic Zone Management Board in Vietnam is not a strange issue in our country, therefore, the study of this topic is a very practical issue and should be considered. Attention, in the past time, there have also been a number of studies on the provisions of the law related to this issue, with different aspects such as:

The article "Environmental legal policy to ensure sustainable development in Vietnam in the Document of the 11th National Congress of the Communist Party of Vietnam" by author Bui Duc Hien was published in the Journal of Jurisprudence No. August 2013. The article has overviewed the new points of view and guidelines in the Document of the 11th National Congress of the Communist Party of Vietnam for sustainable development. On the other hand, on the basis of assessing the current situation of environmental policies and laws to ensure sustainable development in Vietnam today, the author has identified directions to improve environmental policies and laws to ensure sustainable development firmly in line with the line of the Communist Party of Vietnam at the XI Congress.

Thesis "Law on environmental protection in the operation of economic zones in Vietnam", author Nguyen Son Ha, 2020 at the University of Law, Hue University. The thesis researches on the basis of clarifying the theory and practice of the law on environmental protection in the operation of economic zones. Clarifying the current status of regulations of the law on environmental protection in the operation of economic zones. From there, propose solutions to improve the law and improve the effectiveness of the implementation of the law on environmental protection in the operation of economic zones.

The topic "Improving environmental protection regulations in the stage of investment and construction of economic zones", by author Nguyen Son Ha in 2020, was published in the Journal of Law and Development of the Vietnam Bar Association. The thesis researches the theoretical basis of the duties and powers of the economic zone management board in terms of environmental protection in the operation of the economic zone. From there, clarify and point out the limitations in the law on the duties and powers of the Economic Zone Management Board in terms of environmental protection in the economic zone; propose recommendations and solutions to improve the law and improve the effectiveness of law enforcement by the Management Board of the economic zone on environmental protection in the operation of the economic zone.

The above studies have solved problems in both theory and practice, contributing to perfecting the legal rights and obligations of the Economic Zone Management Board. Therefore, in the above topic, we have inherited some of the following contents as a basis for research: (i) legal theory on the duties and powers of the Management Board of the economic zone; (ii) on the practical implementation of the law on the duties and powers of the Economic Zone Management Board.

METHOD

Research theory

The article studies the law on the duties and powers of the Management Board of the Information Economy in Vietnam based on the following theories:

- Theory of duties and powers of the Economic Zone Management Board in Vietnam is based on the principle of ensuring the principle of democratic centralism; promoting the initiative, creativity, and individual responsibility of each civil servant and employee; at the same time, all activities must comply with the guidelines and guidelines of the Party, policies, and laws of the State.
- Theory of duties and powers of the Economic Zone Management Board in Vietnam demonstrates the responsibilities and obligations and all actors operating in the economic zone, especially the Economic Zone Management Board. An economic zone is an area with a boundary, in which not only clusters of industries are concentrated, but also an area where service and commercial activities take place and where people live.
- Theory on the duties and powers of the Economic Zone Authority in Vietnam to ensure the operation of economic zones based on rational use of resources and waste minimization. On the other hand, the economic zone must be harmonized with issues related to social security, biodiversity conservation, and climate change response to ensure a healthy environment in which to operate. operation of economic zones as well as ensuring the operation of economic zones based on rational use of resources and reduction of waste.

Research hypothesis of the study

- The legal provisions on the duties and powers of the Economic Zone Management Board in Vietnam are inadequate, inadequate, and not systematic. This leads to many difficulties in the implementation of the law.
- Practical implementation of the law on duties and powers of Economic Zone Management Boards in Vietnam is still limited, leading to environmental pollution in the operation of economic zones in Vietnam.
- The solutions are still incomplete, lacking specific solutions in terms of tasks and powers of the Economic Zone Management Board in Vietnam. Therefore, the law on the duties and powers of the Economic Zone Management Board in Vietnam has not been completed.

Expected results

By proving the research hypotheses and answering the above research questions, the study is expected to achieve the following results:

First, clarify the legal status of the tasks and powers of the Management Board of the Economic Zone in Vietnam.

Second, clarify the practical implementation of the law on the tasks and powers of the Economic Zone Management Board in Vietnam.

Third, identify solutions to improve the law and improve the efficiency of law enforcement on the duties and powers of the Management Board of the Economic Zone in Vietnam.

RESULTS AND DISCUSSION

Current status of legal regulations on tasks and powers of economic zone management boards in Vietnam

Currently, the duties and powers of the Economic Zone Management Board are stipulated in several legal documents, mainly in Articles 68 and Article 69 of Decree 35/2022/ND-CP completely new regulations compared to the provisions in Articles 63 and 64 of the previous Decree 82/2018/ND-CP, within this section we will focus on the problems in the current state of legal regulations on duties and responsibilities. The duties and powers of the economic zone management board are as follows:

Regarding the regulations on the tasks and powers of the Economic Zone Management Board

The regulation of the duties and powers of the Economic Zone Management Board has not been clearly expressed in the affirmative legal terms of "Duties" and "Powers", specifically in Clause 1, Article 68 of Decree 35/ 2022/ND-CP stipulates that "Contributing opinions, formulating and submitting to ministries, ministerial-level agencies and provincial-level People's Committees for approval and organizing the implementation of the work", also in the name of Clause 2 of Article 2. 68 Decree 35/2022/ND-CP stipulates that "The management board of the economic zone performs the tasks" but conversely, in point dd, clause 2, it stipulates a paragraph "Performing several tasks and powers of the economic zone" specialized labor agency under the provincial People's Committee for laborers working in economic zones" and at point t, clause 2 of this Article again mentioned: "Perform other tasks and exercise other powers as prescribed in this Decree, other relevant provisions of law and as assigned by the People's Committee of the province".

From the perspective of legal research, we believe that the legal recognition of the above provisions between the terms "duty" and "authority" is not consistent, not logical, and not theoretical legally recoverable. Because, Power is having the right within a certain limit, and the task is the work that needs to be done to ensure the ultimate goal, on the other hand, to perform that task, it must be within the most limited scope of authority determined. Essentially, legally, these two terms are almost the same and are supportive of each other, although it is also necessary to have a highly standardized regulation to ensure accuracy in terms of words, especially to ensure that they belong to each other. The nature of the law is "Strictly determined in terms of form".

The role of the Economic Zone Management Board on waste management

In Vietnam, the law has soon issued regulations to manage waste sources from the operation of economic zones in general legal documents on waste management and specific regulations for economic zones such as the Law on Environmental Protection. 2020; Decree 08/2022/ND-CP, Decree detailing several articles of the Law on Environmental Protection; Circular No.02/2022/TT-BTNMT, Circular detailing the implementation of several articles of the Law on Environmental Protection.

Specifically, at points a, point b, and point c, Article 50 of the Law on Environmental Protection 2020, there are general and primitive regulations on such: Economic zones must have environmental protection infrastructure including (i) Solid waste collection and storage system; (ii) Rainwater collection and drainage system; (iii) The wastewater collection, drainage, and treatment system ensures that the treated wastewater meets the requirements for environmental protection; automatic and continuous wastewater monitoring systems, in case an economic zone has a centralized wastewater treatment system, must be monitored automatically and continuously according to the provisions of this Law.

However, through research, we found that there are still shortcomings that need to be further improved:

Firstly, there are gaps in the legal policy in developing economic zones. As analyzed, the experience of Japan or Singapore shows that the establishment and construction of an economic zone to create a driving force for socio-economic development is the right way to do it.

Secondly, there is a lack of regulations on the responsibility to equip and upgrade equipment for officials in charge of waste management in economic zones. To manage environmental protection activities in general and waste management in particular, the law has binding regulations for entities from environmental management agencies to management boards as well as construction investors. the technical infrastructure of economic zones.

It is necessary to prescribe the responsibilities of the Management Board as well as the workers building the technical infrastructure in the establishment of a specialized department in charge of the field of environmental protection, because, unlike other works, the Operation and treatment of environmental protection works require staff to have sufficient expertise and experience in monitoring, analyzing and forecasting parameters of environmental quality as well as waste treatment. emissions from the operation of the economic zone. This work requires an amount of money to purchase as well as regular upgrades to meet the needs of daily work.

Regarding the competence to inspect, examine, detect and handle administrative violations in the operation of economic zones

Environmental protection in economic zones in particular always takes prevention as the main principle, aiming at the goal of preventing possible damage from the beginning, and limiting losses due to environmental pollution or incidents caused by the environment. However, in the process of implementing the construction of the economic zone, especially the process of implementing production and business activities in the economic zone, there will be many

subjects who do not comply with regulations on environmental protection environmental protection. Therefore, inspection, examination, detection, and handling of violations are necessary "post-inspection" activities that must be conducted to ensure that all entities must comply with environmental protection when performing any activities any action related to economic zones.

With that necessity, the Law on Environmental Protection in 2020 has devoted Chapter XIV entirely to stipulating the responsibilities of state agencies in inspecting and examining the observance of the law on environmental protection; inspecting the state management responsibility for environmental protection; settling complaints and denunciations about environmental protection; handle violations of the law on environmental protection¹. In particular, Decree No. 45/2022/ND-CP specifically stipulates the competence to handle administrative violations on environmental protection in economic zones. Accordingly, the agencies competent to handle administrative violations are the People's Committees at all levels, the People's Public Security Forces, specialized inspectors, and other agencies according to regulations. This regulation forms a system of agencies to promptly detect and handle violations of environmental protection in economic zones. However, there are still shortcomings of the above regulations². Specifically, one of the agencies directly managing environmental protection activities in economic zones, the Economic Zone Management Board, is not empowered to directly inspect and sanction administrative violations. In contrast, only responsible for: (i) Inspect and supervising the construction of environmental protection infrastructure in industrial production functional zones in economic zones according to the provisions of law; (ii) Organize environmental protection inspection for production, business, service establishments, concentrated production, business and service zones, industrial clusters in economic zones according to the approved plan. Provincial People's Committee for approval; (iii) Timely detection of violations of the law on environmental protection by organizations and individuals and recommendations for handling in accordance with the law³.

From the above regulation, we realize that this regulation is unreasonable, because:

Firstly, the Economic Zone Management Board is the body that directly manages and administers the daily activities in the economic zone, therefore, when a violation of environmental protection occurs, this agency is eligible. to promptly detect, and prevent handling, but the law only stipulates that the Management Board is responsible for detecting and promptly reporting to competent agencies for inspection and handling.

Secondly, the law does not give the right to handle violations to the Management Board of the economic zone, so when competent agencies and agencies conduct an inspection, examination, and handling of violations of environmental protection activities in the economic zone, usually There is no need to agree or coordinate with the Economic Zone Management Board. This has blurred the role and position of the Economic Zone Management Board.

Thirdly, the regulation that allows many agencies to have the right to inspect, inspect and handle administrative violations on environmental protection in economic zones has affected the production activities of enterprises.

Regarding the responsibility of inspection and inspection coordination of the Economic Zone Management Board in the operation of economic zones

In Clause 4, Article 68 of Decree No. 35/2022/ND-CP, the Economic Zone Management Board is the focal point for managing investment activities in economic zones in the locality. Ministries, ministerial-level agencies, and local state management agencies, when performing professional tasks in economic zones, are responsible for coordinating and collecting opinions from the Economic Zone Management Board, ensuring ensure that state management activities of economic zones are unified, avoiding overlapping and creating favorable conditions for enterprises to operate by law. This regulation is necessary to help the management of environmental state agencies in economic zones be implemented synchronously and effectively.

However, through our analysis, we find that regulations on the responsibility of coordination between agencies in inspecting, inspecting, and handling environmental protection activities in economic zones are overlapping, infrequent, and also inconsistent factors affecting performance. Specifically, according to the provisions of Clause 4, Article 68 of Decree No. 35/2022/ND-CP, Ministries, ministerial-level agencies, and local state management agencies when implementing professional tasks in areas The economic zone is responsible for coordinating and collecting opinions of the Management Board of the economic zone.

Thus, with the same responsibility to coordinate inspect, inspect and handle environmental protection activities in economic zones, but the two documents are inconsistent and inconsistent. Although knowing that, in this case, according to the Law on Promulgation of Legal Documents, the Law on Environmental Protection is the applicable document.

Another unreasonable point, at Point b, Clause 1, Article 68 of Decree 35/2022/ND-CP stipulates that the economic zones Management Board is responsible for: “Assume the prime responsibility for, and coordinate with relevant agencies in, formulating the Regulations mechanism to coordinate working with specialized agencies under the People's Committee of the province or relevant agencies to perform the assigned tasks and powers under the one-stop-shop and one-stop-shop mechanism, and submit them to the People's Committee approved by the people of the province”. This regulation is unreasonable because the law stipulates that the Management Board is not allowed to directly inspect and handle administrative violations of environmental protection activities in the economic zone, but assign it to the competent authority. It develops regulations in coordination with other relevant state agencies.

Difficulties and obstacles in the practice of implementing the law on tasks and powers of Economic Zone Management Boards in Vietnam

Firstly, on the issuance of permits for workers to operate in economic zones

The economic zone management board is the agency assigned to grant permits for workers to operate in the economic zone, and at the same time is responsible for formulating the investment promotion plan and submitting it to the provincial People's Committee for approval⁴. This is reasonable because the Management Board is an agency established by the Government but

under the management of the Provincial People's Committee, which is the body that directly manages daily activities in the economic zone conditions and needs for investment in the economic zone to receive.

However, besides the benefits, in some economic zones, attracting and accepting many manufacturing enterprises has caused negative environmental impacts due to illegal licensing acts the law. It is a fact that, because the Economic Zone Management Board is an agency directly under the management of the local government, in many cases, the licensing of production enterprises operating in the economic zone is affected and governed by local authorities without taking into account the ability to meet the conditions on environmental protection as well as the suitability of business lines as prescribed by law.

Because of receiving more and more production plants operating, the amount of waste gradually increases, while not considering the ability to meet the treatment capacity of concentrated waste treatment works in the economic zone, the amount of waste produced is not considered waste exceeds the capacity to handle, must be discharged directly into the environment causing pollution.

The economic zone management board and local government are responsible for formulating the policy of building and attracting investors to operate in the economic zone. The establishment and progress of attracting investors to operate in order to exploit the advantages from the economic zone to serve the cause of socio-economic development of the locality is a right policy, prescribed by law.

Secondly, about the management of the Economic Zone Management Board

The management of some economic zone management boards in our country is now gradually revealing weaknesses. Many economic zone management boards take advantage of the management to make illicit profits, including serious mistakes in management by the management board of Chu Lai EZ (Quang Nam) from 2013 to 2017⁵:

According to the conclusion of the Quang Nam Provincial Inspectorate, the management and use of project management costs and the observance of the accounting law, economic management, and financial management regimes and policies have many expenses. Inappropriate payment, unreasonable and invalid payment documents. The management board of Chu Lai open economic zone has not fulfilled the state budget obligations as prescribed from the revenue from the sale of bidding documents and has not yet declared and paid natural resources tax and environmental protection fee from the sale of sand make full use of. All these violations belong to the head and accountant of Chu Lai Open Economic Zone Management Board, Infrastructure Project Management Board, and infrastructure development center.

Regarding the construction supervision consultancy, the Provincial Inspector pointed out that the construction supervision consultancy units are not strict, leading to the construction unit not following the approved design, confirming the basic construction volume completed in excess and not by the actual construction volume has created a loophole for the construction unit to pay more than the actual construction volume. The construction work of the construction

contractor is not by the approved design; setting up the volume for acceptance, payment, and finalization of the completed capital construction exceeding the actual construction volume, along with the contents of violations related to the inspection and acceptance of mines and explosives clearance, with a total amount of 18.4 billion VND.

Regarding the management of capital construction, the Provincial Inspectorate has inspected 7 works, of which 5 have been verified and settled investment capital, including the Tien Xuan residential area - the foundation item, road surface; the coastal road works through the Tam Hiep industrial park - phase 1; road works to Quang Nam Central General Hospital; tree planting projects in North Chu Lai Industrial Park and Chu Lai - Truong Hai Automotive Mechanic Industrial Park; The works of Pot Rang resettlement area, phase 1 and 2, unfinished, temporarily stopped for acceptance and acceptance of the final settlement are the works of flood and storm prevention, the road for rescue and rescue in Nui Thanh district and Tam Ky city. Through the inspection of these 7 works, there are 2 works under the project of flood prevention and storm control, and the road for rescue and rescue in Nui Thanh and Tam Ky districts have major errors in the quality of works, in terms of inspection and acceptance, and volume payment, slow progress of works, slow to put into use....

This shows that the management of capital construction investment at the Chu Lai Economic Zone Board is very loose, not complying with the provisions of the law on capital construction investment. The Inspector of Quang Nam province said that the responsibility for this mistake belongs to the Management Board of Chu Lai Open Economic Zone (the investor) and the investor's representative over the periods (the Management Board of Investment and Construction Projects). Infrastructure Project Management Board under the Management Board of Chu Lai Open Economic Zone) and construction units.

The most recent example, in the management of Dung Quat Economic Zone Management Board about construction projects as of July 2022, 105 projects are delayed in implementation (of which 53 projects are in the commercial group, services, and residential areas). The delay of projects has affected people's lives in this economic zone and greatly affected the attraction of investors. At the meeting with the Management Board of Dung Quat Economic Zone and Quang Ngai Industrial Zones on May 31, 2022, the Chairman of Quang Ngai Provincial People's Committee Mr. Dang Van Minh also pointed out some shortcomings in the management of Quang Ngai Province. Management Board, as lack of drastic in implementing the conclusions of the Provincial People's Committee; slow implementation of inspection conclusions; slow to resolve shortcomings and problems with some investment projects, land projects, and land management... "These limitations have directly affected the socio-economic development of the province in 2022 and the following years if it is not completely resolved as soon as possible"⁶.

Some solutions to perfect the law and improve the efficiency of law enforcement on the tasks and powers of the Economic Zone Management Board in Vietnam

- Solutions to improve the law on tasks and powers of Economic Zone Management Boards in Vietnam

To contribute to the improvement of the law on the duties and powers of the economic zone management board, in our opinion it is necessary to:

First, it is necessary to agree on the terms "Duties", "Authorities" and the term "responsibility".

Second, it is necessary to strengthen the duties and powers of the State Management Boards of the Economic Zone Management Boards by clarifying the position of the state management model in the economic zone through the management board: If it is determined that the Management Board is a territorial management level, it must prepare procedures to submit to the National Assembly for a decision on the addition of more territorial administrative units and the establishment of a territorial government; it is necessary to create a mechanism for the State management activities of the Management Board to become simpler, clearer, and more convenient according to two options:

Option 1: Reduce other state management functions of the Management Board and focus only on two main functions: attracting investment and investing in infrastructure construction of the Economic Zone.

Option 2: Maintain the current functions of the Management Board but clarify the decentralization and authorization for the Management Board from the Government, ministries, and provincial People's Committees according to each specific field. To do this, it is necessary to review the legal regulations in all areas where the Economic Zone Management Board performs the state management function.

Refer to the state management model of Economic Zones in other countries for a complete selection of state management models through single-level government: Shenzhen Special Economic Zone (China) was born in 1979, established the city government in the 80s, established the City People's Council in the early 90s, and in the late 90s established two affiliated counties and is now a city-level government in Guangdong province; Incheon Free Economic Zone (Korea) was established within three districts of Incheon city, and is managed by the state according to the existing government model (district, city).

Thus, in our opinion, the management model through a complete level of government is the most optimal solution for state management in the economic zone. This is the best option in the long-term orientation to develop the economic zone management model.

Third, perfecting the law on the coordination responsibility of state management agencies on environmental protection during the operation of economic zones.

(i) Assign responsibilities to the Economic Zone Management Board to act as the focal point, assume the prime responsibility for, and coordinate with relevant agencies in the locality to conduct an inspection, inspection, and handling of environmental protection activities schools in economic zones. This regulation helps the Management Board to be proactive in formulating and timely organizing inspection and inspection activities to detect and prevent environmental violations in economic zones. At the same time, promoting the role and responsibility of the Management Board as the direct management agency of environmental protection activities in the economic zone.

(ii) Specifying responsibilities, powers as well as specific time and plan for each agency in inspecting and examining environmental protection activities in economic zones. This regulation helps agencies to take initiative in time and plan in coordinating inspection, inspection, and handling environmental violations in economic zones.

(iii) In addition, the regulations need to specify the content of coordination work, how to conduct inspection and inspection as well as the order and authority to handle environmental violations in the operation economic zones based on current regulations.

Fourth, there should be a regulatory mechanism to create initiatives for the Economic Zone Management Board to promptly detect, prevent and handle violations of environmental protection during the operation of the economic zone economic sector.

Fifth, it is necessary to supplement regulations on the initiative of the Management Board in coordinating to inspect, inspecting, and handling environmental protection activities in economic zones.

As analyzed, the current situation, because it is not assigned the right to self-inspect and handle violations, the Management Board of the economic zone must depend on the coordinated plan of the environmental state management agencies in the area economy. Moreover, if detecting violations in environmental protection, the economic zone management board must report it to the competent agency for inspection and handling. As a result, violations are not checked and prevented in time. To overcome this situation, it is necessary to assign the Management Board the right to directly inspect and handle administrative violations on environmental protection so that this agency can be proactive in detecting and preventing timely violations violations, and at the same time take the initiative in formulating and implementing plans to coordinate with state management agencies in charge of the environment in economic zones.

- Solutions to improve the implementation of the law on tasks and powers of economic zone management boards in Vietnam

Firstly, improve the capacity of the staff working at the Economic Zone Management Board. Raise legal awareness as well as professional knowledge for staff working at the Economic Zone Management Board to perform well. Build a dynamic working environment, and work effectively to increase productivity. Healthy competition for working positions, for leadership

positions, it is necessary to organize transparent and public recruitment exams throughout the country.

Secondly, the Economic Zone Management Board needs to organize contact with businesses in the area of the Economic Zone. The Management Board of the Economic Zone actively develops programs and plans to contact businesses in the area of the economic zone to understand the operation situation as well as thoughts and aspirations.

Thirdly, for policies to attract investors to economic zones. To meet the initial infrastructure needs in the economic zone, the State needs to:

- (i) There are clear regulations on financial support mechanisms and creating a favorable environment for calling for investment in infrastructure construction of economic zones.
- (ii) (Compelling infrastructure companies to comply with regulations on making EIA reports and periodically reporting on environmental protection to economic zone management boards.
- (iii) It is necessary to select investors who fully meet the requirements for environmental protection in the economic zone. Instead of approving massively and without choice, the competent authority needs to appraise and check the financial capacity as well as the ability to comply with regulations on environmental protection in the economic zone.
- (iv) It is necessary to regularly inspect and check to detect and strictly handle violations of regulations by investors in the course of operation and business.

Fourthly, build funding sources for environmental protection activities in economic zones

Funding for the construction, operation, and maintenance of environmental protection works is an important issue of current economic zones. Building and operating a system of environmental protection work in economic zones requires workers to spend a lot of money. Therefore, to solve this situation, the following recommendations should be well implemented in the coming time: (i) it is necessary to have the policy to stabilize the state budget for investment in economic zone infrastructure construction. Currently, the development of economic zone infrastructure, including environmental protection works, is mainly supported by the state budget. According to the Prime Minister's Decision No. 40/2015/QĐ-TTĐ promulgating principles, criteria, and norms for the allocation of development investment capital from the state budget in the 2016-2020 period, the list of construction Economic zone infrastructure is on the list of industrial sectors using state budget development investment capital in the 2016-2020 period. This decision set forth the investment principles: (i) Investment in building the main traffic system in the economic zone; (ii) Compensation, site clearance, and construction of technical infrastructure; (iii) Invest in building solid waste treatment zones and centralized wastewater treatment systems of functional zones in economic zones.

To contribute to improving the efficiency of environmental protection in economic zones, in addition to raising the awareness of the subjects, the investment capital for the construction of infrastructure of the economic zone in general and the construction of protection works in the

area of economic zones must be improved. The environment in particular plays an important and decisive role. The State needs to have the policy to stabilize the investment budget for economic zones in each period and at each specific time.

(i) Need to support, seek and mobilize budget sources for investors to do business in the infrastructure of economic zones. The law has provisions on the issue of local budget support in the construction of economic zone infrastructure.

(ii) study the world's experience in mobilizing and using funds for infrastructure construction of economic zones. Singapore's experience shows that to achieve optimal efficiency in the operation of economic zones in general and environmental protection in economic zones in particular, the state budget needs to focus on supporting investors to build Right from the beginning and completing the environmental protection works, businesses just need to enter and do business. At the same time, conduct training and train professional staff for investors to effectively operate, analyze and process data on environmental indicators, to give accurate warnings. In Vietnam, the policy to support the budget for the construction of economic zone infrastructure is already in place, what is needed is how to organize the implementation to be effective.

CONCLUSION

In the current integrated economy, economic zones have become a popular model, used by many countries, including Vietnam, to attract investment, promote economic development as well as serve security purposes national security. Meanwhile, the provisions of law as well as the practical implementation of the duties and powers of the Economic Zone Management Board, one of the important agencies that directly manage economic zone activities, are still in the process of being affected. Many shortcomings and limitations lead to the operational efficiency of the economic zone not meeting the set expectations. Therefore, continuing research to perfect the law and improve the efficiency of law enforcement on the duties and powers of the Economic Zone Management Board is of great importance in the current period.

References

1. Chung, T. (2022). Inadequacies in economic zones in Central Vietnam, <https://www.tinnhanhchungkhoan.vn/bat-cap-tai-cac-khu-king-te-o-mien-trung-post304238.html>, accessed 11/15/2022.
2. Dan Tri newspaper. (2022). Inspection discovered many violations at Chu Lai Open Economic Zone Management Board. <https://dantri.com.vn/xa-hoi/thanh-tra-phat-hien-nhieu-sai-pham-tai-ban-quan-ly-khu-king-te-mo-chu-lai-20191001064953464>
3. Danh, T.T. (2012). "Relationship between Dung Quat Economic Zone Management Board and local authorities", Master thesis in Economics, done at Ho Chi Minh City University of Economics, p.26-29.
4. Duong, D. (2022). Deputy Prime Minister Trinh Dinh Dung: Projects must meet environmental standards', Journal of the Communist Party of Vietnam. <http://dangcongsan.vn/thoi-su/pho-thu-tuong-trinh-dinh-dung-cac-du-an-phai-dap-ung-tieu-chuan-ve-moi-truong-396351>.

5. Central Institute for Economic Management (2019), "Synthetic report on research and development of coastal economic zones towards sustainability: A case study of central coastal economic zones", Hanoi.
6. Ha, N.S. (2020). Summing up the results of the survey of the opinions of managers of the Economic Zone, Department of Construction, Department of Natural Resources and Environment on environmental protection in the economic zone of the research team.
7. Ministry of Natural Resources and Environment. (2022). Circular No. 02/2022/TT-BTNMT, Circular detailing the implementation of a number of articles of the Law on Environmental Protection.
8. Management Board of Economic Zones of Quang Tri Province. (2020). Report on the operation of economic zones and industrial zones in Quang Tri province in 2020
9. National Assembly. (2020). Law on Environmental Protection, Hanoi.
10. Government. (2022). Decree 35/2022/ND-CP, Decree on the management of industrial parks and economic zones.
11. Government. (2020). Decree No. 45/2022/ND-CP, Decree on sanctioning of administrative violations in the field of environmental protection.
12. Government. (2022). Decree 08/2022/ND-CP, Decree detailing a number of articles of the Law on Environmental Protection.
13. Yen, D.H. (2016). "Sustainable development of coastal economic zones in the Red River Delta", PhD thesis, done at National Economics University, pp.94 - 95.