

**DECISION
On Roles, Responsibilities, Duties, Authorities and Organization Structure
Of the Ministry Inspectorate**

THE MINISTER OF LABOUR - INVALIDS & SOCIAL AFFAIRS

Pursuant to the Law of the Government Organization dated 25 December 2001;

Pursuant to the Decree No. 36/2012/ND-CP of the Government, dated 18 April 2012, which stipulates roles, duties, authorities and organization structures of the Ministries and Ministerial-level organizations;

Pursuant to the Decree No. 106/2012/ND-CP of the Government, dated 20 December 2012, which stipulates roles, duties, authorities and organization structure of the Ministry of Labour, Invalids and Social Affairs;

Upon the proposal of the Director General of the Department of Personnel & Organization

DECIDES

Article 1. The Inspectorate of the Ministry of Labour - Invalids & Social Affairs (herein after referred to as The Ministry Inspectorate) is a unit of the Ministry of Labour - Invalids and Social Affairs, has the responsibilities and duties to assist the Minister in execution the legal laws and legislation on inspection works; exercises administrative inspection to offices, organizations and individuals and executes professional inspection to offices, organizations and individuals whose operations are within the management scope of the Ministry. The Ministry Inspectorate participates in law enforcement, corruption prevention and combat; citizen engagement and reception, settlement of claims & condemnation as specified by laws.

The official name in English for international transaction is the Ministry Inspection, in short form is MI.

Article 2. The Ministry Inspectorate has the following duties:

1. Coordinating or participating in compilation of legal documents as assigned by the Minister; making proposals to authorized bodies on revision, amendment or issuing legal documents in line with the State management requirements in the in the area of Labour, Social affairs and the people with special contribution.
2. Leading the inspection planning process and submitting proposed inspection plans to the Minister for approval; conducting and leading the inspection plan implementation as specified in its responsibilities; providing guidelines, monitoring and checking the implementation of inspection activities performed by professional public servants within the responsible areas of the Ministry as specified by laws.
3. Executing inspection towards implementation and enforcement of laws, regulations, duties and authorities under direct supervision of the Ministry; performing public inspection towards professional inspection activities performed by public servants in the responsible areas of the Ministry as specified by laws.
4. Performing inspection on law & legal enforcement, on implementation of professional and technical regulations and rules of the Ministry's responsible areas as listed below:
 - a) Inspection on labour code enforcement;
 - b) Inspection on enforcement of laws related to sending Vietnamese to work overseas under employment contract;
 - c) Inspection on enforcement of laws related to vocational training;
 - d) Inspection on enforcement of laws and legal requirements on privilege offers to people with special contribution;
 - e) Inspection on enforcement of laws related to social insurance (including compulsory/ voluntary social insurances and unemployment insurance);

- f) Inspection on enforcement of law on child protection and care within the Ministry's responsibilities and authorities;
- g) Inspection on enforcement of laws related to poverty elimination & social assistance;
- h) Inspection on enforcement of laws on corruption prevention and combat;
- i) Inspection on enforcement of gender equality within the Ministry's responsibilities and authorities;
- k) Inspection on enforcement of other laws and legal requirements applied to labour and social areas and people with special contribution.

5. Organizing and providing guidelines to labour accident notification and investigation and any breaches against labour safety standards, occupational hygiene & health; participating in setting up and providing guidelines for implementation and enforcement of national system on technical standards and criteria on labour safety & occupational hygiene and health.

6. Performing administrative punishments against breaches in the areas of labour, social affairs and people with special contribution as specified by laws.

7. Making proposals to relevant authorities for rescission of any unlawful decisions executed by any organization, office or individual in the areas of labour, social affairs and people with special contribution if legally available evidences prove that their acts, breaches or decisions are harmful to the state's interests, to legitimate rights and interests of individuals.

8. Assisting the Minister in managing activities of citizen engagement and reception, settlement of claims & condemnation within the Ministry's responsible areas, and assisting the Minister in settlement of claims and condemnation as specified by laws.

9. Performing duties of corruption prevention and combating as specified by anti corruption laws within the Ministry's responsible areas.

10. Providing guidelines on professional inspection to professional inspection units of the Ministry; providing guidelines to inspectors of the departments of labour and social affairs of provinces; providing guidelines and monitoring offices and units of the Ministry in implementation and enforcement of related legal regulations and laws on inspection, claim, condemnation and corruption prevention and combat.

11. Performing unexpected inspections and participating in inspection activities conducted by the Government, the Ministry and related sectors as assigned by the Minister.

12. Providing guidelines on use of inspection uniform of the sector.

13. Carrying out research works and taking part in legal education & training activities as assigned by the Ministry.

14. Collecting information and data and making reports to the Minister and the Government General Inspector on activities of inspection, settlement of claim and condemnation, corruption prevention and combat within the Ministry's responsible areas; collecting and sharing information, experience and best practices in inspection activities within the areas of labour, social affairs and the people with special contribution.

15. Performing international cooperation activities as assigned by the Ministry.

16. Managing staff, physical and financial resources as specified by laws and assigned the Ministry.

17. Performing any tasks as assigned by the Minister.

Article 3. Organization structure of the Ministry Inspectorate:

1. The Ministry Inspectorate has a Chief Inspector and other Deputy Chief Inspectors.

2. Functional sections include:

- Section of General Affairs and Administrative Inspection;
- Section of Citizen Engagement and Settlement of Claim & Condemnation;
- Section of Inspection of Policies on People with Special Contribution;
- Section of Labour Safety Occupational Health Inspection;
- Section of Labour Policies Inspection;
- Section of Inspection of Policies on Child and Social Issues.
- Section of Social Insurance Policies Inspection.

Article 4. The Chief Inspector of the Ministry Inspectorate is responsible for set up and implementing working/working relation regulations of the Ministry Inspectorate; specifying roles and duties of the functional sections; managing and specifying tasks and works within the staff to ensure the completion of the assigned duties and tasks.

Article 5. The Ministry Inspectorate has its own seal and account as stipulated by laws.

Article 6. This Decision comes into force from the date of signing and supersedes the Decision no. 148/QD-LDTBXH dated 30 January 2008 of the Minister of Labour - Invalids and Social Affairs, which stipulates roles, duties, authorities and organization structure of the Ministry Inspectorate.

Article 7. The Chief of the Ministry Office, the Director General of the Department of Personnel & Organization, the Chief Inspector of the Ministry Inspectorate and heads of related units bear full responsibility for implementation of this Decision.

THE MINISTER
Signed and stamped
Pham Thi Hai Chuyen