

**Southeast Asian Research
Association of Vietnam**

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

No.: 1108/QD- TWH

Hanoi, dated 7th January 2015

DECISION

**on the enactment of the Regulation on organization and operation
of the Community Entrepreneur Development Institute**

**CENTRAL COMMITTEE
OF THE SOUTHEAST ASIAN RESEARCH ASSOCIATION OF VIETNAM**

Base on Decision 563/TT dated 20th August 1996 of the Prime Minister on the permission for establishment of the Southeast Asian Research Association of Vietnam;

Base on Law on Science and Technology No. 29/2013/QH enacted by the National Assembly on 18th June 2013;

Base on Decree 08/2014/ND-CP dated 27th January 2014 of the Government detailing and guiding the implementation of a number of articles of the Law on Science and Technology;

Base on Circular 03/2014/TT-BKHCN dated 31st March 2014 of ministry of Science and Technology guiding conditions for establishment and registration of science and technology organizations, representative offices, branches of science and technology organizations;

Base on the Charter of the Southeast Asian Research Association of Vietnam;

Base on Decision 1107/QD-TWH dated 7th January 2015 of the Southeast Asian Research Association of Vietnam on the establishment of the Community Entrepreneur Development Institute (CENDI);

Consider the recommendation of the Department of Personnel and Office of the Central Committee of the Southeast Asian Research Association of Vietnam;

DECIDE

Article 1. To enact the attached Regulation on organization and operation of the **Community Entrepreneur Development Institute** which is standing direct under the Southeast Asian Research Association of Vietnam.

Article 2. This Decision takes into effect from the date of signing.

Article 3. The head of the Office and Department of Personnel of the Southeast Asian Research Association of Vietnam, the Community Entrepreneur Development Institute (CENDI) and the relevant organizations and individuals are responsible for implementation of this Decision.

**FOR THE CHAIRPERSON
DEPUTY CHAIRPERSON**

(signed and sealed)

Dr. Tran Quoc Tri

To:

- Ministry of Science and Technology;
- Ministry of Public Security;
- As mentioned in Article 3.

THE SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness

REGULATION
of the organization and operation
of the Community Entrepreneur Development Institute

CHAPTER I. GENERAL PROVISIONS

ARTICLE 1. General principles

The Community Entrepreneur Development Institute (hereinafter referred as ‘the Institute’) is an independent scientific and technological organization, operating according to Law on Science and Technology No. 29/2013/QH13 dated 18th June 2013; Decree 08/2014/ND-CP dated 27th January 2014 of the Government detailing and guiding the implementation of a number of articles of the Law on Science and Technology, and Circular 03/2014/TT-BKHCN dated 31st March 2014 of the ministry of Science and Technology guiding conditions for establishment and registration of science and technology organizations, representative offices, branches of science and technology organizations;

The Institute is established in order to research, learn, analyze and make choices of developmental strategy of local knowledge in the mountainous ethnic minority communities regarding to co-governance of harmonious relationship between humans and nature in response to challenges from globalization and climate change;

The Institute is an independent, not-for-profit legal entity having its own stamp and bank account, and operates in a self-determined, self-responsible manner.

ARTICLE 2: Name, office

Name: **Community Entrepreneur Development Institute.**

Abbreviation for contact: **CENDI.**

Headquarter of the Institute is at **12 C - Phạm Huy Thông street – Ngọc Khánh ward – Ba Đình district – Hà Nội city.**

Telephone: **043 771 73 67 ; 043 771 56 90**

Fax: **043 771 56 91**

Email: **cendi@cendiglobal.org**

Skype ID: **cendiglobal.org**

On the basis of real needs and capacity, the Institute shall be able to establish its branches, representative offices or belonging units in Vietnam and overseas according to the laws.

CHAPTER II. OBJECTIVES - FUNCTIONS - TASKS - RIGHTS

ARTICLE 3: Objectives

The Community Entrepreneur Development Institute focuses on research and analysis of the logical system of community management and sustainable co-governance of various types of natural resources on the basis of community tradition, to identify those values objectively and actually to create foundations for linkage and creation of opportunities for

consolidation and enhancement of internal strengths of the logical system and its self-determination in *sustainable co-governance* of natural resources and environment in the watershed areas whereas to create basic foundation for the communities to cope confidently with potential challenges from globalization and climate change.

ARTICLE 4: Functions, tasks

- To conduct scientific research on bio-diversity, ecology; sociological methodology research; research on cultures of various ethnic groups in different localities; research on preservation and sustainable development of natural resources and bio-diversity of various ethnic groups in different ecological regions.
- To provide scientific consultancy and critiques, compose document, organize scientific workshops and seminars, and provide training to enhance professional capacity of the mentioned research fields.
- To cooperate with domestic and international organizations and individuals in order to fulfil the tasks of the Institute.

ARTICLE 5: Rights and responsibilities

1. To conduct scientific and technological research and application relating to functions and tasks of the Institute prescribed in Article 4 of this Regulation;
2. To promote cooperation with domestic and international individuals, communities, scientific and technological institutions, and universities according to the operational spheres of the Institute;
3. To be legally self-determined and self-responsible and self-financed for cooperation, promotion and bid for projects of research and scientific and technological experiment and application;
4. All activities are performed in accordance with the Vietnamese and international laws.

CHAPTER III. ORGANIZATION AND OPERATION

ARTICLE 6: Organizational structure

The Community Entrepreneur Development Institute has the following organizational structure:

1. The Board of the Institute is the Founding committee which becomes the Board of the Institute upon the launching operation of the Institute;
2. The Chairperson of the Board of the Institute;
3. The Director;
4. The Vice Director;
5. The Department for research and development of community entrepreneurs;
6. The Department for information, training, publication and forums on community entrepreneurs;
7. Sections of Administration and Services.

ARTICLE 7: Operational principles and relationship

1. The Community Entrepreneur Development Institute is a legal entity, being legally self-determined, self-responsible for its operation;

2. The Board of the Institute is responsible for consultancy and critique on strategies to ensure the maintenance of philosophy and long-term development objectives of the Institute;
3. The Chairperson of the Board of the Institute is the initiator of development philosophy, norms, values and basic behavioral principles which decide characteristics, reputation and cultural norms of the Institute, and is responsible for drafting the Institute's long-term development strategies before presentation to get feedback and critique from the Board of the Institute;
4. The Director of the Institute, who is promoted by the Board of the Institute and designated by the Chairperson of the Board of the Institute, is responsible for all operational activities before the Institute and the law;
5. The Vice Director, who is nominated by the Director and approved by the Board of the Institute, is responsible for the designated tasks before the Director.
6. Professional departments are decided by the Director and Vice Director and are responsible for the designated responsibilities according to the Regulations of the Institute.
7. The Administrative section is in charge of coordination of resources, finance and time for appropriate operation and development of the Institute in accordance with Regulation of the Institute and the law.
8. Regulation on governance and development of the Institute is uniquely applied for the entire Institute and is coordinated, synchronized, updated, revised, renovated and recreated in response to real needs of the communities and legality.

ARTICLE 8: The Board of the Institute

The Board of the Institute comprises of founding members of the Institute. The number of members of the Board will be able to change and supplement to suit to the development of the Institute.

The Board of the Institute has the following responsibilities:

1. To decide on the philosophical propensity and development objectives of community entrepreneurs of the Institute;
2. To decide on the development propensity, cooperating partners, granting sources and selection of strategic cooperating partners in order to facilitate development strategy of community entrepreneurs;
3. To suggest the Southeast Asian Research Association of Vietnam to merge or split the Institute, to establish branches and representative offices, to revise the Regulation according to the needs of the Institute;
4. To select, vote and suggest for the nomination and dismissal of the Director and Vice Director;
5. To decide on financial issues deriving from the operation and development of community entrepreneurs according to the Institute's Regulation, Financial Regulation and the law.

ARTICLE 9: The Chairperson of the Board of the Institute

The Chairperson of the Board of the Institute is responsible for written final decisions upon the suggestions and approvals by the Board of the Institute relating to the five contents mentioned in Article 8 of this Regulation.

ARTICLE 10: The Director

1. Be responsible before the Board of the Institute for direct management of the cooperation and development of programmes and projects relating to the spheres prescribed in Article 4 and Article 5 of this Regulation;
2. Be able to direct sign or terminate contracts for scientific and technological development and cooperation with domestic and international individuals and organizations according to the Institute's sphere of operation and legality.

ARTICLE 11: The Vice Director

The Vice Director is responsible for the tasks designated by the Director.

CHAPTER IV. FINANCE - ASSETS

ARTICLE 12: The registering capital

The registering capital of the Institute is VND 500,000,000 (five hundred million Vietnamese Dong) coming from the contribution of the founding members;

Other types of contributed capital are counted for intellectuals, documents and assets.

ARTICLE 13: Finance

The Institute's budget is derived from the following sources:

1. Revenue from domestic and international non-profit contracts of consultancy, critique for scientific and technological programmes according to the Institute's Regulation and the law;
2. Legal income from domestic and international contract for research and short-term training courses;
3. Legal revenue from the donation of domestic and international individuals and organizations;
4. Capital which is contributed by members of the Institute.

ARTICLE 14: Principles on the financial management and use

1. The Institute uses and manages finance according to its Financial Regulation and the current legal provisions of accounting and financial management;
2. The financial year and financial plan of the Institute shall be activated in 30 days after the grant of the certificate of the operation and the Institute's stamp;
3. Financial year shall start at the beginning of a calendar year and close at the end of each year;
4. The Institute shall organize auditing at the end of the first financial year in order to draw out experiences for better financial use and management in the following years;
5. The Institute's financial report shall be sent together with the progress report to cooperating partners and relevant agencies according to the Institute's Regulation and the law.
6. The discount and discharge of assets shall be conducted according to the law;
7. When the Institute is developed and entirely self-sufficient, the capital contributed by the members before the establishment and during the operation of the Institute

shall be repaid according to the State Bank of Vietnam's regulation on savings and interest;

8. After fulfilment of financial obligations, the Institute's profit (if any) shall be provided as follows:

- 60% of the yearly profit shall be contributed to the Reserved Fund for maintenance of governance and promotion of the Institute's scientific and technological tasks;
- 20% of the yearly profit shall be contributed to the Award and Welfare Fund of the Institute;
- The rest of the profit (if any) shall be used for benevolent initiatives, environmental protection, risks and calamity.

CHAPTER V. DISBANDMENT

ARTICLE15: Self-disbandment

The Institute shall disband itself in the following cases:

1. The Board of the Institute and all members of the Institute do not need to continue the Institute's operation;
2. The Institute does not have enough capacity and finance for continuous operation;
3. The procedure of disbandment of the Institute shall be conducted according to the law.

ARTICLE16: Compulsory disbandment

1. If the operation of the Institute does not abide by the Institute's Regulation or violates laws, the Institute shall be compulsorily disbanded according to decision of the Court;
2. The procedure of compulsory disbandment of the Institute shall be conducted according to the law.

CHAPTER VI. IMPLEMENTING PROVISIONS

ARTICLE17. Revision and supplement of the Regulation

If it is necessary, the Board of the Institute shall organize meeting to approve supplement and revision of the Regulation in a democratic and equal principle. The Chairperson of the Board of the Institute shall make relevant suggestion and request to the Central Committee of the Southeast Asian Research Association of Vietnam for the approval.

ARTICLE 18: The effect of the Regulation

This Regulation comprises 6 chapters, 18 articles, and takes effect from the date of the authorized signature.

Hà Nội, dated 7 January 2015

CERTIFIES THE TRUE COPY OF THE ORIGINAL

23th January 2015

No.: 195 Book: 01 SCT/BS

Chairman

Diep Tu Phuc

(signed and sealed)

This is to certify that Ms. Pham Thi Kim Dung, ID No. 132064550 issued by Phu Tho Police on 16.08.2007, has signed in front of me at the Ba Dinh Justice Department, Hanoi City.

Chứng thực bà Phạm Thị Kim Dung, CMND số 132064550 do Công An Phú Thọ cấp ngày 16.08.2007, đã kí trước mặt tôi
Số chứng thực: 293 Quyền số: 01 SCT/CK.
Tại Quận Ba Đình - Ngày: 28/01/2015



PHÓ TRƯỞNG PHÒNG TƯ PHÁP
Nguyễn Thị Ánh Hồng

I, the undersigned, Pham Thi Kim Dung, ID card No. 132064550 issued on 16.08.2007 in Phu Tho, hereby undertake that the content of the attached Vietnamese document has been correctly and suitably translated by me.

Tôi, Phạm Thị Kim Dung, CMND số 132064550 do Công An Phú Thọ cấp ngày 16.08.2007 cam đoan dịch chính xác phù hợp với nội dung văn bản đính kèm từ tiếng Việt sang tiếng Anh.

Ngày 28 tháng 01 năm 2015

Người dịch

Phạm Thị Kim Dung