



MINISTRY OF PLANNING AND INVESTMENT

**TRANSFORMATION AND CONSTRUCTION OF NEW
ECO-INDUSTRIAL PARKS ACCORDING TO DECREE
35/2022/ND-CP AND CIRCULAR DEVELOPMENT**

**Department of Economic
Zone Management**

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Vietnam**

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Development of eco-industrial parks in Vietnam

1

Eco-industrial park is a new industrial park model that has been implemented by many countries since the 90s to bring economic - environmental - social benefits to IPs and tenant enterprises in the IPs; promote sustainable development of industrial activities, implement the SDGs, and respond to climate change.



Eco-Industrial Park Vietnam

BENEFITS OF EIPs



- ❖ Enterprises: save input materials, reuse resources, connect with each other to make a network to optimize production activities → save production costs, increase profits and competitiveness; access to green finance
- ❖ Environment: save resources, reduce the use of raw materials, water, energy, and toxic chemicals; reduce greenhouse gas emissions, POP
- ❖ Surrounding community: improve workers' health and safety; increase the quality of life for the community (complex utilities around the IPs);
- ❖ Implement the goals of state management on industrial activities and IPs in a sustainable way, implement international commitments on environment, and respond to climate change.

Shifting from industrial zones...

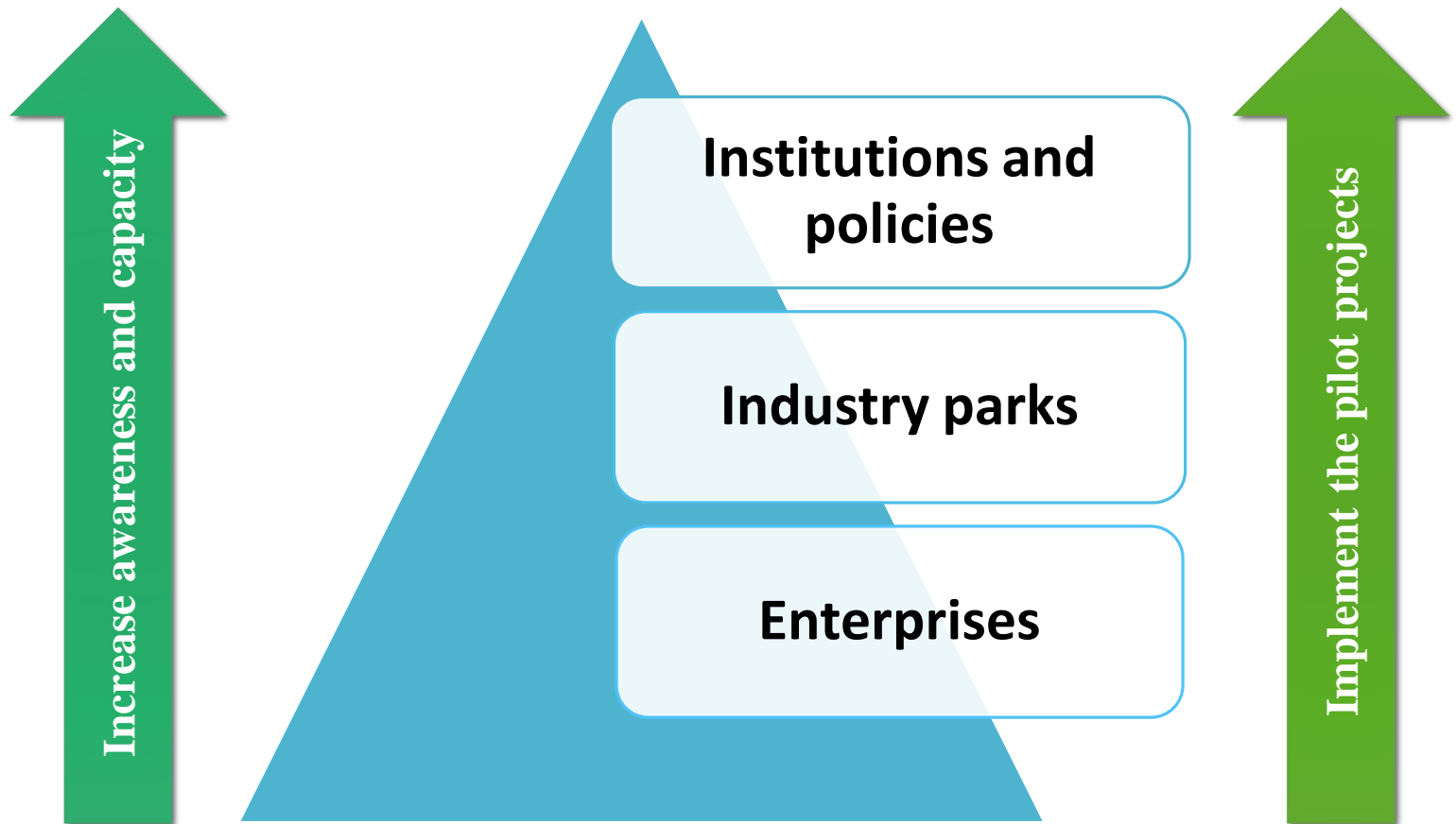


.... to eco-industrial parks



Pilot EIPs in Vietnam in the period of 2014-2019

3 Levels of Impact



Pilot EIPs in Vietnam in the period of 2014-2019

- Provide input for the development of contents on EIPs in the Decree 82/2018/ND-CP regulating the management of IPs and economic zones; **make a roadmap to improve the policies and implementation of eco-industrial parks in Vietnam**
- Develop the Technical Guidelines on EIPs on economic, social, and environmental aspects: develop a set of economic, social and environmental indicators, and the methods to calculate points to verify an EIP based on this set of indicators.
- Industrial park and enterprise level: 72 enterprises in 3 pilot IPs (in Ninh Binh, Da Nang and Can Tho) have implemented 900 solutions for resource efficiency, cleaner energy and production, saved VND 76 billion/year, mobilized about VND 207 billion from the private sector, and cut down 32 Kt of CO2 annually

Period of 2020-2023

POLICIES & COMMUNICATION

Support the completion of regulations on EIPs in Decree 35/2022/ND-CP on management of IPs & EZs

Integrate some contents on industrial symbiosis, EIPs in the circular economy into the Government's Decree 08/2022/ND-CP guiding the Law on Environmental Protection

Build a set of indicators on eco-industrial parks

Research and conduct energy audits for enterprises in IPs

Promote training and communication on EIPs

SUPPORT FOR IP TRANSFORMATION

Support 3 IPs: DEEP C, Hiep Phuoc, Amata to transform into EIPs:

- Conduct RECP in-depth assessment
- Elaborate industrial symbiosis solutions
- Support financial solutions to implement transformation solutions

Transformation and construction of new eco-industrial parks according to decree 35/2022/ND-CP

2



Eco-enterprise is an enterprise that simultaneously implements solutions for cleaner production, efficient use of resources and promote industrial symbiosis in an EIP; meet the criteria specified in this Decree (Article 2.8, Decree 35/2022/ND-CP)

Decree No. 35/2022/ND-CP: Eco-industrial park is an industrial park, in which enterprises in industrial parks engage in cleaner production and efficient use of resources, have links and cooperation in production to carry out industrial symbiosis activities; meet the criteria specified in this Decree. (Article 2.5)

Industrial symbiosis is cooperative activities between enterprises in an industrial park or in different industrial parks to optimize the use or reuse of inputs and outputs such as raw materials, water, energy, waste, scrap, and other factors in the production and business process (Article 2.7, Decree 35/2022/ND-CP)

REGULATIONS ON ECO- INDUSTRIAL PARKS IN DECREE No. 35/2022/ND-CP



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- Article 36. Support policies for and cooperation on development of eco-industrial parks
 - Article 37. Criteria for identification of eco-industrial parks
 - Article 38. Construction of new eco-industrial parks
 - Article 39. Incentives granted to eco-industrial parks and eco-enterprises
 - Articles 40, 41, 42. Certification as eco-industrial parks or eco-enterprises
 - Article 43. Monitoring, supervision and evaluation of effectiveness in development of eco-industrial parks or eco-enterprises
 - Article 44. Annulment and withdrawal of Certificates of eco-industrial parks or eco-enterprises
 - Article 45. Renewal of certification of eco-industrial parks or eco-enterprises

Support policies for and cooperation on development of eco-industrial parks (Article 36)

Provincial People's Committee

- Invest, upgrade, renovate and repair the existing industrial parks to support the transformation into EIPs
- Invest in construction of new EIPs and attraction of investments in the EIPs
- Science and technology, technology transfer to improve and innovate production processes and technologies, mitigate pollution and use of resources and energy

Cooperation in construction of eco-industrial parks

- Enterprises of IP may cooperate with one another on the common use of technical, social infrastructure facilities, services; reuse of raw materials to reduce costs and improve performance and competitiveness
- Cooperate with third parties (infrastructure enterprises, other enterprises) to develop the industrial symbiosis
- Arbitrarily agree on the form of cooperation and share interests and expenses under civil law

The Management Board of IPs and EZs

- Authorize a public service unit under its control or another appropriate unit to perform the functions of developing and providing resource efficiency and cleaner production information or data
- Develop and provide resource efficiency and cleaner production information and data at localities to certify, monitor, supervise and measure performance of EIPs and eco-enterprises; update information into systems for information about IPs, EZs

Criteria for identification of eco-industrial parks (Article 37)

- **Criteria for investors executing an investment project on construction and business of infrastructure facilities of an IP:** Comply with regulatory provisions of laws; provide all basic services needed to be in place at industrial parks; formulate and carry out the input and output supervision related to resource efficiency, cleaner production, and emission reduction
- **Criteria for enterprises operating at an IP:** comply with regulatory provision; at least 20% of enterprises at the IP that apply resource efficiency and cleaner production solutions; perform at least one industrial symbiosis
- **Criteria for industrial parks:** Total area of land intended for tree planting, traffic, public technical utilities and social infrastructure must account for at least 25% the planning scheme for construction of IPs; formulate solutions to providing dwellings, public services and utilities for employees working in IPs.

Construction of new eco-industrial parks (Article 38)



-- Government of Vietnam shall encourage investments in construction of new eco-industrial parks;
-- The condition of 60% occupancy rate is not applied when investing in infrastructure of new IP projects in the form of ecological industrial parks (Article 9.6.d)

The investor executing an investment project in facilities of an EIP must **register sectors and industries in which investments in the IP are permitted**; must **estimate emission levels** specific to sectors and industries

The investor executing an investment project in facilities of an EIP must **propose the industrial symbiosis plan, the plan for formulation and implementation of the mechanism for input and output supervision** in IP

The investor executing an investment project in facilities of an EIP must propose **the social corporate responsibility plan** towards the surrounding community

The investor executing an investment project in facilities of an EIP must make its commitment to meeting the criteria for identification of EIPs within **08 years** from the date of establishment, and the commitment schedule is clearly arranged

Incentives granted to eco-industrial parks and eco-enterprises (Article 39)



- Be entitled to incentive policies specified in clause 1 of Article 32 herein (land rent exemption or reduction, priority to have access to the State-offered investment loans, eligibility for being entered or registered on the list of investment-attracting projects)
- Be preferred to take out loans from enterprise support development fund, technology innovation fund, Vietnam Development Bank, other international funds and donors; issue green bonds under law on issuance of bonds, law on environmental protection
- Be given preference in providing information related to technology and cooperating in technical solutions in transformation to eco-enterprises
- Be given preference in participation in technical assistance and investment promotion programs hosted by state regulatory authorities.

Article 41. Application processes, procedures and documentation requirements for certification for eco-industrial parks

1. Investors executing investment in facilities of IPs shall prepare 06 application packages for certification for eco-industrial parks according to Article 42 herein to for submission to the IP Management Board.
 2. Within 03 working days, the IP Management Board submits written documents on consultation with the Ministry of Planning and Investment, the Ministry of Natural Resources and Environment, the Ministry of Industry, and Trade and the Ministry of Construction. Within 15 working days of full receipt of the aforesaid consultation request documents, the consulted agency makes their comments.
 3. Within 40 working days of full receipt of the submitted documents, the IP Management Board makes their evaluation report on conformance to the criteria stated in Article 37 herein.
 4. When obtaining satisfactory assessment results, the IP Management Board reports to the provincial People's Committee to grant the Certificate of eco-industrial park.
- Upon receipt of unsatisfactory assessment results, within 03 working days after such receipt, the IP Management Board shall be responsible for notifying these results in writing to the applicant enterprise and giving clear explanations for such results.

Article 42. Application processes, procedures and documentation requirements for certification for eco-enterprises

1. Enterprise located at an IP shall prepare 05 application packages for certification for eco-enterprise to the IP Management Board.
2. Within 03 working days of receipt of the sufficient application package, the IP Management Board files written consultation request to the Departments of: Natural Resources, Science & Technology, Industry and Trade, Construction. Within 07 working days of full receipt of the aforesaid consultation request documents, the consulted agency makes their comments.
3. Within 20 working days of full receipt of the submitted documents, the IP Management Board makes their assessment report on conformance to the criteria.
4. When obtaining satisfactory assessment results, the IP Management Board grants the Certificate of eco-enterprise.

Upon receipt of unsatisfactory assessment results, within 03 working days after such receipt, the IP Management Board shall be responsible for notifying these results in writing to the applicant enterprise and giving clear explanations for such results.

Monitoring, supervision and evaluation of effectiveness in development of eco-industrial parks or eco-enterprises(Article 43)



1. Investors executing investment in facilities of EIPs prepare evaluation reports on their performance towards development of EIPs for submission to Management Board of IPs and EZs of the followings: (i) Performance and maintenance of the efficient consumption of resources and cleaner production of enterprises and achievements; (ii) performance of industrial symbiosis, achievements and newly participating enterprises; (iii) Performance toward the efficient consumption of ingredients, materials, water, energy, chemicals and reduction in emissions of the IP
2. Eco-enterprises shall prepare reports for submission to enterprises of facilities and Management Board of IPs and EZs on: (i) performance and maintenance of the efficient consumption of resources and cleaner production; (ii) performance toward the industrial symbiosis; (iii) achievements from the efficient use of ingredients, materials, water, energy, chemicals and reduction in emissions
3. Results of the monitoring, supervision and evaluation are used to consider re-issuing, revoking or invalidating the Certificate of eco-industrial park or the Certificate of eco-enterprises
4. Measuring the economic, social and environmental effectiveness of eco-industrial parks and eco-enterprises shall be based on data and information obtained from the national system of information about industrial parks and economic zones

Renewal of certification of eco-industrial parks or eco-enterprises (Article 45)



1. The Certificate of eco-industrial park or the Certificate of eco-enterprises may be renewed after 05 years if the EIP and eco-enterprise continues to meet the criteria
2. Provincial People's Committees, Management Board of IPs and EZs shall grant the renewed certificate of eco-industrial park or eco-enterprises according to the annual supervisory and assessment report and conformance to the criteria for the eco-industrial parks or eco-enterprises at the time of grant of the renewed certificate without conducting any survey on opinions from other relevant agencies

Orientation for the development of a guiding circular

3

The Ministry of Planning and Investment guides the construction of EIPs (Article 53.2.b of Decree 35).

Form of
application file
for registration
of certification
of eco-
industrial
park(Article
41.2)

Form of
application file
for registration
of certification
of eco-
enterprise(Arti
cle 42.2)

Sample annual
evaluation
report on EIP's
performance
(resource
efficiency,
cleaner
production;
industrial
symbiosis;
performance of
material saving
and emission
reduction
(Article 43.1)

Form of annual
evaluation
report on eco-
enterprise's
performance
(resource
efficiency,
cleaner
production;
industrial
symbiosis;
results of
material saving
and emission
reduction
(Article 43.2)

Form of
Certificate of
EIP; Certificate
of eco-
enterprise
(Article 40.3)

FORM FOR REGISTRATION FOR CERTIFICATE OF EIP, ECO-ENTERPRISE



- ❖ Application for Certification as EIP or eco-enterprise
- ❖ Report on the operation and investment attraction of IP; enterprises operating in IP
- ❖ Assessment on the conformance to criteria for identification of EIP/eco-enterprise
- ❖ Other documents related to the IP/the implementation of environmental and social responsibilities of EIPs

FORM OF REPORT ON PERFORMANCE OF EIP, ECO- ENTERPRISE



- ❖ Set of economic - social - environmental indicators to monitor, evaluate, and re-evaluate the EIPs, eco-enterprises proposed by experts after being tested in some IPs
- ❖ Measurement of the achievement of saving raw materials, ingredients, water, energy, chemicals, and reducing emissions of solutions deployed by EIPs and eco-enterprises
- ❖ Indicators to evaluate the economic - social - environmental efficiency of EIPs and eco-enterprises integrated into the national information system on IPs and EZs

RELEVANT MINISTRIES AND AGENCIES



Ministry of Natural Resources and Environment:
guide the treatment, recycling, and reuse of waste and
scrap in EIPs in accordance with the law on
environmental protection (Article 58.2)

Other relevant ministries and ministerial-level agencies
(Ministry of Agriculture and Rural Development, Science and
Technology, Industry and Trade, etc.): guide the reuse of waste,
scrap, excessive water and energy in EIPs under the
responsibility of their state management (Article 65.2).



Eco-Industrial Park Vietnam

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