



Issues that need to be decentralized and authorized by the People's Committee of Ho Chi Minh City to the People's Committee of Thu Duc City

Tran Thien Chien

National Academy of Public Administration, Vietnam

<i>Article History</i>	Abstract
<p>Received: 12 September 2023 Revised: 10 October 2023 Accepted: 15 November 2023</p> <p>CC License CC-BY-NC-SA 4.0</p>	<p>In an increasingly complex urban development context, effective management and meeting residents' needs requires smart decentralization and authorization between management levels. Topic about Ho Chi Minh City People's Committee and Chairman of Ho Chi Minh City People's Committee decentralizing and authorizing Thu Duc City People's Committee and Chairman of City People's Committee. Thu Duc has become outstanding in building an effective urban management system and adapting to development. Decentralization and authorization between management levels such as Ho Chi Minh City People's Committee and Thu Duc City People's Committee are necessary measures to optimize management and service to residents. This process demonstrates the spirit of cooperation and shared responsibility between management levels. By delegating decisions and responsibilities, the Thu Duc City People's Committee can shape local policies and decisions flexibly and reflect the reality of that area.</p> <p>Keywords: Decentralization; Authorization; Ho Chi Minh City People's Committee; People's Committee of Thu Duc City.</p>

1. CONCEPTS

1.1. Decentralization of state management

State management decentralization in Vietnam refers to the division of authority and responsibilities between levels of government to ensure the compatibility between functions and tasks with the actual capacity and conditions of each level. The importance of decentralization and decentralization has not yet been agreed upon in theory and practice. Some international and domestic studies have not used the terms “decentralization” and “decentralization” consistently. One view is that decentralization is the division of functions between levels of government,

while decentralization is the sharing of power and authority between levels. Currently, delegation is being used to refer to the transfer of power from superiors to subordinates.

In Vietnam, the 2013 Constitution defines the duties and powers of local governments based on the division of authority between central and local state agencies. The 2015 Law on Local Government Organization provides detailed regulations on decentralization for local governments. Decentralization is based on work requirements, implementation ability, and specific local conditions, and central and local state agencies have the right to decentralize to local governments or state agencies. lower grade. Regulations on decentralization must comply with the principles and be prescribed in legal documents of decentralizing state agencies. In addition, it is necessary to ensure financial conditions, human resources, and other conditions to carry out decentralized tasks and powers.

1.2. Decentralization of state management

Decentralization, according to the most general definition, is the sharing of authority and responsibility for a collective or an administrative unit - a self-governing territory, with legal status, equipped with specific powers and resources. , under State control. Currently, decentralization has two main development directions: horizontal decentralization and vertical decentralization. In Vietnam, horizontal decentralization involves the assignment, coordination, and control in the exercise of legislative, executive, and judicial powers. Vertical decentralization involves sharing authority between central and local governments. Vertical decentralization (territorial decentralization) includes the Central transfer of the powers, tasks, and material means... to local governments for implementation. Local government agencies have the right to make their own decisions on local issues based on the provisions of law, while the Central Government inspects local government activities through the legal and judicial system. administrative.

With the decentralization of power in state management, the approach is often vertical decentralization, in which "decentralization at the territorial level is the principle of organizing the implementation of power, accordingly, the central State transfers (through the constitution and law) gives local representative councils

independent and complete powers (including material means, finance, personnel...), within which they exercise proactive, independent and self-responsible". The 2015 Law on Local Government Organization (amended and supplemented in 2019) stipulates that the decentralization of powers to each level of local government must be stipulated in-laws. Local governments have autonomy and self-responsibility in implementing decentralized tasks and powers. Higher-level state agencies are responsible for inspecting and checking the constitutional and legality of implementing the tasks and powers delegated to local authorities.

1.3. Authorization in state management

Authorization, according to common understanding, is the entrustment of certain rights that the law has given you to another person to use or the right to another person to represent and use the rights you have legally. In state management activities, "authorization is essentially the act of a superior agency giving a subordinate agency the right to handle its affairs under specific conditions, which the superior believes is not necessary." resolved directly".

Authorization usually takes place on a case-by-case basis. When delegating authority, superior authorities or superior leaders can give subordinates technical and financial means and tools to perform certain tasks. Superior authorities or superior leaders have the right to inspect and supervise subordinates and agencies, and the authorized person is not allowed to delegate authority to others. According to the provisions of Article 14 of the Law on Local Government Organization 2015 (amended and supplemented in 2019): "In case of necessity,... superior state administrative agencies may authorize the Committee to People's Committees at direct subordinates, etc. The Chairman of the People's Committee can delegate authority to the Vice Chairman of the People's Committee at the same level, the head of a specialized agency under the People's Committee at the same level, and the Chairman of the Committee. lower-level people directly perform one or more of their tasks and powers".

Therefore, delegation of authority is a common trend in the organization and implementation of state management between the Central and local levels, between levels of government, and has been expressed in legal regulations, especially the Law

on Organization of Local Government. These basic regulations have contributed to implementing the tasks of local governments, especially urban governments, effectively and efficiently.

2. RESEARCH RESULTS

2.1. Regarding decentralization, decentralization, and authorization of the City Committee. Ho Chi Minh for the People's Committee of Thu Duc City and Chairman of the People's Committee of Thu Duc City

2.1.1. Regarding decentralization, decentralization, and authorization of the City Committee. Ho Chi Minh for Thu Duc City People's Committee

Institutionalizing the spirit of the 2013 Constitution and the 2015 Law on Organization of Local Authorities (amended and supplemented in 2019), the National Assembly issued Resolution No. 131/2020/QH14 dated November 16, 2020, on government organization urban area in the city. Ho Chi Minh. Next, the Government issued Decree No. 33/2021/ND-CP detailing measures to implement Resolution No. 131/2020/QH14. On that basis, local authorities in the city. Ho Chi Minh City is the level of government including the City People's Council and City People's Committee; Local government in the district in the city. Ho Chi Minh is the district People's Committee; The local authority in the ward is the Ward People's Committee. Urban government in the city. Ho Chi Minh performs general tasks and powers as prescribed in the Law on Organization of Local Authorities, Resolution No. 131/2020/QH14 and Decree No. 33/2021/ND-CP and other relevant legal provisions.

The decentralization, decentralization, and authorization of the Central Government to the city's urban government. Ho Chi Minh City, in addition to implementing the general regulations mentioned above, is also specifically implementing Decree No. 93/2001/ND-CP dated December 12, 2001, of the Government on decentralizing the management of several fields to the City. Ho Chi Minh City and Resolution No. 54/2017/QH14 regulating pilot mechanisms and specific policies for city development. Ho Chi Minh City in various fields. Accordingly, Decree No. 93/2001/ND-CP decentralizes management to the City. Ho

Chi Minh City in 4 areas: (1) Management of planning, planning, investment, and economic and social development; (2) Management of housing, land, and urban technical infrastructure; (3) State budget management; (4) Organizing the apparatus and managing officials and civil servants. Resolution No. 54/2017/QH14 decentralizes and authorizes the City. Ho Chi Minh carries out the following activities: (1) Land management; (2) Investment management; (3) Financial management - state budget; (4) Income of officials, civil servants, and public employees managed by the City; (5) Organizing the apparatus of departments under specialized agencies under the City People's Committee.

In addition, City People's Committee. Ho Chi Minh City issued Decision No. 4712/QD-UBND dated October 20, 2018 (amended and supplemented by Decision No. 3751/QD-UBND dated October 10, 2020) on authorizing departments and branches, People's Committees of Districts to carry out several tasks and powers of Ho Chi Minh City People's Committee. Legal provisions on Decentralization and authorization (HA) for city urban authorities. Ho Chi Minh demonstrates the practicality and science of organizing and implementing state management, creating the HA mechanism, and proactively carrying out internal and groundbreaking work for the City. Ho Chi Minh is consistent with recent practice. In addition, this HA also helps the City. Ho Chi Minh proactively decentralizes and authorizes heads of agencies, units, and People's Committees of districts and Thu Duc City in the city. Ho Chi Minh. These regulations create a special mechanism for the City. Ho Chi Minh has developed into a special urban area, helping the city. Ho Chi Minh promotes creativity and initiative in performing functions and tasks.

Regulations on HA for the City. Recently, Ho Chi Minh City still has some of the following limitations and inadequacies:

First, some HA contents do not ensure initiative for the City. Ho Chi Minh in organizational design.

The decentralization of authority to the City. Ho Chi Minh's establishment of specialized agencies under the People's Committee is no different from the decentralization of provincial-level urban agencies in other localities. Currently, although the City People's Committee is allowed to adjust the names, functions, and

tasks of departments under the City People's Committee's specialized agencies (departments under the Department) to suit the City's characteristics, it is not allowed. Is there any breakthrough to help the City design its organizational structure of specialized agencies under the City People's Committee?

Regulations on the organization of specialized agencies according to Decree No. 24/2014/ND-CP dated April 4, 2014, and Decree No. 107/2020/ND-CP dated September 14, 2020, of the Government still stipulate that the right to decide on the organization of specialized agencies under the People's Committee is the authority of the Government. City. Ho Chi Minh can only deploy the construction of administrative apparatus based on general regulations of the Government. Although this decentralization has taken place since 2001, in reality, there have been no breakthrough changes to give proactive power to Ho Chi Minh City.

Besides, building urban government for effective urban governance is an important issue in local government organizations in our country, to create a breakthrough in government organization. Thu Duc city, part of the city. Ho Chi Minh City was established under Resolution No. 1111/2020/UBTVQH14 dated December 9, 2020, of the National Assembly Standing Committee based on merging the natural areas and population of District 2, District 9, and Ho Chi Minh City. Thu Duc. Thu Duc City was formed to lead the knowledge economy, becoming an innovation center, and promoting the city's development. Ho Chi Minh and the Southeast. This is the first time a city is within the City. Ho Chi Minh was established as a centrally run city. Urban government of Thu Duc city, in the city. Ho Chi Minh City, including the City People's Council, the City People's Committee, and the authorities of wards under Thu Duc city.

In Thu Duc City, the organization of specialized agencies under the City People's Committee is implemented according to Decree No. 37/2014/ND-CP dated May 5, 2014, of the Government (amended and supplemented one number of articles by Decree No. 108/2020/ND-CP dated September 14, 2020). Although the Government has issued Decree No. 33/2021/ND-CP dated March 29, 2021, to stipulate details and measures to implement Resolution No. 131/2020/QH14 on urban government organization in the city. Ho Chi Minh City, the establishment of

specialized agencies under the People's Committee of Thu Duc City in the City. Ho Chi Minh is still regulated by the Government. Accordingly, the People's Committee of Thu Duc City has the authority to submit to the City People's Council to consider and decide on the establishment, reorganization, and dissolution of departments to suit the state management requirements in the city. However, City. Ho Chi Minh does not have the authority to proactively decide on the structure and organization of specialized agencies of the Thu Duc City People's Committee but must comply with the provisions of Decree No. 33/2021/ND-CP.

For the People's Committees of wards in Thu Duc City, civil servant positions inwards are no different from civil servant positions at the commune level nationwide. The organizational structure of the ward People's Committee includes the ward chairman, ward vice chairman, ward police chief, commander of the ward military command, office - statistics, cadastral - construction - urban and environment, finance - accounting, justice - civil status, and culture - society. This regulation does not create a difference between the ward People's Committee of Thu Duc City and the commune-level People's Committee in other localities nationwide.

Second, the regulations on HA do not give the City the right to proactively decide on payroll and preferential policies in recruiting officials, civil servants, and public employees.

Decree No. 93/2001/ND-CP dated December 12, 2001, of the Government affirmed the authority of the City People's Committee. Ho Chi Minh in determining and allocating payroll targets based on the total assigned payroll and socio-economic development requirements in each determined period and allocating payroll targets to administrative units. government and career under the City after being approved by the City People's Council. However, the determination and allocation of annual payroll targets of the City. Ho Chi Minh City still relies on the total payroll approved by the Prime Minister.

Therefore, this decentralization is nothing special and cannot fully exploit the City's initiative in deciding civil servant payroll quotas to meet the needs of recruiting, arranging, and using civil servants. at the City. Furthermore, the number of civil servants at the commune level is controlled by the Government and the City.

Ho Chi Minh does not have the right to decide on the number of commune-level officials civil servants and non-specialized commune-level people in the City. There are wards and communes in the city. Ho Chi Minh has a large population, but the fixed number of civil servants does not create flexible conditions for the City's commune-level authorities to effectively carry out assigned functions and tasks.

In addition, Decree No. 93/2001/ND-CP also regulates preferential regimes of the City. Ho Chi Minh recruited officials and civil servants into professions with few registered people. However, this decentralized content only gives power to the City. Ho Chi Minh stipulates preferential regimes in recruiting civil servants into professions with few registered people without giving proactive power to the City. Ho Chi Minh decided on a policy for recruiting civil servants to attract and use talents working in the City's state agencies.

Third, some regulations on HA have not been completed, the implementation has encountered many difficulties and obstacles and has not guaranteed a breakthrough for the development of the City's urban government.

According to the provisions of Resolution No. 131/2020/QH14, the District People's Committee and Ward People's Committee operate under the leadership regime, ensuring the principle of democratic centralism. However, some provisions in the law on the authority of the People's Committee are still unreasonable. The reality in districts and wards of the city. In Ho Chi Minh City, work implementation still faces difficulties due to the lack of specific regulations and instructions from competent state agencies.

In particular, regulations on the authority of the Chairman of the City People's Committee in the city. Ho Chi Minh is still limited. The Chairman of the City People's Committee has the right to appoint, dismiss, transfer, rotate, second, reward, discipline, and suspend the chairman and vice chairman of the People's Committee of wards, heads, and deputies of specialized agencies under the City People's Committee. However, this right can only be exercised after the People's Council at the same level elects and dismisses People's Committee members. Therefore, although he has the right to decide on the appointment of department heads, in reality, "The Chairman of the City People's Committee does not have the right to select

members of the People's Committee like choosing a suitable 'team' for himself in the process of performing his functions." and tasks. This is not consistent with the model of the People's Committee operating under the leadership regime." Therefore, it is necessary to increase the authority of the Chairman of the City People's Committee to decide on organizational structure and personnel.

In addition, the provisions of the Law on Organization of Urban Management Agencies and Resolution No. 131/2020/QH14 only rank Thu Duc City at the same level as district administrative units, which does not ensure the effectiveness of government. city authority and did not achieve a breakthrough in implementing functions and tasks. Furthermore, Thu Duc City was established as a city based on 3 districts but reduced staff, causing work pressure and document processing time, while there were no breakthrough remuneration policies for the team. officers, civil servants, and public employees of the city's administrative apparatus in the city. Ho Chi Minh.

Fourth, the regulations on inspection and supervision of HA are not specific.

Currently, there are still no specific regulations on inspection and supervision of the implementation of the regime of dissemination, publicity, decision-making, and implementation of public affairs (HA) of urban governments of affiliated cities. Center. The inspection and supervision of HA by urban authorities still mainly follow the general provisions of the law for the whole country, so there are no specific regulations for urban authorities to effectively implement HA. fruit. The reality is that many regulations on HA have not been effectively implemented by central city authorities.

For example, according to Resolution No. 131/2020/QH14 and Decree No. 33/2021/ND-CP, the chairman of the ward People's Committee is authorized to authorize justice and civil status officers to authenticate documents and papers. However, the actual implementation of this regulation is still limited.

According to Resolution No. 131/2020/QH14, City People's Council. Ho Chi Minh has the task of "supervising compliance with the Constitution, laws and the implementation of resolutions of the City People's Council in the district and ward areas of the district; supervising the activities of the District People's Committee,

Ward People's Committee, and People's Court". District People, District People's Procuracy". The City People's Council belongs to the city. Ho Chi Minh City has the task of "supervising compliance with the Constitution, laws and the implementation of resolutions of the City People's Council in its affiliated wards; supervising the activities of the People's Committee and the Chairman of the People's Committee of the affiliated wards".

With the Urban Management Agency in the district not having a People's Council, supervision is assigned to the City People's Council. Ho Chi Minh City, as for Thu Duc City, which has a People's Council, supervision is assigned to the People's Council of Thu Duc City. However, current law still does not have specific regulations on the content, methods, order, and procedures of supervision of higher-level People's Councils over lower-level People's Committees. Thu Duc City People's Council's supervision of the activities of the People's Committee and the Chairman of the People's Committee of the affiliated ward also needs to be specifically regulated on the order and method of implementation. Supervising the activities of both the People's Committee of Thu Duc City and the People's Committees of affiliated wards is not simple, because the content, methods, and procedures for organizing supervision will be many different.

2.1.2. Regarding decentralization, decentralization, and authorization of the City Committee. Ho Chi Minh for the Chairman of Thu Duc City People's Committee

The Chairman of Thu Duc City People's Committee needs to take on an important role in administering policies and decisions at the local level. They need to have the ability to lead, manage, and promote the development of the Thu Duc City People's Committee in the future on the following issues:

Determine the scope of decentralization and decentralization:

The decentralization between the People's Committee of Ho Chi Minh City and the People's Committee and Chairman of the People's Committee of Thu Duc City requires clearly defining the scope of functions and tasks that the People's Committee of Thu Duc City can self-manage. This includes identifying areas such

as financial management, infrastructure, education, and health that the Thu Duc City People's Committee is capable of implementing effectively.

The reason for decentralization and decentralization is to facilitate the management and development of local areas while reducing the pressure of centralized management.

Functions and tasks of Thu Duc City People's Committee, this involves ensuring that the People's Committee can self-manage important activities such as financial management, infrastructure, education, and health within the territory of Surname.

Management efficiency: Clearly defining the scope of activities of Thu Duc City People's Committee helps enhance the ability to effectively perform local management tasks. Decentralization allows the People's Committee to promote creativity and flexibility in managing specific local issues.

Correlation with financial management: The fact that Thu Duc City People's Committee has its financial management ability is a typical example of decentralization. Managing local finances allows them to focus on important priorities and projects that local communities need.

Challenges and benefits: In addition to benefits, there can also be challenges in decentralization and decentralization. This includes ensuring that the Thu Duc City People's Committee has enough capacity and resources to manage the specific functions to which they are delegated authority.

Future development: Decentralization and decentralization may be related to the future development of the Thu Duc City People's Committee and its vision of improving the quality of life for the local community.

Interaction with Ho Chi Minh City People's Committee: The relationship between Thu Duc City People's Committee and Ho Chi Minh City People's Committee also needs to be considered. How can they cooperate, share information, and optimize resources to ensure the comprehensive development of the region?

The above factors refer to important aspects in determining the scope of decentralization and decentralization between Ho Chi Minh City People's Committee and Thu Duc City People's Committee. Understanding and discussing these points

can help strengthen local governance, meet community needs, and promote sustainable development.

Authorize decisions and implementation

Powers and scope of authorization: Clearly defining powers and scope of authorization is important to ensure that the Thu Duc City People's Committee can make decisions in decentralized areas effectively. Authority needs to be clearly defined to avoid confusion and conflict in decision implementation.

Authorization process: The authorization process should follow established rules and procedures in a transparent and public manner. This may include drawing up formal documents to document delegated authority and define the scope of implementation.

Ability and knowledge: To make decisions that benefit residents, the Thu Duc City People's Committee needs to have sufficient ability and knowledge. This includes providing the necessary training and support so they can understand problems and situations, and optimize decisions.

Responsibility and supervision: Ho Chi Minh City People's Committee is responsible for supervising the implementation of the authorization decision by Thu Duc City People's Committee. This process should ensure that decisions are made by regulations, and contribute to transparency and accountability in local governance.

Linking with the community: Delegation and implementation of decisions should be done in interaction with the local community. People's Committees need to listen to opinions and suggestions from residents to ensure that decisions meet their needs and desires.

Special Circumstances: There may be special circumstances that require discretion and flexibility in delegation. This includes identifying areas that require more focused intervention and management from the Ho Chi Minh City People's Committee.

Challenges and opportunities: Delegating authority and implementing decisions cannot only avoid challenges but also bring opportunities to enhance the

effectiveness of local management and development. Both sides need to be considered to ensure delegation is carried out in a considered and sustainable manner.

Create information links and join the community:

Information linking mechanism: People's Committees need to establish a mechanism to link information between the two regions, using existing communication channels such as conferences, press conferences, official websites, social networks, and other media platforms. The goal is to update important information and share the achievements, challenges, and activities of each region.

Discussion and information exchange: Discussion and information exchange between Ho Chi Minh City People's Committee and Thu Duc City People's Committee can take place through periodic meetings, symposiums, or forums online. This helps create a space to discuss, share ideas, and solve specific problems.

Community engagement: Local community engagement is important to ensure decisions reflect the realities and needs of people. Public meetings, community discussions, and public opinion surveys are ways to provide opportunities for residents to participate in the decision-making process.

Build trust: Information linkages and community participation help build trust between management agencies and residents. Sharing information transparently and continuously helps people better understand the decisions and actions of the People's Committee.

Handling diverse opinions: Creating information links and participating in the community also requires the ability to handle diverse opinions from the community. Decisions need to consider different perspectives to ensure equity and sustainability.

Technology integration: Information technology can be used to create connections and increase community participation. Mobile applications, interactive websites, and online platforms can provide opportunities for residents to offer opinions and suggestions remotely.

Measuring effectiveness: The information linking and community engagement process needs to be measured to ensure effectiveness. Tracking interactions, the number of comments, and the degree of change in decisions can help evaluate the impact of community engagement.

Monitor and evaluate effectiveness:

Monitoring mechanism: It is necessary to identify mechanisms and methods to monitor the decentralization and authorization process. This may include scheduling periodic inspections, financial audits, service quality audits, and assessing compliance with regulations and codes.

Efficiency index: Identify indicators and criteria to measure the effectiveness of Thu Duc City People's Committee in implementing authorized powers and responsibilities. These may include financial performance, infrastructure improvements, public service quality, resident satisfaction, and other management indicators.

Evaluate results: The evaluation process should focus on measuring actual results against set goals. This ensures that the Thu Duc City People's Committee is carrying out its powers and duties effectively and bringing benefits to residents.

Feedback and improvement: Evaluation results should be used to provide feedback to the Thu Duc City People's Committee. This feedback helps them identify strengths and weaknesses, thereby improving implementation and ensuring continuous improvement.

Independent testing: To ensure objectivity and transparency, testing and evaluation should be performed by independent units or external parties. This helps ensure there are no unwanted influences in the evaluation process.

Community participation: The community needs to be involved in effective monitoring and evaluation. The proactive participation of residents helps create transparency and ensure that delegated powers are implemented as intended and necessary.

Optimize management: Through continuous monitoring and evaluation of effectiveness, the Ho Chi Minh City People's Committee can optimize the decentralization and authorization process. Weaknesses can be detected early and improvement measures can be implemented to strengthen local governance.

3. RECOMMENDATIONS

First, summarize the practical implementation of regulations on HA for the city. Ho Chi Minh.

Ho Chi Minh City is continuing to summarize the practical experience in implementing the Central Government's regulations on HA for the City and the City's decentralization and authorization regulations for departments, branches, and management agencies. urban area under the City, to evaluate the advantages and limitations of the current HA regime. Many regulations on HA were issued a long time ago, before the City applied urban government, however, many regulations are still general, similar to the provincial level, and not synchronized with the city. characteristics of urban government. Therefore, summarizing the implementation of Decree No. 93/2001/ND-CP, Resolution No. 131/2020/QH14 and Resolution No. 54/2017/QH14 is necessary.

At the same time, the City made recommendations to the Central Government to discuss and adjust the content of HA to suit the characteristics of special urban areas, thereby creating a breakthrough mechanism and promoting the development of the City. city. This is to strengthen the ability to manage, monitor, and carry out public affairs effectively while creating favorable conditions for meeting the needs of sustainable development, urbanization, and quality improvement. life for the people.

Second, promote HA for the city. Ho Chi Minh City is suitable for urban government characteristics; Enhances the position and role of the city government in the city. Ho Chi Minh.

The issue of public affairs management (HA) in state management activities is an important solution to improve the effectiveness and efficiency of urban agencies. The provisions of the Law on Organization of Urban Agencies and other legal documents mention HA, however, there is no clear delineation of this mechanism between urban authorities and rural authorities. With the unique nature of a "megacity", Ho Chi Minh City needs to apply HA with even more special mechanisms and policies.

It is necessary to build a HA mechanism based on innovative content and management methods, consistent with the urban government model. In this mechanism, it is necessary to promulgate regulations to clearly define the powers and responsibilities of Ho Chi Minh City and Thu Duc City, as well as districts. In

particular, it is necessary to focus on research to improve the decision-making authority of Thu Duc City for contents under the authority of Ho Chi Minh City. Although Thu Duc City is classified as a district, in the authority mechanism, it is necessary to eliminate parity with other districts to effectively utilize the potential of Thu Duc City. This requires giving Thu Duc City a higher level of authority than the district governments in Ho Chi Minh City.

Third, promote HA for the city. Ho Chi Minh proactively designed the organizational structure and decided on mechanisms and policies in civil servant management to effectively operate the city's urban government.

Documents of the 13th National Congress of the Party set out the policy of "implementing and summarizing urban government piloting to build and operate urban government governance models in a streamlined direction.", operate effectively and efficiently" and must "build an urban government model associated with effective urban governance". Therefore, it is necessary to continue to institutionalize the Party's views and policies on the organization and operation of urban governments and complete the legal framework to continue innovating the organization and operation model of urban governments. town in the city. Ho Chi Minh, especially in the city of Ho Chi Minh City. Ho Chi Minh City, combined with a strong digital transformation process.

In the next stage, it is necessary to continue to have innovations to improve the organizational structure of the City People's Committee in the city. Ho Chi Minh City, giving proactive power to the city government. Ho Chi Minh in regulating and establishing the organizational apparatus of the city government and ward government of the city. Therefore, in the field of organizational structure, the Central Government needs to promote decentralization and decentralization of power to the City. Ho Chi Minh has the right to proactively design and organize specialized agencies under the City People's Committee, District People's Committee, and Thu Duc City in the City. Ho Chi Minh, to ensure compatibility with the specific characteristics of the city. Ho Chi Minh City and meets the management requirements of a special urban area.

Besides, in the field of civil servant management, the Central Government decentralizes to the City. Ho Chi Minh has the right to decide and be responsible for the City's total payroll. This total payroll can be adjusted to suit practical requirements. In particular, the City is given the authority to decide the number of officials, civil servants, and part-time workers in the ward, to ensure compatibility with the nature of the district and ward urban government. Through that, City. Ho Chi Minh has the right to proactively recruit, arrange, employ civil servants, and decide on regimes and policies for officials and civil servants, including commune-level officials civil servants, and part-time workers. commune level, city level. Ho Chi Minh.

Fourth, continue to promote decentralization and authorization in handling administrative procedures for departments, People's Committees of districts, Thu Duc City, and commune-level People's Committees of the City.

Based on the mechanisms and policies on decentralization and authorization of the Central and City. Ho Chi Minh needs to continue to propose breakthrough mechanisms and policies to strengthen decentralization and authorization for departments, People's Committees of districts and Thu Duc City, as well as Commune-level People's Committees of the City in the process of task execution process. During this process, it is necessary to pay attention to the decentralization of decision-making authority in handling administrative procedures, where competent authorities directly handle them.

Therefore, it is necessary to decentralize the authority to handle administrative procedures of the City People's Committee to departments, branches, and People's Committees of districts and Thu Duc City. At the same time, decentralize the authority of departments and branches to the People's Committees of districts and Thu Duc City. Finally, decentralize the authority of the People's Committees of districts and Thu Duc City to the Commune-level People's Committee for decision-making and responsibility.

City. Ho Chi Minh needs to continue to amend, supplement, and complete Decision No. 4712/QD-UBND dated October 20, 2018 (amended and supplemented by Decision No. 3751/QD-UBND dated October 10, 2018). 2020) on authorizing

departments, branches, and People's Committees of districts to implement several tasks and powers of the City People's Committee. Ho Chi Minh. This is to meet the requirements of innovating state governance and building the city's urban government. Ho Chi Minh.

Organization and payroll management: It is necessary to decentralize the authority to decide on organization and payroll between Ho Chi Minh City and Thu Duc City. Ho Chi Minh City can define and regulate the organizational structure of the Thu Duc City government and the ward government of Ho Chi Minh City. Thereby, Ho Chi Minh City authorized the proactive design of the organization of specialized agencies under the City People's Committee, District People's Committee, and Thu Duc City in Ho Chi Minh City to ensure compliance with specific characteristics. of Ho Chi Minh City.

Budget management: In the field of budget management, Ho Chi Minh City needs to decentralize and authorize Thu Duc City to decide on the local budget, including the right to create, use, and control the budget. books according to the provisions of law.

Investment and land management: Ho Chi Minh City needs to decentralize and authorize Thu Duc City to make decisions on investment and land management in its area, according to the provisions of law and regulations. General plan of Ho Chi Minh City.

Planning and construction: Ho Chi Minh City needs to decentralize and authorize Thu Duc City to make decisions on planning and construction in its area, ensuring compliance with legal and planning regulations. general of Ho Chi Minh City.

Environmental management: Ho Chi Minh City needs to decentralize and authorize Thu Duc City to make decisions on environmental management in its area, including setting policies and measures to protect the environment. environment and control environmental pollution according to the provisions of the law.

Education, science, and technology management: Ho Chi Minh City needs to decentralize and authorize Thu Duc City to make decisions on education, science,

and technology management in its area, including policy setting, educational system development, scientific research management, and technology application.

Cultural and information management: Ho Chi Minh City needs to decentralize and authorize Thu Duc City to make decisions on cultural and information management in its area, including setting policies, cultural development, heritage conservation, and media information management.

REFERENCES

1. Anwar Shah (2006), *Local Governance in Developing Countries*, World Bank, Washington DC, 2006.
2. Ministry of Home Affairs (2020), *Discuss decentralization and separation of powers in building and perfecting the rule of law State*. <https://moha.gov.vn>, April 8, 2022.
3. Do Ngoc Tu (2020). Decentralization, decentralization, and administrative reform in Vietnam. *State Organization Journal*, No. 5/2020.
4. Ministry of Justice, Institute of Legal Sciences (2006). Legal dictionary. H. Encyclopedia Publishing House - Justice Publishing House, 2006, pp. 614, 615.
5. Nguyen Cuu Viet. Concepts of centralization, decentralization, and decentralization. *Hanoi National University Science Journal*. Jurisprudence. Volume 26 – Number 4/2010.
6. Pham Hong Thai. Decentralization and decentralization in state management - Some theoretical - practical and legal aspects, *Hanoi National University Science Journal*, Jurisprudence 27 (2011), pp. 1-9.
7. Decision No. 4712/QĐ-UBND dated October 20, 2018, of the City People's Committee. Ho Chi Minh on authorizing departments, branches, and People's Committees of districts to carry out several tasks and powers of the City People's Committee. Ho Chi Minh.
8. Even the establishment of the Food Safety Management Board is an agency of the City People's Committee. Ho Chi Minh City, whose function is to help the City People's Committee organize the enforcement of laws on food safety and hygiene in the City, has still had to be piloted from 2016 to the present by the

City. Ho Chi Minh does not have the authority to decide on the establishment of specialized agencies.

9. Nguyen Dang Phuong Truyen. Some issues about decentralization of management for the City. Ho Chi Minh on organizational structure and civil servant management. *Journal of Development Studies*, No. 13 (March 2015).
10. Land Law 2013 and Law on Promulgation of Legal Documents 2015 (amended and supplemented in 2019), *Law on Civil Status regulate several issues of authority of district-level People's Committees.*
11. Tran Thi Thu Ha. Thu Duc City People's Committee and requirements for state administrative agencies in the city government of the city. *Journal of Legislative Studies*, No. 02 (425), January 2020.
12. Cao Vu Minh. Legal position and authority of Thu Duc city government in the city. Ho Chi Minh, *Journal of Legislative Studies*, No. 22 (422), November 2020.
13. Political Report of the Party Central Committee (12th term) at the 13th *National Congress of the Party and the 10-year socio-economic development strategy 2021 - 2030.*