

## Reforms of Administrative Procedures in Investment: A Case Study in Thai Nguyen Province, Vietnam

Bui Van Luong\*

Ph.D. Candidate, TNU University of Economics and Business Administration, Vietnam

### Abstract

Administrative procedure reform plays an important role in the process of administration reform and is considered a significant breakthrough to improve the investment climate and competitive position at the provincial level. In recent years, administrative procedure reform has been paid special attention by the authorities of Thai Nguyen province of Vietnam and achieved remarkable results. However, the implementation of administrative procedure reform, especially in the field of investment, has revealed several limitations. In this context, it is necessary to propose recommendations and feasible solutions to remove these difficulties in order to attract more investors, contributing to the socio-economic development of Thai Nguyen province in the coming time.

**Keywords:** Administrative procedure reforms; Investment; Thai Nguyen province; Vietnam

### Introduction

Since the Ninth Party Congress in 2001, Vietnam had pointed out the leading role of state-owned enterprises in boosting the economic growth and reaffirmed the need for structural reform [1]. Administrative procedure reform is considered as a key element in the process of reforming the administration in Vietnam. Since administrative procedures have a wide range of impacts, involving organizations, businesses and investors. In this context, the government of Vietnam has paid special attention to administrative procedure reform in order to meet the requirements of rehabilitation, social services and improve the efficiency of state management.

Thai Nguyen is one of the most attractive midland provinces in the Northern Vietnam. Over the past few years, Thai Nguyen has achieved encouraging economic development with the positive shift in the economic structure. The province has implemented strong administrative procedure reform to create favorable investment environments for enterprises to invest into the province. Thanks to that, the remarkable progress of business and investment environment has made Thai Nguyen become a growing interest among investors. Although Thai Nguyen province has taken comprehensive measures to reform its administrative procedures, the administrative procedure reform still has several limitations in the field of investment. These issues partly negatively affect to the investment attraction for the social and economic development of Thai Nguyen province.

In this context, this paper aims to evaluate the current situations of administrative procedure reform, especially in the field of investment, in Thai Nguyen province – Vietnam. From that, policy recommendations will be proposed to overcome limitations and weaknesses, as well as to enhance the public administration reform to attract more investors at the provincial level.

The remainder of this paper is organized as follows: Section 2 describes the research methodology and data source. Section 3 presents the current situation of administrative procedure reform, evaluation of enterprises which are investing in Thai Nguyen, and points out limitations in the process of administrative reform in the field of investment in Thai Nguyen province [2]. Section 4 presents the conclusions and proposes policy implications.

### Research Methodology

#### Methods of data collection

This study used secondary data which was collected through the official reports issued by Thai Nguyen provincial People's Committee, Department of Planning and Investment, and from the other related studies and officially published reports.

This study also used questionnaires to collect enterprises' evaluation on administrative reform in the field of investment in Thai Nguyen province. The sample size taken was 545 enterprises which were randomly selected from 3448 enterprises located in the province. Among these enterprises served as respondents, there are 389 limited companies which frequently contact with and deal with administrative procedures in the field of investment. The remainder is private and state-own enterprise and others (Table 1).

In addition to the survey, this study also interviewed the provincial and local officers, whose tasks are directly related to administrative procedure simplification, including leaders of Thai Nguyen provincial People's Committee, directors of functional Departments, chairman and vice chairman of Vo Nhai district, Pho Yen district. The main content of the interview focused on the emerging issues and difficulties in handling administrative procedure reform in the field of investment [3].

No.	Classification	Number	Share (%)
1	State-owned enterprise	3	0.55
2	Private enterprise	14	2.57
3	Joint stock company without capital of State	127	23.30
4	Limited company	389	71.38
5	Others	12	2.20

Table 1: Characteristics of the samples.

\*Corresponding author: Bui Van Luong, TNU University of Economics and Business Administration, Vietnam; E-mail: [tuanluongmbb@gmail.com](mailto:tuanluongmbb@gmail.com)

Received October 14, 2019; Accepted October 25, 2019; Published October 30, 2019

Citation: Luong BV (2019) Reforms of Administrative Procedures in Investment: A Case Study in Thai Nguyen Province, Vietnam. Bus Econ J 10: 393.

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### Methods of data processing and analyzing

Data were analyzed by using statistical methods which include the descriptive statistics and the comparative method. These methods were used to evaluate the situation of administrative procedure reforms in the field of investments in Thai Nguyen province during 2014-2018 period [4].

## Results and Discussions

### Overview of investment attraction in Thai Nguyen province

In recent years, Thai Nguyen has attracted a large amount of investment. With 6 industrial parks and 35 industrial clusters, the province has attracted over 400 projects over the period 2014-2018 (Table 2) [5]. More specifically, in 2017, the province attracted 81 projects with a total investment of over US\$7.1 billion. In 2018, thank to the positive effect from the Investment Promotion Conference in July, the province attracted 58 projects of all investors, including 14 foreign direct investment projects with the total investment capital of US\$416.39 million, ranking 16<sup>th</sup> among cities and provinces in Vietnam. These FDI projects are related to the processing and manufacturing industry (12 project, with a registered capital of US\$414.89 million), the other two projects are related to the industry of information and communication, scientific and technological activities (Thai Nguyen Statistical Office, 2019).

Thai Nguyen province also established a Steering Committee to accelerate the progress of these investment projects and timely remove difficulties for investor during the implementation of their projects. In addition, the province offers a number of incentive policies and creates favorable conditions for investors. There are many projects with significant influence. Among them, Samsung, a South Korean multinational group, has a great contribution to the province’s socio-economic development by investing a mobile phone manufacturing complex worth US\$7.1 billion. Similarly, the presence of many other domestic and international groups such as Masan Group, Vingroup, Indevco, T&T Group, TNG is obvious evidence of an attractive investment destination for investors.

### Current situation of administrative procedure reform in investment in Thai Nguyen province

**Reviewing and simplifying administrative procedures:** In the period 2014-2018, Thai Nguyen province actively reviewed and simplified administrative procedures, especially in the field of investment, in order to promptly detect, amend, supplement and replace, or cancel administrative procedures which are no longer suitable. The review was implemented timely, on schedule, and met the goal of simplifying administrative procedures, ensuring the quality of the results of the review and evaluation of administrative procedures

District-level unit	2014	2015	2016	2017	2018
Thai Nguyen city	38	37	18	23	17
Song Cong city	2	5	2	2	6
Pho Yen town	29	21	7	14	6
Dinh Hoa district	3	1	0	1	3
Vo Nhai district	1	6	2	5	5
Phu Luong district	5	13	2	5	3
Dong Hy district	15	6	5	10	6
Dai Tu district	13	4	7	13	7
Phu Binh district	10	8	9	8	5
<b>Total</b>	<b>116</b>	<b>101</b>	<b>52</b>	<b>81</b>	<b>58</b>

**Table 2:** Number of projects by districts in Thai Nguyen province, 2014-2018.

and the provisions related to investment. This achievement plays an important role in improving and creating a transparent, fair, open and favorable business environment for enterprises investing in the province, contributing to improving the competitiveness of the province [6].

More specifically, over the 2014-2018 period, Thai Nguyen’s People’s Committee issued decisions to announce the list of administrative procedures under the management function of the departments issued with 2,155 administrative procedures, including 1,137 newly issuance, abolishment of 1,018 procedures. In addition, the Provincial People’s Committee have constantly inspected and supervised the implementation of administrative procedures at all levels from province, district to communes, publicized phone numbers and office’s addresses. *Only agencies that receive proposals may reflect through the provincial website portal to receive all feedbacks and proposals on administrative regulations according to regulations.*

Enterprises also express their good evaluation and assessment on the strong administrative procedure reform in Thai Nguyen province. Table 3 presents the overall evaluation of enterprises corresponding to each criterion. The overall evaluation results of enterprises reached 3.87, corresponding to the "good reform".

Regarding to each criterion, the results show that enterprises rated highest on the quality of one-stop and one-stop-shop administrative mechanism in investment, and the trend of reduction and simplicity for administrative procedures in investment (mean value of 3.81). Especially, since the implementation of the one-stop-shop mechanism in handling administrative procedures in accordance with the Plan No. 112/KH-UBND dated 28<sup>th</sup> August, 2018 issued by Chairman of Thai Nguyen provincial People’s Committee, facilities in the one-stop-shop has been equipped. Documents on administrative procedures are converted into e-files right after receiving settlement of enterprises. Therefore, enterprises’ good evaluation on the two criteria of businesses is consistent with the breakthrough roadmap in administrative reform to boost investment attraction in Thai Nguyen province.

Compared with the above two criteria, the evaluations of enterprises on "documents on administrative procedures in investment", including full and detailed issuance, public and detailed listing, full and timely updates, are slightly lower (3.67; 3.66 and 3.64, respectively) but are still classified as good level. The enterprises also assessed the clarity,

No.	Criteria	Mean
	<b>Overall evaluation</b>	<b>3.87</b>
1	Administrative procedure regulations on investment have been promulgated fully and in details.	3.67
2	Administrative procedure regulations on investment have been published in details.	3.66
3	Administrative procedure regulations on investment have been updated and timely.	3.64
4	Evaluation on the quality of one-stop and one-stop-shop mechanism procedure in investment.	3.81
5	Evaluations on the information technology application on implementing administrative procedures in investment.	3.63
6	Evaluation on the level of clarity and comprehensiveness of administrative procedures in investment.	3.59
7	Evaluation on the ease of current administrative procedure implementation.	3.58
8	Evaluation on the clarity in designing application forms, declarations in administrative procedures.	3.65
9	The number of administrative procedures in investment tend to reduce and be simplified.	3.81

**Table 3:** Enterprise’s evaluation on administrative procedure reform in investment.

comprehension and ease of implementation of the administrative procedures in investment better than the average. However, in comparison with the remaining criteria, the evaluation score is lowest. The results indicate that the administrative procedures in investment still do not meet the expectations of investors.

**Announcing and publicizing administrative procedures**

**Announcing administrative procedures:** The list of administrative procedures in the field of investment was issued in Decision No. 3979/QD-UBND dated 25<sup>th</sup> December 2018 by the Chairman of Thai Nguyen People's Committee on announcing the list of administrative procedures in planning and investment [7]. These procedures are received and returned at Division of Receiving and Returning Administrative Procedure Settlement Results under the Department of Planning and Investment, district people's committee in Thai Nguyen province; and Decision No. 1039/QD-UBND dated 23<sup>th</sup> April 2019 on announcing the list of administrative procedures in bidding under the management functions of Department of Planning and Investment of Thai Nguyen Province [8].

The total number of administrative procedures in the announced investment portfolio is 110, which is demonstrated in Table 4 as follows:

Table 5 report the result of enterprises' evaluation on access to investment information in Thai Nguyen province. The results show that the average evaluation score ranges from 3.35 to 3.60 corresponding to a good level. The criterion "Adjustment of investment projects is made easily" is evaluated with the lowest mean value (3.35) compared to other criteria. This can be completely explained since the submission process for investment project application should be fully prepared and strictly followed. The adjustment of the investment project leads to the change and addition of relevant paperwork, so it is not possible to adjust the project easily at the request of the business. Criteria "Investment registration procedures are implemented smoothly" is rated at the highest average point of 3.60. From that, we can see the effectiveness in the effort to reform investment registration procedures to attract investors in Thai Nguyen province.

Order	Field of investment portfolio	Number of administrative procedures
1	Investment	22
2	Official Development Assistance	04
3	Investment outlays	04
4	Non-Governmental Organization aid	01
5	Establishment and operation of enterprises	60
6	Establishment and operation of unions of cooperatives	19
<b>Total</b>		<b>110</b>

**Table 4:** Administrative procedures in the announced investment portfolio.

No.	Criteria	Mean
1	Information on economic industries, investment projects is clear and adequate.	3.53
2	It is easy to search and access information on industries and fields	3.50
3	Investment registration procedures are smoothly implemented	3.60
4	Investment registration documents are publicly listed	3.57
5	The issuance of investment license is issued on time.	3.49
6	Adjustment of investment projects is made easily.	3.35
7	The level of support in carrying out investment registration.	3.42

**Table 5:** Enterprise's evaluation on access to information regarding administrative procedures in investment in Thai Nguyen province.

**Publicizing administrative procedures:** After being published publicly on the website of Department of Planning and Investment and posted publicly at the one-stop-shop section, the administrative procedures in the field of investment are continuously updated, integrated and publicized on the basis of national data on administrative procedures. Simultaneously, these procedures are fully listed by the relevant agencies and units at the Department of Planning and Investment's Receiving and Settlement of administrative procedures for Department of Planning and Investment.

The People's Committee of Thai Nguyen province also simultaneously maintains a smooth and continuous connection with the national database on administrative procedures in investment with the provincial website portal, creating all favorable conditions for the enterprises and investors inside and outside the province in search and implementation of administrative procedures in the field of investment.

Until now, 100% of provincial-level specialized agencies (19/19), and district-level administrative units (9/9) and communal levels (190/190) fully publicized administrative procedures in accordance with the provisions on their portal and at the Receiving and Returning result sections at all levels. The disclosure of all administrative procedures has provided maximum support for businesses and investors in seeking information and transparency of information in the process of investment and business research in the province.

**Receiving, handling feedback and recommendations on administrative procedures:** The reception and process of investment recommendations have been settled by the competent authorities of Thai Nguyen province in accordance with the process, authority, procedures and matched the time regulation. Local government officials have received feedback or recommendations from businesses and investors. Since then, they are more active in the study of reviewing administrative procedures under their assigned jurisdiction in order to create simplicity and convenience for individuals, businesses and investors implementing administrative procedures.

Local agencies and units have also published their contact address, telephone numbers, office website and email addresses to receive feedbacks and recommendations from all individuals, business, and investors about administrative regulations through the Provincial website portal as well as the competent authorities' websites to receive and handle proposals. So far, there are almost no serious complaints about administrative regulations and the results of resolving administrative procedures in Thai Nguyen province.

To evaluate the quality of service attitude of public servants and civil servants, in addition to survey enterprise, this study also interviewed provincial leaders and leaders of Departments and People's Committees at different level.

**Evaluation of enterprises:** The specific results of the enterprises' survey are presented in Table 6. The evaluation results on the level of administrative procedures reform in investment were arranged in descending order of evaluation mean value. The results indicate that business registration procedures are considered to be the best, followed by tax procedures (tax declaration, payment, refund, and exemption), changes in business registration information, establishment or termination of operations of branches and representative offices. Procedures related to land and constructions were assessed to be at the lowest level, with average values of 3.38 and 3.36, respectively.

However, the evaluation of the enterprises also revealed several outstanding issues. Although the procedures for business registration

No.	Indicators	Mean (*)
1	Grant of business registration certificates to enterprises	3.84
2	Procedures for tax declaration, payment, refund and exemption	3.79
3	Changes of business registration content, including name, address, charter capital, industry, etc.	3.66
4	Establishment/termination of operations of branches and representative offices	3.57
5	Administrative procedures related to utilities (electricity, water)	3.46
6	Land-related administrative procedures	3.38
7	Administrative procedures related to construction licensing	3.36

**Table 6:** Enterprise’s evaluation on the administrative procedure reform in investment in Thai Nguyen province.

have been reformed, there are still some cumbersome and overlapping procedures. Similarly, the remaining procedures related to taxes, changes in business registration contents, administrative procedures related to utilities, land and construction are still cumbersome, affecting time of the investors and the performance of the business.

Regarding to the recommendations on administrative procedures in investment from the enterprises, the survey results show that out of 545 enterprises subject to the interview, only 73 enterprises have ever sent feedback on issues related to changing or reforming administrative procedures in investment to relevant authorities, accounting for 13.39%. The remaining 86.61% of the enterprises surveyed never reflected any recommendations, and expressed the level of satisfaction with the administrative procedures in investment in the province. These recommendations of enterprises are mainly reflected directly to the administrative procedure officers (44 times), and sent to the suggestion box (26 times). The options sent by post or email were not selected by many businesses to reflect issues related to administrative procedures in investment. Of these, 65 opinions (accounting for 89%) were immediately responded by the authorities. Only 08 opinions (accounting for 11%) were not responded to after the petition. Most of the comments are transferred to the relevant department and sent feedback after only 4-5 days of sending petitions and are satisfied by these enterprises.

**Evaluation of the provincial leaders, leaders of departments, and civil servant:** Regarding to the evaluation of provincial leaders and leaders of departments on service attitude of cadres, public servants and civil servants when dealing with investment administrative procedures, they satisfied and marked with an average mean value of 4.0, corresponding to good level. The service attitudes of the provincial cadres, civil servants and public servants are also evaluated through their colleagues. It should be noted that the relevance of the recommendations on investment administrative procedure reform from businesses and investors is only above average. This can be explained by the difference between the expectations of businesses and investors and the actual ability of officials in charge of investment.

**Inspecting and supervising the implementation of administrative procedure reform**

To catch up the progress of implementing administrative procedure reform in general and in the field of investment in particular, the administrative inspection and supervision activities have been conducted regularly in Thai Nguyen. The province annually carries out the inspection in accordance with the plan in order to strengthen the inspection and supervision of the leadership; direction and administration of the implementation of administrative reform, and evaluate the implementation of administrative procedures, implementation of one-door and one-stop-shop policies in the field of investment. The inspection usually focuses on checking and evaluating the implementation of the one-door and one-stop-shop policies

through the settlement of administrative procedures at the Receiving and Returning Section.

The contents of comprehensive inspection of the implementation of administrative reform include:

- (1) Leadership and direction of administrative procedure reform implementation.
- (2) Institutional reform; organizational apparatus reform; control of administrative procedures.
- (3) Settlement of administrative procedures in service of organizations and individuals under the one-door and one-stop-shop policies.
- (4) Building to improve the quality, the contingent of cadres, civil servants and public servants.
- (5) Reform of public finance; administrative modernization.
- (6) The implementation of tasks and contents of the Provincial Governance and Public Administration Performance Index (PAPI) for assigned agencies and units.

In addition, Thai Nguyen has also strengthened irregular and unannounced inspection to evaluate the level of concentration of receiving and processing administrative procedures, the observance of discipline, administrative discipline and regulations on laws on the performance of public duties, the spirit, service attitude, cultural conduct and communication of civil servants and officials towards citizens and organizations in general, especially representatives of businesses or investors in Thai Nguyen province.

Over the past three years, the inspection team of the provincial People’s Committee conducted 14 direct inspections at departments, bureaus and units, 09 times at district-level units and 35 times at commune-level units. Particularly in 2018, the provincial People’s Committee checked administrative reforms at 06 departments, including administrative reform activities in investment at the Department of Planning and Investment, in 04 districts and 16 communal units (Tables 7a and 7b) [9].

In general, the activities of inspection and evaluation of administrative reform have contributed to improving the responsibility to serve businesses and investors of the local cadres and civil servants, implementing the code of conduct and office culture in the process of complying with working regulations, working process and receiving, settling administrative procedures in investment at relevant agencies and units.

**Results in Public Administration Reform**

Generally, the current situation and the survey results show that the intensive administration reform on investment procedures and other related fields, such as tax, land and construction licensing, has

Subject	Content of evaluation	Mean
Provincial leaders and leaders of Departments	Evaluation on service attitude of cadres and civil servants in dealing with administrative procedures in investment in Thai Nguyen province.	4.0
Cadres, civil servants	(1) Solving feedbacks and recommendations on administrative procedure reform in investment.	4.02
	(2) Accuracy and relevance of feedbacks on administrative procedure reform in investment	3.73

Table 7a: Evaluation of relevant parties on handling feedback about administrative procedure reform.

Contents	2016	2017	2018	
			No.	Organization/locations
Inspection at departments, bureaus and units	02	06	06	<ul style="list-style-type: none"> <li>- Department of Planning and Investment;</li> <li>- Department of Transport;</li> <li>- Department of Labor, War Invalid and Social Affairs;</li> <li>- Department of Agriculture and Rural Development;</li> <li>- The State Bank of Vietnam – Thai Nguyen branch;</li> <li>- Department of Foreign Affairs.</li> </ul>
Inspection at district-level People's Committee	02	03	04	<ul style="list-style-type: none"> <li>- Dong Hy district</li> <li>- Dai Tu district</li> <li>- Dinh Hoa district</li> <li>- Song Cong city.</li> </ul>
Inspection at commune-level People's Committee	07	12	16	Inspect randomly 04 communes in each district

Table 7b: Inspecting and supervising the implementation of administrative procedure reform in Thai Nguyen province.

Indicators	2014	2015	2016	2017	2018
Ranking	42	22	54	30	18
Appraisal point	48.85	56.00		47.34	46.96
Point of impact evaluation on public administration reform:			24.55		
- SIPAS index	-	-	-	12.00	10.38
- Survey on managers	-	-	-	17.21	17.94
- Impact on socio-economic development	-	-	-	2.00	3.50
Total score	80.05	86.71	69.03	78.55	78.78
PAR Index	80.05	86.71	69.03	78.55	78.78

Table 8: Public Administration Reform Index of Thai Nguyen province.

positively evaluated by enterprises. The implementation of one-stop-shop administrative mechanism has shortened the time for business establishment, time for granting a certificate of land use rights. The other procedures on tax declaration, payment and refund were also going online, helped enterprises save time and cost for taxation and customs services.

Thanks to the comprehensive reform in the field of investment particularly and in the other aspects generally, Thai Nguyen province has improved its ranking of administrative reform index (Table 8) [10]. According to the PAR Index Report of 2018, Thai Nguyen ranked 18/63 provinces and cities, up 12 places compared to 2017 and 36 grades compared to 2016. Total points achieved have improved. This is the best ranking result of the province in the whole period of 2014-2018 [11].

Meanwhile, the SIPAS index, which measures citizen satisfaction toward the delivery of public administration services, averaged at 12.00 in 2017, and decreased to 10.38 in 2018. Most of the component indicators reflecting the overall administrative reform have been improved. For example, in 2018, *the direction and administration of administrative reform of Thai Nguyen reached 6.5/9.0*; Formulating and organizing the implementation of legal documents to reach 8.78/10.0; Administrative procedure reform reached 11.71/13.0; Reforming the administrative apparatus reached 10.33/12.0; Build and improve the quality of officials and public employees to reach 8.84/13.5; Public finance reform reached 9.61/12.5; Administrative modernization reached 9.13/13.5; The impact of administrative reform on socio-economic development is 13.88/16.5. In comparison with neighboring Northern provinces such as Phu Tho, Bac Ninh or Vinh Phuc, these

component indicators reflect the good level of administrative procedure reform of Thai Nguyen province.

### Limitations of Administrative Procedure Reform in Investment

The administrative procedures reform in the field of investment of Thai Nguyen province has achieved positive results. However, besides these successes, the administrative procedure reform also revealed some difficulties [12]. Most limitations which Thai Nguyen has been facing are related to investment as follows:

First, the implementation of administrative procedures reform in some districts and departments, agencies has not really paid adequate attention. Several districts and agencies are tardy in reviewing the assigned administrative procedures to advise the Provincial People's Committee to issue amendments and supplements to settlement regulations, or in submitting them to the Chairman of Thai Nguyen People's Committee for publication. In addition, the planning of administrative procedure reform was too general, and did not strictly follow the official instructions. As a result, the tasks were not clearly defined, implementation time and resource allocation have not been carried out in accordance with the approved plan.

Second, the review of administration procedures is still limited, some procedures are extended. In fact, the administration procedures in investment can be simplified and shortened time for further resolve. Hence, in case unnecessary procedures and forms are reduced to save time and further cost, businesses will be easier.

Third, some civil servants, including district and commune

levels, still have limitations on professional skills, especially in upland districts, where transportation is difficult and is located far from the center of Thai Nguyen province. In addition, communication skills of civil servants working in the Section of Receiving and Returning Results are differential. Some officials lack the sense of responsibility, improper conduct, professional skills have not met the work pressure, so it affects the efficiency of the work, causing difficulties for businesses, affecting the quality of the implementation of the one-stop and one-stop-shop in the locality.

In addition, inspection and supervision of official duties for civil servants are not regular and continuous. The public and transparent implementation of public service activities is not thorough, lack of strict sanctions to gradually eliminate weak public servants or decline in moral qualities. As the consequence, there is still a number of extortion, causing difficulties and troubles in dealing with administrative procedures for businesses and investors.

### Conclusions and Policy Recommendations

In order to improve the efficiency of attracting investment in Thai Nguyen province, recommendations need to be implemented synchronously. In the field of administrative procedure reform, Thai Nguyen province should continue to provide extensive information and propaganda among the contingent of officials, civil servants, public servants, and residents to improve the knowledge of administrative reform in investment. In addition, the province should strengthen the inspection and supervision of the performance of official duties, and settlement of administrative procedures for officials and public servants, the public and transparent implementation of public-service activities. Besides, results of the implementation of administrative reforms in investment should be linked to the responsibilities of heads of agencies and units in inspection, supervision and thorough handling of discovered problems through inspection and supervision. Finally, the province may consider conducting annual surveys of the satisfaction of organizations and investors with the service of state administrative agencies and survey people's satisfaction level on the

quality of administrative procedures in investment. That is the basis to propose feasible solutions to overcome the all limitations.

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