

THE GOVERNMENT**SOCIALIST REPUBLIC OF VIETNAM****Independence - Freedom - Happiness**

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DRAFT**DECREE****ON THE MANAGEMENT, PROVISION AND USE OF INTERNET
SERVICES AND ONLINE INFORMATION**

Pursuant to the Law on Government Organization dated 19 June 2015 and the Law dated 22 November 2019 amending and supplementing a number of articles of the Law on Government Organization and the Law on the Organization of Local Government;

Pursuant to the Law on Telecommunications dated 23 November 2009;

Pursuant to the Law on Information Technology dated 29 June 2006;

Pursuant to the Press Law dated 05 April 2016;

Pursuant to the Law on Cybersecurity dated 12 June 2018;

Pursuant to the Law on Cyberinformation Security dated 19 November 2015;

Pursuant to the Law on Children dated 5 April 2016;

Pursuant to the Law on Investment dated 17 June 2020;

Pursuant to the Law on Enterprises dated 17 June 2020;

At the proposal of the Minister of Information and Communications;

The Government promulgates this Decree on the Management, Provision and Use of Internet Services and Online Information,

Chapter I**GENERAL PROVISIONS****Article 1. Governing scope**

This Decree details the management, provision and use of Internet services, online information and online video games, the assurance of online information safety and information security; the rights and obligations of organizations and individuals involved in the management, provision and use of Internet services, online information and online video games and the assurance of online information safety and information security.

Article 2. Governed subjects

This Decree applies to domestic organizations and individuals, foreign

organizations and individuals directly involved in or related to the management, provision and use of Internet services, online information and online video games, ensuring online information safety and information security.

Article 3. Definitions

For the purposes of this Decree, the following terms shall have the following meanings:

1. Network means a general concept for telecommunications (fixed line, mobile, Internet) networks and computer networks (WAN, LAN).

2. Internet services means a type of telecommunications services, including Internet access services and Internet connection services:

Internet access services means the provision of the access to the Internet to Internet users;

Internet connection services means the provision of Internet access points and telecommunications application service providers the capability to connect with one another in order to transmit Internet traffic.

3. Internet exchange point means a system of telecommunications equipment set up by an organization or business to provide Internet connection services.

4. Internet service provider means a telecommunications business providing Internet services under Clause 2 of this Article.

5. Internet agency means an organization or individual providing Internet access services to Internet users via an Internet agency agreement entered into with the Internet access service provider to get commissions or to re-sell Internet access services to get price differences.

6. Public Internet access points include:

(a) Locations which Internet agencies may legally employ to provide services;

(b) Public Internet access points owned by enterprises which are locations directly managed by a member unit or an individual representing an Internet access service provider to provide Internet access to Internet users;

(c) Public Internet access points owned by hotels, restaurants, airports, train stations, bus and coach stations, coffee shops and other public places which are locations organizations and individuals may employ to provide Internet access to Internet users.

7. Internet user means an organization or individual entering into a service agreement with an Internet access service provider or a public Internet access

point to use online applications and services.

8. Internet resources means all the names and numbers managed by Vietnam and uniformly planned to facilitate Internet activities, including:

a) Vietnamese Internet resources which are the Vietnamese national domain name of “.vn”, IP addresses, autonomous system numbers, domain names and other numbers allocated by the Ministry of Information and Communications (the Vietnam Internet Network Information Center);

b) International Internet resources which are generic international domain names, domain names of countries other than Vietnam, international IP addresses and autonomous system numbers and other international names and numbers that are transferred and distributed by international organizations to organizations and individuals for use and provision of services in Vietnam.

9. New gTLDs are generic top-level domains that the Internet Corporation for Assigned Names and Numbers (ICANN) allocates and transfers to organizations and individuals under the New gTLD Program enabling the expansion of the domain name system.

10. Domain name registration and maintenance services means the services provided by the Registry and Registrars to agencies, organizations and individuals to enable the same to register, create, update, maintain and manage domain names through the following activities: Storing, managing and ensuring the security of domain name data and domain name owner information; ensuring the safe operation of domain names; managing and operating technical systems in service of domain name registration and maintenance; monitoring, managing and promoting the registration and use of domain names.

Domain name registration and maintenance services include: Vietnamese “.vn” domain name registration and maintenance services and international domain name registration and maintenance services.

a) “.vn” domain name registration and maintenance services are those provided by the Vietnam Internet Network Information Center (VNNIC) and “.vn” domain name registrars.

VNNIC carries out the activities of the Country-Code Top Level Domain Name Manager for Vietnam (Registry); manages data and ensures the operation of all the “.vn” domain names; manages, operates and utilizes the technical systems of the Registry in service of the registration and maintenance of “.vn” domain names; monitors, manages and promotes the registration and use of “.vn” domain names.

“.vn” domain name registrars carries out the activities of receiving and

processing requests from owners; manage data and ensure the operation of “.vn” domain names of their customers;

b) International domain name registration and maintenance services are those provided by New Generic Top Level Domain Name Managers; international domain name registrars operating in Vietnam; foreign organizations and enterprises providing cross-border domain name registration and maintenance services to organizations and individuals in Vietnam.

11. National interest protection relevant to New gTLD and second-level domain names under New gTLD means measures to be adopted to prevent and protest against registration and use of New gTLD and second-level domain names under New gTLD to infringe national interests.

12. Domain name suspension means the taking of necessary technical measures to suspend the operation of online domain names or prevent access to infringing information sources for a certain period of time, facilitating the handling of violations and the management of Internet resources.

13. Domain name revocation means the taking of necessary technical measures to remove an owner’s right to use the relevant domain name, facilitating the handling of violations, dispute settlement and management of Internet resources.

14. Domain name registration and use status maintenance means the taking of necessary measures to prevent the change of the registrant or the Registrar to facilitate the handling of violations and settlement of domain name disputes.

15. Online information means information stored, transmitted, collected and processed via the Internet.

16. Private information means the online information of an organization or individual which is not made public or is made public by such organization or individual to only one entity or a group of entities whose specific name or address has been identified.

17. Personal information means information that is attached to the identification of the identity and personal details of an individual including name, age, address, people’s identity card number, telephone number, email address and other information as stipulated by law.

18. General information on general websites means information that has been published and broadcast in Vietnamese newspapers and websites of Party and State agencies.

19. Official sources means information published and broadcast in Vietnamese newspapers and websites of Party and State agencies in accordance

with legal regulations on press and intellectual property.

20. Fake news means information that partially or completely deviates from the truth, intentionally created by a person to serve its own purposes and intentions.

21. Online content services means information services in the fields of science, technology, economy, culture, sports, entertainment, advertising, society, etc., provided by organizations, enterprises and individuals in the form of newspapers, electronic magazines, websites, social networks, video games, applications, etc., in cyberspace.

22. Mobile telecommunications network content services means services whereby organizations and enterprises provide information in the fields of science, technology, economy, culture, sports, entertainment and society via the mobile telecommunications network infrastructure to mobile subscribers (excluding services intended for product information lookup, customer care and transaction acknowledgement).

23. Website means an information page or a collection of information pages and applications presented in the form of symbols, numbers, letters, images, sounds and other forms of information in service of the provision and use of various content and services in cyberspace.

24. General website means the website of an organization or enterprise that provides general information citing verbatim and accurately information from Vietnamese press sources and websites of Party and State agencies in accordance with the law on intellectual property and this Decree.

25. Internal website means the website of an agency, organization or enterprise which provides information on the functions, duties powers, organizational structure, operations, services, products and lines of business serving the operation of that agency, organization or enterprise.

26. A general website's internal forum is used for exchanging and answering internal information directly related to the functions, tasks, powers, organizational structure, services, products and lines of business serving the operation of that agency, organization or enterprise.

27. Social network means an information system established on the basis of a website or one application, providing services and tools that allow users to provide, exchange, interact and share information with each other.

28. User account means an account representing an individual, group or organization set up on a social network to access and use the services and features of that social network.

29. Fanpage means a website belonging to a social network, created by a user account to share information and connect the community of users of that social network.

30. A channel means a website belonging to a social network, created by a user account to share content (usually in the form of video), which can be linked to other user accounts to comment and exchange content.

31. Group means a collection of multiple user accounts on the same social network, created and managed by one or more user accounts according to the specific scope and purpose of activities defined by the subject that sets up the group, in order to exchange and share information within the group.

32. Livestreaming means a feature that allows user accounts to broadcast video in real time.

33. Application (app for short) means a computer program created to help network users use one or several network features and services. Applications are designed to run on specific devices and are written for a specific operating system.

34. Digital platform means an online information system operating using digital technology to create cyberspace that allows multiple parties to participate in providing services to organizations and individuals that can be used immediately, simply, conveniently, flexibly upon request, and easily disseminated on a large scale as it is not required for organizations and individuals to invest, manage, operate and maintain the network environment.

35. Application store means a digital platform used to upload, distribute, install and update online computer software and applications.

36. Cross-border information provision means the provision of information and content services by foreign organizations and individuals for users in Vietnam to access or use services in the form of websites, social networks, applications and other similar forms.

37. Online video game services (hereinafter referred to as video game services) means the provision of access to video game networks and play online video games to players.

38. Online video game service provider (hereinafter referred to as video game service provider) means an enterprise incorporated under the law of Vietnam which provides video game services by establishing an equipment system and legally employing video game software.

39. Public gaming center means a place where organizations and individuals may legally provide players with access to the Internet and video games by establishing a system of equipment at such location, including:

a) Public Internet access points that provide video game services: Internet agencies; public Internet access points of Internet service providers; public Internet access points at hotels, restaurants, airports, train stations, bus and coach stations, coffee shops and other public places that enter into Internet agency agreements with Internet service providers;

b) LAN/WAN public gaming centers having no access to the Internet.

40. Online video game player (hereinafter referred to as player) means an individual entering into an agreement with a video game service provider or a public gaming center to play video games.

41. Online video game virtual unit means a type of unit created by an online video game service provider and conventions for players to use, exchange, buy and sell virtual items, rewards, skills and features in online video games published by enterprises.

42. Online video game virtual items means the graphic illustration of non-physical objects in video games such as objects, characters, tools, equipment, etc., according to certain rules set up and created by online video game service providers.

43. Online video game reward points means score-based rewards that players receive during their participation in games, specified and established by online video game service providers.

44. Online video game payment support services mean all the activities that support and assist online video game service providers to collect money from players, including payment intermediary services, bank payment services and other forms of payment as prescribed by law.

45. Online prepaid video game card (hereinafter referred to as a game card) means an internal card issued by an online video game service provider, which can only be used to recharge money into legal online video games of such enterprise or other enterprises belonging to the same economic group, group of companies or parent company (hereinafter referred to as “Group of Companies”) of that enterprise.

46. Online child abuse acts of using computer networks, telecommunications networks or electronic means connected to networks to commit acts of harm to children physically, emotionally and psychologically and their honor and dignity.

47. Online information harmful to children means information that harms a child’s physical, emotional and psychological aspects and their honor and dignity circulated on computer networks, telecommunications networks or electronic

means connected to networks.

48. Information safety means the protection of information and information systems against illegal access, use, disclosure, interruption, alteration or destruction in order to protect the integrity, confidentiality and usability of information.

49. Information security means ensuring that online information does not cause any harm to national security, social safety and order, State secrets, or legitimate rights and interests of organizations and individuals.

Article 4. Policies for Internet and online information development and management

1. Promote the use of the Internet in every economic and social activity, especially in the fields of education, training, healthcare, scientific and technological research to increase labor productivity, create jobs and improve the quality of life.

2. Encourage the development of Vietnamese content and applications to serve online Vietnamese communities. Promote the upload of healthy and useful online information.

3. Bring broadband Internet infrastructure to schools, hospitals, research institutes, libraries, State agencies, enterprises, public Internet access points and households. Pay special attention to the spreading of Internet services in rural areas, remote areas, distant areas, border areas, marine islands and regions with specially difficult socio-economic conditions.

4. Prevent acts taking advantage of the Internet to affect national security, social safety and order, or to breach the ethics, fine traditional customs or provisions of law. Apply measures to protect children and adolescents from the negative influence of the Internet.

5. Ensure that only information deemed lawful under Vietnamese laws may be transmitted, including being transmitted cross-border to Internet users in Vietnam.

6. Encourage and facilitate the widespread use of the Vietnamese national domain name of “.vn”, Vietnamese domain names and the transition to the Internet IPv6 address technology (hereinafter referred to as IPv6 technology).

7. Strengthen international cooperation with regards to the Internet on the basis of respecting independence, sovereignty, equality, mutual benefit for all parties and consistency with Vietnamese laws and international treaties to which the Socialist Republic of Vietnam is a party.

Article 5. Prohibited acts

1. Take advantage of the provision or use of Internet services and online information for the purposes of:

a) Acting against the State of the Socialist Republic of Vietnam; harming the national security or social safety and order; destroying the national great unity; propagandizing for wars and terrorism; causing feuds and contradictions among different ethnicities, races or religions;

b) Propagandizing for or provoking violence, obscenity, depravity, crimes, social evils or superstition, destroying fine traditional customs of the nation;

c) Revealing state secrets, military secrets, security, economic, foreign affairs and other secrets prescribed by law;

d) Providing information that distorts, slanders, or insults the reputation of an organization or the honor and dignity of an individual;

dd) Advertising, propagandizing, selling or purchasing prohibited goods or services; disseminating prohibited works of the press, literacy, art or publications;

e) Falsely presenting itself as another organization or individual and disseminating falsified or untrue information which is harmful to the legitimate rights and interests of organizations and individuals.

2. Illegally obstructing the provision and access of lawful information, the provision and use of lawful online services by organizations and individuals.

3. Illegally obstructing the operation of the server system of the Vietnamese national domain name of “.vn” of Vietnam or of the lawful operation of the equipment system to provide Internet services and online information.

4. Illegally using passwords, passcodes of organizations or individuals; private information, personal information and Internet resources.

5. Creating illegal links to lawful domain names of an organization or individual; or creating, installing, or disseminating harmful software or computer viruses; accessing illegally and taking control of an information system, or creating an online attacking tool.

Chapter II

THE MANAGEMENT, PROVISION AND USE OF INTERNET SERVICES AND INTERNET RESOURCES

Section 1

INTERNET SERVICES

Article 6. Licensing the provision of Internet services

1. An enterprise may only provide Internet services when it possesses a license for telecommunications service provision for Internet services.

2. The licensing, amendment, supplement, extension, revocation and re-issue of Internet service provision licenses shall be carried out with the provisions of the law on telecommunications.

Article 7. Rights and obligations of Internet service providers

In addition to the rights and obligations of telecommunications service providers specified by Clause 1, Article 14 of the Law on Telecommunications, Internet service providers have the following obligations:

1. To send an official notice on Internet service provision to the Ministry of Information and Communications (Department of Telecommunications) before officially providing such services as stipulated by the Ministry of Information and Communications;

2. To register with competent state management agencies and notify the same of contracts using the forms and conditions generally applicable to the provision and use of Internet services in accordance with laws on consumer protection and laws on telecommunications for uniformity throughout the enterprise.

Article 8. Conditions for operation of public Internet access points

1. An Internet agency may operate upon satisfaction of all the following conditions:

- a) Registration of the Internet agency business;
- b) Execution of an Internet agency contract with an Internet access service provider;
- c) In the case of the provision of video game services, the provisions set out in Clause 1, Article 74 hereof shall be complied with;

2. The owner of a public Internet access point of an enterprise does not have to conduct registration of the Internet agency business or execute an Internet agency contract. In the case of the provision of video game services, the provisions set out in Clause 1, Article 74 hereof shall be complied with.

3. Owners of public Internet access points at hotels, restaurants, airports, train stations, bus stations, coffee shops and other public places are, upon providing Internet access services to users within the premises of these locations:

- (a) Not required to register the Internet agency business or execute an

Internet agency contract where no charge is collected;

(b) Required to register the Internet agency business and execute an Internet agency contract where a charge is collected.

Article 9. Rights and obligations of owners of public Internet access points

1. Internet agencies shall have the rights and obligations:

a) To establish a system of terminal devices at the location place to provide Internet access for users at that location;

b) To put up an “Internet Agency” sign which states the number of Internet agency business registration; in the case of an Internet agency-cum-public gaming center, a sign specified by Article 74 hereof shall be put up;

c) To display regulations on Internet service provision in conspicuous positions, listing the prohibited acts specified by Article 5 hereof and the rights and obligations of Internet users specified by Article 10 hereof;

d) To provide Internet access in accordance with the quality and charges stipulated in the Internet agency contract;

dd) In the case of provision of online video game services, the Internet agency shall also have the rights and obligations of owners of public gaming centers specified by Article 80 hereof;

e) To prevent Internet users from using the computers to commit the prohibited acts specified by Article 5 hereof;

g) To require that enterprises entering into an Internet agency contract with them give guidance and provide information on Internet access services and are subject to the inspection and supervision of such Internet enterprises;

h) To participate in training programs on the Internet organized by State administrative agencies and Internet service providers in their locality;

i) To comply with regulations on ensuring information safety and information security;

c) Internet agencies not concurrently providing video game services shall comply with regulations on operation hours prescribed by People’s Committees of provinces and centrally-run cities. An Internet agency providing video games shall comply with regulations on operation hours specified by Clause 8, Article 80 hereof.

2. Owners of public Internet access points of enterprises shall have the following rights and obligations:

a) To put up a sign that says “Điểm truy nhập Internet công cộng” (public Internet access point) with the name of the enterprise and the number of its license

for Internet services provision; in case where a public Internet access point is also a public gaming center, it is required to put up a sign as accordingly prescribed in point c, clause 2, Article 74 hereof;

b) Rights and obligations specified at points a, c, dd, e, h, and i, clause 1 of this Article;

c) Public Internet access points of enterprises not concurrently providing video game services shall comply with regulations on operation hours prescribed by People's Committees of the relevant provinces and centrally-run cities. Public Internet access points of enterprises concurrently providing video game services shall comply with regulations on operation hours as prescribed in clause 8, Article 75 hereof;

3. Owners of public Internet access points at hotels, restaurants, airports, train stations, bus and coach stations, cafés and other public places while providing Internet access services for a fee shall have the following rights and obligations:

a) To comply with the opening and closing hours of the locations;

b) Rights and obligations specified at points a, c, d, e, g, h, and i, clause 1 of this Article.

4. Owners of public Internet access points at hotels, restaurants, airports, train stations, bus and coach stations, cafés and other public places while providing Internet access services for free shall have the following rights and obligations:

a) To comply with the opening and closing hours of the locations;

b) Rights and obligations specified at points a, c, e, h, and i, clause 1 of this Article.

5. People's Committees of provinces and centrally-run cities shall stipulate operation hours of Internet agencies and public Internet access points not concurrently providing video game services within their respective locality.

Article 10. Rights and obligations of Internet users

In addition to compliance with the rights and obligations stipulated in clause 1, Article 16 of the Law on Telecommunications, Internet users shall also have the following rights and obligations:

1. To use services on the Internet except for services prohibited by law.

2. To comply with the operation hours of public Internet access points.

3. To not re-sell Internet services in any way.

4. To comply with the provisions on assurance of information safety,

information security and other relevant provisions herein.

Article 11. Internet connection

1. Internet service providers may make direct international connections, direct connections with one another and connections with Internet exchange points.

2. The Vietnam National Internet Exchange (VNIX) is the Internet exchange point under the Vietnam Internet Network Information Center established by the Ministry of Information and Communications in order to:

a) Ensure the safety and continuous operation of Vietnam's Internet in the case of incidents to domestic and international telecommunications networks; In the case of loss of international connection, VNIX will forward traffic to ensure continuous operation of Vietnam's Internet;

b) Promote domestic Internet connection; and domestic content development;

c) Enable domestic and international networks that use valid independent autonomous system numbers (ASNs) and IP addresses to connect and exchange Internet traffic;

d) Connect with regional and international Internet exchange points; Connect the root domain name system (ROOT DNS) with other international networks for infrastructure and content development, and Internet traffic exchange;

dd) Connect networks using IPv6, and promote the transformation of Vietnam's Internet to IPv6;

e) Operate on a non-profit basis to improve service quality and reduce service prices;

g) Internet service providers shall be responsible for coordinating, connecting and routing through VNIX to ensure the safety and continuous operation of Vietnam's Internet in the case of incidents to the domestic and international Internet networks.

3. The Ministry of Information and Communications shall issue mechanisms and policies to facilitate the connection of Internet service providers to one another, with VNIX and other Internet exchange points.

Section 2

INTERNET RESOURCES

Article 12. Registration, use, change of registration information, suspension, revocation, and return of, domain names

1. The Ministry of Information and Communications (Vietnam Internet Network Information Center) shall manage the Vietnamese national domain name of “.vn” and international domain names allocated by international organizations to organizations and individuals in Vietnam.

2. All organizations and individuals have the right to register Vietnamese national domain name of “.vn” and international domain names. Organizations and individuals shall submit application for registration, change of registration information, and return of domain names in accordance with the guidance provided by the Ministry of Information and Communications.

3. The registration, change of registration information, and return of the “.vn” domain name shall be done through a “.vn” domain name registrar. Organizations and individuals shall complete the payment of registration and use fees and charges for the “.vn” domain name as prescribed before the use rights to the domain name are granted or maintained, and shall pay for the domain name registration and maintenance services provided by the “.vn” domain name registrars as agreed between the two parties.

4. The registration of Vietnamese national domain name of “.vn” shall comply with the following principles:

- a) Equality and no discrimination;
- b) First come, first served, except for domain names reserved for auctions in accordance with law;
- c) Compliance with the provisions on auction and transfer of use rights to domain names in accordance with the Law on Telecommunications.

5. Domain names registered by organizations or individuals must ensure:

- a) No inclusion of phrases that infringe upon the national interests;
- b) Conformity to social ethics, fine customs and traditions of the nation;
- c) Seriousness to avoid misunderstanding or distortion due to polyphony, polysemy or omission of tone marks in Vietnamese;

d) No similarity or identicalness with the name of a press agency if the registrant is not a press agency;

dd) No inclusion of confusing phrases such as a general website or a social network if the registrant is not registering a domain name to set up a general website or social network in accordance with provisions of the law.

6. Domain names being names of the Party’s organizations or State

agencies shall be reserved for the relevant Party's organizations or State agencies only; other organizations or individuals may not register or use such domain names.

7. Information to be provided when registering a domain name:

a) For organizations: name of organization, enterprise identification number/tax code, head office address, phone number, email address; information of domain name administrator; information of domain name technical administrator; Billing information;

b) For individuals: full name; date of birth; identity card number/citizen identity card number/passport number, place of issue, date of issue; address; phone number; e-mail address;

c) Purpose of using domain name in the case of registering a domain name to set up a general website, social network, electronic newspaper; Update information on the purpose of using the domain name [upon any changes];

8. The registrant submitting the application for registration of domain name shall be verified through its digital signature in the application for domain name registration or a technology solution for collection, check, and comparison, ensuring the absolute consistency between the registrant's identification information and the information and data in the application.

9. Vietnamese citizens from 18 to 23 years old shall be given priority and support in the registration of third-level domain names below ".id.vn" through discount on fee and charge for registration of third-level domain names below ".id.vn" within a specific period of time. Newly established enterprises and Business Households with business household registration certificates as prescribed by law shall be given priority and support in the registration of third-level domain names below ".biz.vn" through discount on fee and charge for registration of third-level domain names below ".biz.vn" within a specific period of time. The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Information and Communications in, detailing the discounts and discount period for the above-mentioned persons.

10. An entity shall be only allowed to issue a domain name below the registered domain name to its member units or employees and shall manage such domain names; an individual or entity shall not be allowed to issue domain names below its domain name to other entities or individuals.

11. Online newspapers, social networks and websites or portal of the Party and State agencies must use at least 1 ".vn" domain name and store information in a server system with Vietnam IP address.

12. In case where individuals, organizations and businesses register with ICANN for transfer of a new generic top-level domain (New gTLD):

a) Before registering with ICANN for transfer of a New gTLD, such individuals, organizations and businesses shall submit a Declaration in the Form No. 49 set out in the Appendix issued together with this Decree to the Ministry of Information and Communications;

b) The Ministry of Information and Communications shall consider the request of such organizations or businesses. Within 30 days from receipt of a written request from an individual, organization or business, if the New gTLD does not fall into the cases related to Vietnam's national interests specified in clause 1, Article 13 hereof, the Ministry of Information and Communications shall issue a written consent to the request of the same. In case the request is denied, the Ministry of Information and Communications shall issue a written response, expressly specifying the reasons therefor;

c) Within 05 days from the date of official transfer of the New gTLD by ICANN, the individual, organization or business shall send a letter of notice to the Ministry of Information and Communications.

d) Organizations and businesses may only issue domain names below their registered New gTLD to their member units or individuals affiliated thereto. Individuals, agencies and organizations shall not issue domain names below their own domain names to other agencies, organizations and individuals.

dd) Any organization or business wishing to issue a domain name below its registered New gTLD to organizations and individuals other than its member units or individuals affiliated to it must satisfy the conditions specified in Article 18 and must carry out the procedures for issue of a license for operation as a new generic top-level domain registry in Vietnam in accordance with the provisions of Article 18 hereof.

13. A domain name shall be subject to suspension from operation in the following cases:

a) At the written request of an investigative agency when conducting professional activities to promptly prevent acts causing information insecurity in the activities of ensuring national security, social order and safety as prescribed by law;

b) At the written request, for enforcement of the decision on application of measures for prevention, and assurance of the handling of, administrative violations, issued by the competent authority in handling of violations in the field of information and communications or other specialized inspectorates;

c) Incorrectness of domain name registration information, impossibility to identify the registrant; inconformity of the registered domain name to the regulations on the structure and registrant.

d) Failure by the entity that registers and uses the “.vn” domain name to pay the maintenance fee as prescribed.

14. One shall not perform the following operations for suspended domain names: change of registrant’s information, change of DNS server, change of registrar, transfer of domain name use rights.

15. A suspended domain name shall be removed from suspension in the following cases:

a) For the cases specified at point a, clause 13 of this Article: The domain name shall be removed from the suspension upon the expiration of the suspension period stated in the written request for domain name suspension of the competent authority or upon the written request of the authority that requested the domain name suspension;

b) For the cases specified at point b, clause 13 of this Article: The domain name shall be removed from suspension upon the expiration of the suspension period stated in the decision on application of measures for prevention, and assurance of the handling of, administrative violations or upon the written request of the agency that has issued the decision on domain name suspension;

c) For the cases specified at point c, clause 13 of this Article: The domain name may be removed from suspension if the registrant and user of the domain name correctly updates the domain name registration information within the timeline specified by the Ministry of Information and Communications;

d) For the cases specified at point d, clause 13 of this Article: The domain name may be removed from suspension if the registrant or user of the domain name pays the domain name maintenance fee within the timeline specified by the Ministry of Information and Communications.

16. A domain name shall be subject to revocation in the following cases:

a) In accordance with a written record of successful conciliation as prescribed by the law on conciliation; decisions and rulings on domain name dispute settlement by competent authorities on domain name dispute settlement in accordance with provisions of the law;

b) In accordance with a Decision of the Ministry of Information and Communications, whereby a domain name shall be revoked in service of national interests, public interests, socio-economic development, national defense and security, or when it is no longer conforming to the planning on

telecommunications number storages and Internet resources planning prescribed in the Law on Telecommunications;

c) In accordance with a decision on sanctioning of administrative violations of the specialized information and communications inspectorate or another specialized inspectorate, whereby the remedial measure is to revoke the domain name or apply the additional sanction of confiscating the exhibits and violating means;

d) At the written request of an investigative agency or a competent state agency as prescribed by law in charge of information security and high-tech crime when the use of the domain name infringes upon national security, social order and safety as prescribed by law;

dd) Failure by the entity that registers and uses the “.vn” domain name to pay the maintenance fee as prescribed;

e) Incorrectness of domain name registration information, impossibility to identify the registrant and failure by the registrant to update, supplement or complete the required information; inconformity of the registered domain name to the regulations on the structure and registrant.

17. The Ministry of Information and Communications shall provide specific guidance on the sequence, timeline and method for relevant organizations and individuals to conduct the procedures for suspension and/or revocation of domain names in the cases specified in this Article.

Article 13. Protection of Vietnam’s national interests in registration and use of New gTLD and second-level domain name below New gTLD

1. New gTLDs and second-level domain names below New gTLDs in relation to Vietnam’s national interests include:

a) Domain names being the name and code of Vietnam;

b) Domain names containing phrases which are names or abbreviated names of Vietnam throughout periods, or illustrating national picture of Vietnam;

c) Domain names being names of places and names of localities within the maritime boundary areas, inland boundary areas and air boundary areas of Vietnam in accordance with provisions of the law of Vietnam;

d) Domain names being names of provinces and centrally-run cities;

dd) Domain names being names of places recognized by UNESCO as World Heritage Sites in Vietnam;

e) Domain names being names of national monuments and special national monuments, national treasures, national tangible cultural heritages and national intangible cultural heritages, national cultural symbols and national tourist sites

of Vietnam;

g) Domain names being names of Party's organizations and State agencies and socio-political organizations;

h) Domain names containing phrases that need to be protected in accordance with Vietnam's regulations on national security and defense;

i) Domain names being names of cultural personalities, national heroes and leaders of Vietnam;

k) Other domain names prescribed by the Prime Minister.

2. Responsibilities of ministries, branches and Party's organizations and State agencies in the protection of national interests in relation to New gTLDs and second-level domain names below New gTLDs:

a) The Ministry of Information and Communications shall assume the prime responsibility for, and coordinate with relevant ministries, branches, organizations and units in: Appraising applications for registration, and use of New gTLDs; taking countermeasures against ICANN or international top-level domain registries where these organizations allow the registration and use of domain names that may infringe upon the national interests in accordance with the criteria specified in clause 1 of this Article;

b) Ministries, branches, Party's organizations and State agencies shall coordinate with the Ministry of Information and Communications and relevant organizations and units in: Preparing a list of, and monitoring, the registration and use of domain names under their management in accordance with the criteria specified in Clause 1 of this Article; proposing funding for registration of domain names that need to be protected on the principle of efficient use of the state budget for protection of national interests; participating in the appraisal of applications for registration and use of New gTLDs at the request of the Ministry of Information and Communications;

c) The Ministry of Finance shall appraise and provide funds for domain name registration as prescribed in clause 2 of this Article.

Article 14. “.vn” national domain name system of Vietnam

1. The “.vn” national domain name system of Vietnam is a technical system intended to ensure the operation of the Vietnamese national domain name of “.vn” on the Internet. The Ministry of Information and Communications (Vietnam Internet Network Information Center) shall establish, manage and operate the “.vn” national domain name system of Vietnam.

2. Internet service providers shall be responsible for coordinating, connecting and routing to ensure the secure and stable operation of the “.vn”

national domain name system of Vietnam;

Article 15. Provision of domain name registration and maintenance services

1. Organizations and businesses providing domain name registration and maintenance services must comply with the provisions of Vietnamese law.

2. Organizations and businesses shall be provided with guidance and information on the registration and use of domain names and be subject to inspection and examination by the Ministry of Information and Communications and competent state agencies.

3. Organizations and businesses providing domain name registration and maintenance services shall be responsible for:

a) Management and authentication of registrant's information; Full and accurate storage of information provided by organizations and individuals at registration of domain names as prescribed in clause 7, Article 12; storage, management and creation of domain name data backup in accordance with the guidance of the Ministry of Information and Communications.

b) Development and publication of forms, process and procedures for domain name registration in accordance with the guidance of the Ministry of Information and Communications;

c) Issue of denial to service provision where an organization or individual fails to satisfy the regulations on registration and use of domain names;

d) Submission of reports, and information, and coordination in handling violations at the request of competent agencies in accordance with provisions of the law;

e) Suspension from operation, or revocation of domain names at the request of the Ministry of Information and Communications in case where the registration and use of domain names violate the provisions of Vietnamese law on management, provision and use of internet services and online information.

4. A “.vn” domain name registrar shall, in addition to complying with the provisions of clauses 1,2,3 of this Article, have the following rights and obligations:

a) To set up a domain name system (DNS), a technical system for provision of services and application of measures for assurance of the safety of domain names and domain name data of organizations and individuals; A domestic “.vn” domain name registrar must use a domain name system (DNS) using the Vietnamese national domain name of “.vn” and set up at least 02 DNS clusters in Vietnam for the management of data and response to domain name queries when

providing services; and Use the national domain name of “.vn” for websites and instruments for online provision of “.vn” domain name registration and maintenance services;

b) A “.vn” domain name registrar shall collect fees for “.vn” domain name registration and maintenance services in accordance with the service agreement with the domain name registrant for the activities performed by the Registrar in accordance with the provisions of clause 10, Article 3 hereof.

c) When rendering “.vn” domain name registration and maintenance services, a “.vn” domain name registrar must: Avoid infringing or causing harm to the legitimate rights and interests of the registrants as well as of other “.vn” domain name registrars. Refrain from taking advantage of it being a Domain name registrar to appropriate, obstruct or seek to obstruct entities from legally registering or using domain names. In the case of distribution channel development, there must be in place a contract with the organizations participating in the distribution channel and it is required to ensure that the organizations participating in the distribution channel shall not perform the role of the Registrar in the management of the “.vn” domain name;

d) When terminating the contract on provision of “.vn” domain name registration and maintenance services signed with Vietnam Internet Network Information Center, a “.vn” domain name registrar must transfer all files, data and information on “.vn” domain name under its management to Vietnam Internet Network Information Center or a Registrar appointed by Vietnam Internet Network Information Center to receive and manage the “.vn” domain name of the terminating registrar.

5. An international domain name registrar in Vietnam and a new generic top-level domain registry in Vietnam shall, in addition to complying with the provisions of clauses 1, 2 and 3 of this Article, have the following rights and obligations:

a) When providing international domain name registration and maintenance services to organizations and individuals in Vietnam, organizations and businesses must report on their service provision to the Ministry of Information and Communications in the Form No. 02 set out in the Appendix issued together with this Decree. Such reporting shall be conducted online at www.thongbaotenmien.vn;

b) To guide organizations and individuals registering international domain names in the notification on the use of international domain names in accordance with the law;

c) Before the 15th of the first month of each quarter, the International domain name registrar in Vietnam; the new Generic top-level domain registry in Vietnam shall submit an online report on, the list and updated information on, international domain names under their management to the Ministry of Information and Communications (Vietnam Internet Network Information Center) at www.thongbaotenmien.vn in accordance with the guidance of the Ministry of Information and Communications. Information to be reported shall include domain names, date of registration; registrant's information in accordance with the regulations on registration of domain name as prescribed in Article 12 hereof; Changes in domain names under their management (domain names transferred out, domain names transferred in) during the reporting period;

d) To set up at least 02 DNS clusters in Vietnam for management of data and response to domain name queries when providing services.

6. Organizations and businesses providing cross-border domain name registration and maintenance services shall, in addition to complying with the provisions of clauses 1, 2 and 3 of this Article, have the following rights and obligations:

a) When providing cross-border international domain name registration and maintenance services to organizations and individuals in Vietnam, organizations and businesses must report on their service provision to the Ministry of Information and Communications in the Form No. 02 set out in the Appendix issued together with this Decree. Such reporting shall be conducted online at www.thongbaotenmien.vn;

b) Before the 15th of January each year, foreign organizations or businesses shall report the updated list of international domain names provided by them to organizations and/or individuals in Vietnam in the previous year. Such reporting shall be conducted online in accordance with the guidance of the Ministry of Information and Communications at www.thongbaotenmien.vn.

c) In case where a foreign organization or business, when providing cross-border domain name registration and maintenance services, violates Vietnamese law, or fails to cooperate with the Ministry of Information and Communications in handling of the law-violating information, the Ministry of Information and Communications shall implement technical measures to prevent access to the websites and applications through which the cross-border domain name registration and maintenance services are provided to users in Vietnam in accordance with the Law on Cybersecurity and the Law on Cyberinformation Security.

7. Telecommunications businesses shall be responsible for implementing necessary technical measures to prevent access to websites, and applications through which the cross-border domain name registration and maintenance services are provided to users in Vietnam.

Article 16. “.vn” domain name registrar

1. A “.vn” domain name registrar is an organization or enterprise providing domain name registration and maintenance services for the Vietnamese national domain name of “.vn”, including:

a) A “.vn” domain name registrar is a Vietnamese organization or enterprise which: May provide the “.vn” domain name registration and maintenance services for entities in Vietnam and abroad;

b) A “.vn” domain name registrar is an organization or enterprise in a foreign country which: May provide the “.vn” domain name registration and maintenance services for foreign entities.

2. A “.vn” domain name registrar may provide services upon satisfaction of the following conditions:

a) Being a Vietnamese organization or enterprise or a foreign organization signing a contract with the Internet Corporation for Assigned Names and Numbers (ICANN) or an accredited registrar of ICANN;

b) Having sufficient technical capacity commensurate with the scale of operation for the provision of domain name registration and maintenance services;

c) Having signed a contract with Vietnam Internet Network Information Center to become a “.vn” domain name registrar.

3. Organizations and enterprises wishing to provide “.vn” domain name registration and maintenance services shall submit their application for “.vn” domain name registration and maintenance services to the Ministry of Information and Communications (Vietnam Internet Network Information Center). The application dossier includes:

a) An application form for “.vn” domain name registration and maintenance services in Form No. 01 in the Appendix hereto;

b) A valid copy including a copy extracted from the master register or a certified true copy or a copy enclosed with the original business registration certificate (or a valid copy of another valid equivalent certificate or license issued before the effectiveness the 2020 Law on Investment and the 2020 Law on Enterprises);

c) A notarized translation of the contract concluded by a foreign organization and the Accredited Registrar of Internet Corporation for Assigned

Names and Numbers (ICANN) (applied if the foreign organization has concluded a contract with an accredited registrar of ICANN);

d) The technical implementation plan to ensure sufficient capacity commensurate with the scale of operation for the provision of domain name registration and maintenance services in Form No. 47 issued herewith.

4. The Ministry of Information and Communications (Vietnam Internet Network Information Center) reviews, agrees and concludes a contract for the provision of “.vn” domain name registration and maintenance services with organizations and enterprises considering the following criteria:

- a) The need for domain name registration and maintenance services;
- b) The conformity with the Internet resources planning;
- c) Conditions prescribed in Clause 2 hereof.

5. A contract for the provision of “.vn” domain name registration and maintenance services signed between the Vietnam Internet Network Information Center and the “.vn” domain name registrar must contain all contents prescribed in Form No. 45 in the Appendix hereto.

Article 17. International domain name registrar in Vietnam

1. An international domain name registrar in Vietnam is a Vietnamese organization or enterprise providing international domain name registration and maintenance services to organizations and individuals in Vietnam.

2. An international domain name registrar may provide services upon satisfaction of the following conditions::

- a) Being a Vietnamese organization or enterprise;
- b) Having concluded a contract with Internet Corporation for Assigned Names and Numbers (ICANN) or an accredited registrar of ICANN to provide international domain name registration and maintenance services in Vietnam;
- c) Having the completion of the report on the operation of the International Domain Name Registrar in Vietnam under Clause 3 of this Article confirmed by the Ministry of Information and Communications (Vietnam Internet Network Information Center).

3. Report on the operation of the International Domain Name Registrar in Vietnam

- a) The reporting documents include:
 - Report on the operation of the International Domain Name Registrar in Vietnam in Form No. 02 in the Appendix hereto;
 - A copy of the business registration certificate (or a valid copy of another

valid equivalent certificate or license issued before the effectiveness the 2020 Law on Investment and the 2020 Law on Enterprises);

- A copy of the contract concluded with Internet Corporation for Assigned Names and Numbers (ICANN) or an accredited registrar of ICANN to provide the international domain name registration service in Vietnam.

b) Address for submission:

- Vietnam Internet Network Information Center.

c) Confirmation of completion of the report on the operation of the International Domain Name Registrar in Vietnam:

Within 15 days from the reception of the valid reporting documents of the enterprise, the Ministry of Information and Communications (Vietnam Internet Network Information Center) shall send a written confirmation of the completion of the report on the operation of the International Domain Name Registrar in Vietnam, and at the same time include the enterprise in the management list at www.thongbaotenmien.vn. In the case of an invalid reporting documents according to the regulations, the Ministry of Information and Communications (Vietnam Internet Network Information Center) shall send a written request to the enterprise for supplement and completion.

The enterprise may only provide services after receiving written confirmation of the completion of the report on the operation of the International Domain Name Registrar in Vietnam from the Ministry of Information and Communications (Vietnam Internet Network Information Center).

In case the enterprise no longer meets the conditions for operation of the International Domain Name Registrar in Vietnam as prescribed in Clause 2 of this Article, the Ministry of Information and Communications (Vietnam Internet Network Information Center) shall issue a written notice to cancel the certification of operation of the International Domain Name Registrar in Vietnam and remove its name from the list of international domain name registrars in Vietnam at www.thongbaotenmien.vn.

Article 18. New generic top-level domain registry (New gTLD registry) in Vietnam

1. New gTLD registries in Vietnam are Vietnamese organizations and enterprises licensed by the Ministry of Information and Communications to manage New gTLD domain names and provide of domain name registration and maintenance services under New gTLD in Vietnam.

2. A New gTLD registry may provide the services upon satisfaction of all the following conditions:

- a) Being a Vietnamese organization or enterprise;
- b) Having sufficient financial, technical, organizational and personnel capacity to carry out activities of the organization managing the new gTLD and ensure information safety and security;
- c) Being licensed to operate as a New gTLD registry in Vietnam under Clause 4 of this Article.

3. An application dossier for an operation license as a New gTLD registry in Vietnam shall be made in 01 set, including:

- a) An application form for a license for operation as a New gTLD registry in Vietnam in Form No. 03 in the Appendix hereto;
- b) A valid copy including a copy extracted from the master register or a certified true copy or a copy enclosed with the original business registration certificate (or a valid copy of another valid equivalent certificate or license issued before the effectiveness the 2020 Law on Investment and the 2020 Law on Enterprises);
- c) Operation scheme bearing the signature of the legal representative of the enterprise/head of the organization and the seal of the organization or enterprise applying for the license. The scheme includes the following main contents: an explanatory statement on scale of operation and financial, technical, organizational and personnel capacity; measures to ensure information safety and security for the operation as a New gTLD registry in Vietnam.

4. Address for submission: Ministry of Information and Communications.

5. Within 30 days from the receipt of valid registration dossiers of organizations or enterprises, the Ministry of Information and Communications shall review and grant a license for operation as a New gTLD registry in Vietnam. In the case of an invalid registration dossier according to the regulation, the Ministry of Information and Communications shall send a written request to the organization or enterprise for supplement and completion. In the case of rejection of the dossier, the Ministry of Information and Communications shall give response in writing, expressly stating the reasons for such rejection.

Article 19. “.vn” domain name dispute resolution

1. Disputes over the registration and use of the Vietnamese national domain name of “.vn” shall be resolved in the following manners:

- a) Through negotiation and mediation;
- b) Through arbitration;
- c) Through litigation.

2. The grounds for domain name dispute resolution at the request of the plaintiff must include the following factors:

a) The domain name in dispute is identical to or similar to the extent of causing confusion with the name of the plaintiff; or identical to or similar to the extent of causing confusion with the brand, geographical indication or trade name in which the plaintiff has legitimate rights or interests;

b) The defendant does not have legitimate rights or interests related to such domain name;

c) The defendant uses the domain name with malicious intent when one of the following applies:

- The defendant leases out or transfers a domain name to the plaintiff being the owner of a name, brand, trade name or geographical indication which is identical to or similar to the extent of causing confusion with such domain name; or leases out or transfers [a domain name] to a competitor of the plaintiff for its own benefits or for improper profit;

- The defendant appropriates or prevents the plaintiff being the owner of a name, brand, trade name or geographical indication from registering a domain name corresponding to such name, trademark or service brand for unhealthy competition;

- The defendant uses a domain name to destroy the reputation of the plaintiff, hinder the business operation of the plaintiff or cause confusion or make the public lose their trust in the name, brand, trade name or geographical indication of the plaintiff for unhealthy competition;

- Other cases where it is proved that the use of a domain name by the defendant infringes the legitimate rights and interests of the plaintiff.

3. A defendant is considered to have legitimate rights and interests relating to a domain name upon satisfaction of one of the following conditions:

a) Having used or having express proof that they are going to use a domain name or a name corresponding to that domain name in relation to the actual provision of products, goods or services before the dispute arises;

b) Being known by such domain name by the public despite having no right to a trademark, goods brand or service brand;

c) Currently using a domain name legally not relating to commercial [purposes], or using the domain name properly not for commercial purposes or [without] causing misunderstanding or confusion for the public affecting the name, trademark, goods brand or service brand of the plaintiff;

d) Having other proof to prove the legality of the defendant relating to the

domain name.

4. In the process of “.vn” domain names dispute resolution, domain name registration and use status maintenance by the Ministry of Information and Communications (Vietnam Internet Network Information Center) is required according to the written request of competent agencies and organizations regarding the “.vn” domain names dispute resolution in accordance with the law.

5. The Ministry of Information and Communications (Vietnam Internet Network Information Center) handles the “.vn” domain name in dispute based on the successful mediation agreement in accordance with the legislation on mediation; decisions and award of the arbitrators in accordance with the legislation on arbitration; enforceable judgments and decisions of the court.

In case a mediation agreement, decision or award of an arbitrator, judgment or decision of a court expressly states that the domain name in dispute has been revoked and is allowed to be used by the plaintiff, the judgment creditor (who is the plaintiff in the dispute resolution case) shall have priority in registration within 45 days from the effective date of document, decision, award or judgment. After this period, the domain name can be freely registered.

The enforcement of court and arbitration decisions in domain name dispute resolution shall comply with the provisions of the Law on Enforcement of Civil Judgments.

Article 20. Registration, allocation, issue and revocation of IP addresses and autonomous system numbers

1. The Ministry of Information and Communications shall register IP addresses and autonomous system number with international organizations; and issue and allocate the IP addresses and autonomous system numbers to agencies, organizations and enterprises in Vietnam.

2. Principles of IP address and autonomous system number issue and allocation:

a) First come, first served;

b) The issue and allocation of IP addresses and autonomous system numbers are synchronized with the policy on IP address and autonomous system number issue and allocation prescribed by the regional internet registry for the Asia Pacific, Asia Pacific Network Information Centre (APNIC), published at www.apnic.net

c) The unused IP address due to revocation or return by agencies, organizations and enterprises is reissued or reallocated according to the following principles: First come, first served and based on the necessity and capability to

immediately use the proposed IP address space (the agency, organization or enterprise has not yet got an IP address to use or has used up at least 80% of the previously issued or allocated IP address space).

The Ministry of Information and Communications (Vietnam Internet Network Information Center) shall list information on IP address spaces and the period of application for IP address space reissue and reallocation at www.diachiip.vn.

d) Vietnamese organizations and enterprises that obtains IP addresses and autonomous system numbers from international organizations must report so that the IP address spaces or autonomous system numbers can be included in the list managed by the Ministry of Information and Communications. IP addresses and autonomous system numbers obtained by Vietnamese entities in accordance with applicable regulations will be Vietnamese Internet resources, allocated by the Ministry of Information and Communications.

3. Subjects entitled to request for IP address issue and allocation:

a) Agencies, organizations and enterprises wishing to establish a network connected to the Internet are entitled to request for IP address issue and allocation for internal use or IP address reissue to customers connected to the agency, organization or enterprise's service-providing network (in the case of being entitled to provide Internet services);

b) Agencies, organizations and enterprises wishing to have their IPv4 addresses issued, reallocated from the IPv4 address space after the return or revocation have been listed by the Ministry of Information and Communications (Vietnam Internet Network Information Center);

c) Agencies, organizations and enterprises which change the name of the registrant in the cases prescribed in Clause 5 of this Article;

d) Agencies, organizations and enterprises obtaining IP addresses or autonomous system numbers from international organizations as prescribed in Clauses 2, 3 and 7 of this Article.

4. Agencies, organizations and enterprises with their IP addresses issued or allocated may register using the respective autonomous system numbers. The Ministry of Information and Communications uses dossiers and information submitted by agencies, organizations and enterprises when registering IP to issue autonomous system numbers at the request of agencies, organizations and enterprises.

5. Agencies, organizations and enterprises may request to change the name of the IP address and autonomous system number registrants in the following

cases:

a) The agency or organization changes its name under a decision of a competent authority;

b) Division, split-up, merger, and consolidation or change of functions and tasks of agencies and organizations under decisions of competent state agencies, leading to changes in the organization managing and operating the networks and services using IP address spaces and autonomous system numbers;

c) Enterprise restructuring in accordance with the Law on Enterprises, or business acquisition, capital and share contribution among enterprises, or change of functions and tasks among parent companies and subsidiaries, causing a change in the organization directly managing and operating the networks and services using IP address spaces and autonomous system numbers.

6. Procedures for IP address issue and allocation:

a) Agencies, organizations and enterprises submit dossiers online through the Public Service Portal of the Ministry of Information and Communications or the National Public Service Portal. In case online submission is not possible, agencies, organizations or enterprises shall submit the application dossier directly by post to the Ministry of Information and Communications (Vietnam Internet Network Information Center);

b) The application dossier includes: Declaration for IP address registration in Form No. 48 in the Appendix hereto; A certified true copy or a copy (enclosed with the original for verification) of the Decision on establishment or other valid certificates issued before the effective date of the 2014 Law on Enterprises (in case there is no enterprise identification number); A certified copy or a copy (enclosed with the original for verification) a decision of a competent state agency or a document on enterprise restructuring in accordance with the Law on Enterprises and documents proving a valid change in the right to use an IP address (in the case of change of the entity's name);

c) Within 10 business days from the receipt of the complete and valid dossier, fees and charges, the Ministry of Information and Communications (Vietnam Internet Network Information Center) is responsible for issuing and allocating IP addresses to agencies, organizations and enterprises in Form No. 46 prescribed in the Appendix hereto. In the case of rejection of the dossier, the Ministry of Information and Communications shall give response in writing, expressly stating the reasons for such rejection.

7. Agencies, organizations and enterprises in Vietnam wishing to obtain IP addresses or autonomous system numbers directly from international

organizations must:

a) Pay fees incurred in accordance with applicable regulations of international address registries to be able to include IP address space or autonomous system numbers in the list for centralized management of the Vietnam Internet Network Information Center;

b) Pay the maintenance charges for the use of IP address space or autonomous system number in accordance with applicable regulations of the Ministry of Finance.

8. IP addresses and autonomous system numbers are revoked in the following cases:

a) According to the Decision of the Ministry of Information and Communications, IP addresses and autonomous system numbers are revoked in service of national interests, public interests, socio-economic development, national defense and security, or when they are no longer conforming to the planning on telecommunications number storages and Internet resources planning prescribed in the Law on Telecommunications;

b) According to the decision on sanctioning of administrative violations of the specialized information and communications inspectorate, the remedial measures are to revoke the IP address and autonomous system number or apply the additional sanction of confiscating the violating means;

c) At the written request of an investigative agency or a competent state agency as prescribed by law in charge of information security and high-tech crime when the use of IP addresses or autonomous system numbers infringes upon national security, social order and safety as prescribed by law;

d) The IP address and autonomous system number maintenance charges are not paid;

dd) In cases where the details for IP address and autonomous system number registration is incorrect or the IP address or autonomous system number registrant cannot be identified but the registration fails to update, supplement or complete the details; In cases of violation of management regulations of the Ministry of Information and Communications for registration and use of IP addresses and autonomous system numbers.

9. The Ministry of Information and Communications shall specifically guide the sequence, time and method for relevant organizations and enterprises to coordinate in the revocation of IP addresses and autonomous system numbers prescribed in Clause 8 of this Article.

Article 21. Promotion of IPv6 technology application

1. IPv6 technology is included in the list of high technologies which are given priority in investment and development. The activities of research, production and import of equipment, software and other activities of IPv6 technology application are entitled to the incentives and support stipulated by the Law on High Technology.

2. Internet service providers shall be encouraged and facilitated in the investment and development of network systems using IPv6 technology.

3. State agencies must, upon investment and purchase of new equipment with Internet connection, ensure that such equipment is IPv6 technology-supporting as stipulated by the Ministry of Information and Communications.

4. The Ministry of Information and Communications shall lead coordination with relevant ministries and branches in the development of supporting policies and a schedule to ensure that all Internet connection information technology and telecommunications equipment and software domestically produced and imported into Vietnam must apply IPv6 technology to completely cease the production and import of equipment and software which do not support IPv6 technology.

5. The Ministry of Education and Training shall provide guidelines on the inclusion of IPv6 technology content in the training curriculum of universities and colleges in the field of information technology and communications.

Article 22. Rights and obligations of organizations and individuals using Internet resources

1. Organizations and individuals registering and using domain names have the following rights and obligations:

a) To be responsible before the law on the registered information, including the accuracy and truthfulness of the information and ensuring that no legitimate rights and interests of other organizations or individuals are infringed;

b) To be responsible for the management and use of their domain names in accordance with the law.

2. Organizations and individuals using international domain names must notify the Ministry of Information and Communications in accordance with Article 23 of the Law on Information Technology. The Ministry of Information and Communications shall detail the process of and procedures for notification of the use of international domain names.

3. Organizations using IP addresses and autonomous system numbers must carry out routing and use of IP addresses and autonomous system numbers as stipulated by the Ministry of Information and Communications.

4. Organizations and individuals using Internet resources must provide information and coordinate with competent State management agencies upon request.

5. Organizations and individuals using Internet resources must pay registration fees and Internet resource maintenance charges in accordance with applicable regulations.

Chapter III

MANAGEMENT, PROVISION AND USE OF ONLINE INFORMATION

Section 1

GENERAL PROVISIONS

Article 23. Classification of websites

Websites are classified as follows:

1. Electronic newspapers and electronic magazines.
2. General websites.
3. Internal websites.
4. Personal websites established by an individual which are presented in the form of websites or user accounts to provide and exchange information of that individual without providing general information.
5. Websites providing specialized services are websites providing services in the fields of telecommunications, information technology, broadcasting, television, commerce, finance, banking, culture, health care, education and other specialized fields.
6. Websites providing social networking services as prescribed herein.
7. Websites providing information in the form of a portal.

Article 24. Principles of management, provision and use of online information

1. The management, provision and use of online information in the form of electronic newspapers, electronic publishing and online advertisements must comply with provisions of the legislation on press, publication and advertising.
2. The management, provision and use of online information in the form of social networks or general websites must comply with the provisions in Section 2 of Chapter III and other relevant provisions herein.
3. The management, provision and use of mobile telecommunications

network content services must comply with the provisions in Section 3 of Chapter III and other relevant provisions herein.

4. The management, provision and use of contents on specialized websites must comply with provisions of specialized laws and relevant provisions herein.

5. The management, provision and use of content on personal websites and internal websites must comply with the provisions on registration and use of Internet resources and relevant provisions herein.

6. Organizations and individuals are responsible before the law for information which they store, transmit, provide or spread online.

7. The confidentiality of private information of organizations and individuals shall be ensured in accordance with the law. The control of online private information shall be performed by competent State management agencies in accordance with the law.

8. Organizations and individuals providing online services may not disclose personal information of service users except in the following cases:

- a) The user agrees to the provision of such information;
- b) Organizations and enterprises which have mutual agreements in writing on the provision of personal information to serve billing and preparation of invoices and source documents, and to prevent the evasion of the performance of contractual obligations;
- c) Where the competent State administrative authority so requests in accordance with the law.

9. Organizations and individuals engaged in the management, provision and use of online information are responsible for protecting State secrets in accordance with law. Organizations and individuals are, during the storage and transmission of information included in the list of State secrets, responsible for the encryption of information in accordance with law.

Article 25. Management responsibilities of ministries, ministerial-level agencies and People's Committees of provinces and centrally-run cities

1. Ministries, branches and localities shall, within the scope of their tasks and powers, perform the branch-level, sector-level and local management with respect to online information and information services.

2. State management responsibilities of the Ministry of Information and Communications

The Ministry of Information and Communications takes responsibility before the Government for performing state management of online information safety and of the management, provision and use of Internet services and online

information nationwide, with the following tasks and powers:

- a) Develop and submit to competent authorities for promulgation or promulgate according to its powers and the mechanisms, policies and laws on the management, provision and use of Internet services and online information;
- b) Organize the training and fostering of professional skills in the provision and use of Internet services and online information;
- c) Inspect, examine and handle violations of the provision and use of Internet services and online information in accordance with law;
- d) Conduct international cooperation in the management, provision and use of Internet services and online information;
- dd) Direct and implement information monitoring activities and prevent and remove unlawful information specified by Chapter V hereof;
- e) Publish the verification results on fake news on the tingia.gov.vn Website of the Vietnam Anti-Fake News Center (Ministry of Information and Communications);
- g) Other duties and powers in accordance with law.

3. The Ministry of Public Security is, within the scope of its tasks and powers, responsible for protecting national security, ensuring social order and safety and combating crimes and violations of the law on national security, social order and safety online; ensuring cybersecurity in the management, provision and use of Internet services and online information.

4. The Ministry of National Defense is, within the scope of its tasks and powers, responsible for ensuring information safety, cybersecurity, protecting State secrets and military secrets; coordinating with functional agencies to prevent and combat crimes and law violations in cyberspace.

5. The Ministry of Industry and Trade, the Ministry of Culture, Sports and Tourism, the Ministry of Health, the Ministry of Education and Training, the Ministry of Labor, Invalids and Social Affairs, the State Bank of Vietnam and the Ministry of Finance are, within the scope of their tasks and powers, responsible for managing the following activities in cyberspace: commercial activities; cultural, sports and tourism activities; medical operations; educational and training activities; labor and employment; payment operations; tax affairs.

6. Ministries, ministerial-level agencies, the Government Cipher Committee and other Government-attached agencies are, within the scope of their tasks and powers, responsible for coordinating the management of their assigned sectors and domains according to their powers or advising the Government on the performance of their assigned tasks according to their powers with respect to the

management, provision and use of Internet services and online information and ensuring online information safety.

7. The People's Committees of the provinces and centrally-run cities are responsible for the state management of the provision and use of Internet services and online information in their respective localities, according to their powers, and shall assume the following tasks:

a) Organize and guide the implementation of the provisions of the law on the provision and use of Internet services and online information in their respective localities;

b) Organize training and fostering activities to improve professional skills in the provision and use of Internet services and online information in their respective localities;

c) Inspect, examine and handle violations of the law on the provision and use of Internet services and online information according to their powers;

d) Periodically report on the management of the provision and use of Internet services and online information in their respective localities and to the Ministry of Information and Communications before the 31 December of each year and make ad-hoc reports as may be requested by competent state agencies;

dd) Perform other tasks as required by law.

Article 26. Cross-border information provision

1. Foreign organizations and individuals, in the cross-border information provision to users in Vietnam, must comply with Vietnamese laws.

2. Competent Vietnamese state management agencies shall take necessary measures to implement the policies for the development and management of online information specified by Clauses 4 and 5, Article 4 hereof in the following cases:

a) A foreign organization, enterprise or individual provide cross-border information violating Vietnamese laws;

b) A foreign organization, enterprise or individual fails to cooperate with the Ministry of Information and Communications in handling the unlawful information mentioned in Point a of this Clause.

3. Foreign organizations and individuals providing information cross-border using data storage services in Vietnam or having monthly total visits from Vietnam (statistical data for a period of 06 consecutive months) reaching 100,000 (one hundred thousand) or more shall have the following rights and obligations:

a) To notify their contact information to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) as

prescribed in Clause 4 of this Article within 60 days from the achievement of number of visits specified by Clause 3 of this Article;

b) To examine, monitor and remove information, services and applications deemed unlawful under Clause 1, Article 8 of the Law on Cybersecurity, and Clause 1, Article 5 hereof;

c) To prevent and remove unlawful content, services and applications if so requested by the Ministry of Information and Communications under Clause 5 of this Article;

d) To perform content cooperation agreements with Vietnamese press agencies when providing information cited from the Vietnamese press on the basis of copyright regulations;

dd) To store the personal information of Vietnamese users, including full name, date of birth, email address and mobile phone number, in Vietnam; authenticate the service user account with the mobile phone number when registering the account; provide personal information to competent State management agencies upon written request to facilitate the investigation and handling of violations of the law on the management, provision and use of internet services and online information; uphold user discretion with regards to allowing their personal information to be used for the purposes of promotion, communication and to be provided to other organizations and individuals.

e) To only allow users in Vietnam aged 16 years or older to register for an account as specified by Point a, Clause 2, Article 30 hereof.

g) To have in place a dedicated department to handle the following matters:

- Receive, process and respond to requests from competent authorities in accordance with Vietnamese laws;

- Respond and respond to complaints from Vietnamese users;

h) Within 48 hours of the receipt of a complaint from a Vietnamese user, the relevant foreign organization or individual providing information cross-border must handle the same by way of temporarily locking the complained content, service(s) and application(s) that affect the legitimate rights and interests of organizations and individuals and remove the content, service(s) and application(s) when there is verified information available to evidence violations in accordance with Clause 1, Article 8 of the Law on Cybersecurity, and Clause 1, Article 5 hereof (In the case of complaints on copyright and intellectual property infringement, the Law on Intellectual Property and relevant regulations shall apply);

i) Organizations and individuals providing application stores shall only

allow organizations and individuals in Vietnam to upload to the same only applications intended for providing information and providing online content services that have been granted necessary licenses, certificates, certifications and decisions under this Decree; and comply with Vietnamese laws on payment; remove unlawful applications if so requested by the Ministry of Information and Communications;

k) To publicize policies and procedures to support customers in handling online information safety issues in a concise, express, intuitive and easy-to-understand manner;

l) To describe the procedures and ways to distribute content on their social network platforms and publicly state the same in their Service Agreement forms/Community Standards for users to decide whether to use their services;

m) To provide tools for looking up and scanning content if so required by the Ministry of Information and Communications;

n) To cooperate with competent authorities in providing information and disseminating Vietnamese law provisions related to the provision and use of the Internet and online information to users in Vietnam;

o) Prepare periodical reports before the 31 December of each year or ad hoc reports at the request of the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) in Form No. 04 in the Appendix hereto.

Reports may be sent in one of the following ways: in person, by post or by electronic means.

4. Information and methods of notification

a) Notify contact information to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information), specifying the following details:

- Name of organization, transaction name; enterprise identification number (if any); the address of the head office where operation is registered; the location of the main server system providing services; the location of the server system in Vietnam (if any);

- Focal point for contact: Name of representative organization or individual in Vietnam and their email address and telephone number.

b) Foreign organizations and individuals shall send notices to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) in one of the following ways: in person, by post or by electronic means.

Upon receipt of a notice, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) shall send an Acknowledgement in hard copy form or via electronic means to the organization or enterprise within 10 days of the receipt of such notice.

5. Responsibilities and procedures for handling unlawful content provided cross-border

a) Ministries, branches and localities are responsible for monitoring, detecting, warning and handling, requesting to prevent and remove and sanctioning administrative violations relating to unlawful online content, services and applications within their respective sectors and scope of management according to their powers.

The Ministry of Information and Communications is the agency that receives requests for support in handling unlawful online content, services and applications from ministries, branches and localities and shall serve as a contact point, sending handling requests to foreign organizations and individuals providing information cross-border into Vietnam;

b) Foreign organizations and individuals shall prevent and remove unlawful relevant content, services and applications within 24 hours of receipt of the request from the Ministry of Information and Communications.

In the case of user accounts, fan pages, groups, and channels that regularly provide unlawful content (at least 05 times during a 30-day period or at least 10 times during a 90-day period and have been requested by the Ministry of Information and Communications to prevent and remove unlawful content), foreign organizations and individuals shall suspend such user accounts, fan pages, groups or channels no later 24 hours within the receipt of a request by the Ministry of Information and Communications. The suspension period shall be between 07 and 30 days, depending on the severity and number of violations.

Foreign organizations and individuals shall permanently disable user accounts, fan pages, groups and channels that post unlawful content affecting national security, or user accounts, fan pages, groups, and channels that have been suspended 03 or more times at the request of the Ministry of Information and Communications.

In the case of applications that violate Vietnamese laws, foreign organizations and individuals that are distributing and managing application stores shall prevent users in Vietnam from getting access to unlawful applications within 24 hours of the receipt of a request from the Ministry of Information and Communications.

Foreign organizations and individuals are responsible for preventing and immediately removing unlawful content, services and applications or those that affect Vietnam's national security if so requested by the Ministry of Information and Communications.

In case foreign organizations and individuals fail to carry out the processing tasks as requested by the Ministry of Information and Communications without a valid reason, the Ministry of Information and Communications shall take technical measures to prevent all the content, services and applications violating the provisions of Article 5 of the Law on Cybersecurity and the Law on Cyberinformation Security and the documents guiding the implementation of the Law on Cybersecurity and the Law on Cyberinformation Security and Article 83 hereof and other relevant provisions of the law.

Preventive measures may only be lifted after the related violations have been handled by foreign organizations and individuals as requested by the Ministry of Information and Communications.

6. Rights and obligations of telecommunications businesses and data storage service providers in Vietnam

a) Telecommunications businesses and data storage service providers in Vietnam are responsible for immediately reporting to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) in writing, by telephone or by email within 24 hours of the self-detection or receipt of complaints or feedback from users on content, services, and applications violating the provisions of Clause 1, Article 8 of the Law on Cybersecurity and Clause 1, Article 5 hereof; handle requests and complaints on intellectual property in accordance with Vietnamese laws on intellectual property;

b) Telecommunication businesses and providers of data storage services in Vietnam are responsible for reporting to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) on the provision of data storage services to foreign organizations and individuals in Vietnam to provide information cross-border to users in Vietnam periodically before the 31 December every year or as may be requested by the Ministry of Information and Communications.

Details to be reported: Name of the service provider; address and location of the equipment; legal entities of foreign organizations and individuals providing storage services; data storage service fees; term of service; number of leased devices; and Internet connection capacity;

Reports may be sent in one of the following ways: in person, by post or by

electronic means.

c) Telecommunications businesses are responsible for taking necessary technical measures to prevent access to unlawful content, services and applications within 24 hours of the receipt of a request from the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information).

7. Rights and obligations of relevant agencies, organizations and individuals in Vietnam

Upon detection of information that violates Vietnamese laws on websites and social networks provided by foreign organizations and individuals cross-border to users in Vietnam, they shall have the following rights and obligations:

a) Request foreign organizations and individuals providing information cross-border to handle unlawful information with appropriate measures;

b) Notify the violation to the Ministry of Information and Communications in one of the following ways: in person, by post or by electronic means;

c) File a lawsuit at a competent people's court in Vietnam if the violating information affects the legitimate rights and interests of organizations and individuals in accordance with the laws of the Socialist Republic of Vietnam.

Section 2

WEBSITES AND SOCIAL NETWORKS

Article 27. Principles of website management

1. Organizations and enterprises operating in Vietnam are only allowed to set up a general website and provide social networking services when they have been granted the General Website Establishment Permit, the Social Networking Service Provision Permit or the Acknowledgement of Notification of Social Networking Service Provision.

2. Websites that are not required to be licensed under this Decree include:

a) Websites providing specialized services;

b) Personal websites and internal websites;

c) Portals of state agencies providing information under Decree No. 42/2022/ND-CP dated 24 June 2022 of the Government on the provision of information and online public services by state agencies in cyberspace.

3. Internal websites, websites providing specialized services, websites of state agencies and personal websites must be granted a General Website License

to provide general information.

4. Websites specified by Clauses 1, 2 and 3 of this Article operating in Vietnam are responsible for preventing and removing unlawful content, services and applications within 24 hours from the receipt of a request from the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) or the local Department of Information and Communications (in writing, by telephone or by electronic means).

Websites must immediately prevent and remove unlawful content, services and applications affecting national security if so requested by the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) or the local Department of Information and Communications.

In the case of failure to carry out handling tasks as requested, the Ministry of Information and Communications shall take technical measures to block the unlawful content, applications and services.

Preventive measures may only be lifted after the law violations have been handled as requested by the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) or the local Department of Information and Communications.

5. The licensing and management of general websites shall be carried out in compliance with the following provisions:

a) An organization or enterprise may only be granted a General Website Establishment Permit when it meets all the conditions specified by Clause 6 of this Article;

b) General websites of press agencies may only re-cite and re-post press products that have been released or broadcast. Procedures for the licensing and management are the same as for general websites;

c) General websites may cooperate with electronic press agencies (excluding radio and television stations) to produce content in the fields of science, technology, economy, culture, sports, entertainment, advertising and social affairs in accordance with the provisions of Article 37, the Law on Press provided that they have entered into the relevant content production agreement.

6. Conditions for the grant of the General Website Establishment Permit

a) Being incorporated under Vietnam's law and its functions, tasks, or registered business lines are conformable with the services and information posted on the national business registration portal;

b) Having in place qualified personnel as prescribed in Article 28a hereof;

c) Having registered to use the domain name to establish a general website,

satisfying the provisions of Article 29 hereof;

d) Having met the technical criteria specified by Article 30 hereof;

dd) Having in place measures for information safety, security and management as prescribed in Article 31 hereof.

7. The management and licensing of social networks shall be carried out in compliance with the following provisions:

a) Classification of social networks:

Foreign social networks provided by foreign organizations and individuals cross-border into Vietnam. The management of foreign social networks shall be carried out in compliance with the provisions of Article 26 hereof.

Domestic social networks provided by organizations and enterprises having recognized legal status in Vietnam, including:

- Social networks with a large number of regular visits: Being a social network with monthly total visits (data for 06 consecutive months) of 10,000 or more, or having more than 1,000 monthly regular users;

- Social networks with a small number of regular visits: Being a social network with monthly total visits (data for 06 consecutive months) of less than 10,000, or having less than 1,000 monthly regular users.

b) Organizations and enterprises in Vietnam are only allowed to provide social networking services when they have been granted the Social Networking Service Provision Permit (for social networks with a large number of regular visits) or have notified in writing the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) and have been acknowledged in writing by the same (for social networks with a small number of regular visits);

c) The Ministry of Information and Communications will review, make statistics and issue a written notice of submission of application for a license in accordance with Articles 32 and 34 hereof for social networks with a large number of regular visits;

d) Only social networks that have been granted the Social Networking Service Provision License by the Ministry of Information and Communications may provide livestreaming services or revenue-generating activities in any form (excluding e-commerce activities);

Social networks with a small number of regular visits wishing to provide livestreaming services or revenue-generating activities (excluding e-commerce activities) shall apply for the Social Networking Service Provision Permit.

dd) A multi-service digital platform is a platform that provides and

integrates many services into the same website or application.

Multi-service digital platforms, must have the Acknowledgement of Notification of Social Networking Service Provision or the Social Networking Service Provision License and other applicable Specialized Service Provision Licenses/Certificates to provide social networking services and other specialized services, and must comply with specialized laws;

When a digital platform provides social networks and general websites, it must divide these two types of websites into different categories in a manner that avoids the mixing of content;

e) Internal websites and specialized websites shall comply with the provisions of Clause 7 of this Article when providing social networking services;

g) Press agencies must register details with the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) when establishing accounts, fan pages, channels and groups on domestic and foreign social networks in Form No. 05 set out in the Appendix hereto and undertake to ensure that the information provided by them is consistent with their principles and purposes stated in their Press Operation License granted by the Ministry of Information and Communications.

8. Domestic organizations and enterprises must satisfy the following conditions to provide social networking services:

a) Being incorporated under Vietnam's law and its functions, tasks, or registered business lines posted on the National Business Registration Portal are deemed appropriate for social networking services being provided by it;

b) Having in place qualified personnel as prescribed in Article 28a hereof;

c) Having registered to use the domain name to provide social networking services, satisfying the provisions of Article 29 hereof;

d) Having met the technical criteria specified by Article 30 hereof;

dd) Having in place measures for information safety and management as prescribed in Article 31 hereof.

9. Validity of a Permit and an Acknowledgement

a) The validity period of a General Website Establishment Permit and/or a Social Networking Service Provision Permit depends on the request of the organization or enterprise, but shall not exceed 05 years;

b) A General Website Establishment Permit and/or a(n) Social Networking Service Provision Permit/Acknowledgement of Notification of Social Networking Service Provision shall be no longer valid in case the organization or enterprise is either dissolved, bankrupt, or revoked, or after 12 (twelve) months

from the effective date of the license, the organization or enterprise fails to carry out actual operations and fails to report to the licensing/certification authority. The licensing/certification authority will issue a decision to revoke the expired License/Written acknowledgement and announce it on the website of such licensing/certification authority.

In case a General Website Establishment Permit or a(n) Social Networking Service Provision Permit/Acknowledgement of Notification of Social Networking Service Provision is no longer valid or revoked, the re-issue of the license shall be carried out in the same way as a new issue procedure as prescribed in Articles 33 and 34 hereof.

10. Licensing authority:

a) The Ministry of Information and Communications shall issue a Social Networking Service Provision Permit for those social networks with a large number of regular visitors;

b) The Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall issue a Written acknowledgement of notice for those social networks with a low number of regular visitors;

c) The Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall issue a General Website Establishment Permit to press agencies, diplomatic agencies and consulates, Central agencies and enterprises, religious organizations operating legally in Vietnam; foreign non-governmental and governmental organizations operating legally in Vietnam; the Departments of Information and Communications and other agencies and organizations as stipulated by the Ministry of Information and Communications;

d) The Departments of Information and Communications shall issue a General Website Establishment Permit to those organizations and enterprises not included in Point c hereof and have their head office operating in the locality.

11. Information and location to be displayed on domestic websites and domestic social networks:

a) Name of the organization, enterprise or individual managing the website or social network; name of the governing body (if any); contact address, email address, phone number; name of the editor-in-chief; licensed general website, social network icon

The general website and social network must contain the number of its valid License/Acknowledgement of notice, date of issue, and the licensing agency;

The site name and service type (general website or social network) must be expressly stated. The service type must be shown right below the website

name/application name, with a font size equal to 2/3 of the website name's font size and in a color that does not mix with the background. The site name shall not be similar or identical to the name of any press agency, use those words (in Vietnamese or equivalent foreign languages) that may confuse others to a press agency or the like such as: newspaper, magazine, news, radio, television, media, and news agency;

b) With regard to those websites accessed via a domain name: The site name and service type shall be placed at the top of the homepage, other information to be displayed at the bottom thereof;

With regard to those websites accessed via an application: The site name and service type shall be shown on the application's homepage; other information to be displayed in the Contact Information section.

12. Reporting regime:

a) Organizations and enterprises that are issued with a General Website Establishment Permit and/or a License to provide/Written acknowledgement of providing social networking services, shall make periodical reports before 31 December of each year in Form No. 20 (for general websites) or Form No. 14 (for social networks) in the Appendix hereto, or make ad-hoc reports at the request of the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) and the Departments of Information and Communications;

The reports shall be submitted in person, by post or via electronic means to the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) and the local Department of Information and Communications where the enterprise's head office is registered;

b) The local Department of Information and Communications shall send a list of general websites that have been licensed under their authority and a list of general websites that are suspended, revoked or invalidated before the 25th of every month and send periodic reports every 06 months (before 30 June and before 31 December of each year) for state management activities in the locality on online electronic information to the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information). Periodic reports shall include assessment of management, licensing and handling of violations, data on licensing and handling of violations, suggestions and recommendations, etc.

Article 28. Conditions for organization and personnel of local general websites and domestic social networks

1. Having a department for content management, in which at least 01 person in charge of content management is a Vietnamese citizen.

2. Having a head office with an express and contactable address and phone number.

Article 29. Conditions for domain names and site names

1. An organization or enterprise other than a press agency may not choose a domain name similar or identical to the name of a news agency.

2. The domain name and site name shall not use those words (in Vietnamese or equivalent foreign languages) that may confuse others to a press agency or the like such as newspaper, magazine, news, radio, television, media, and news agency.

3. General websites and social networks must use “.vn” as their main domain name and store user data in the DNS servers with IP address in Vietnam.

4. The “.vn” domain name must be registered for use by the organization or enterprise applying for a license, remain valid for at least 06 months at the time of application and be compliant with the regulations on management and use of Internet resources. In the case of international domain names, certification of using legal domain names is required for the organization or enterprise applying for the license.

5. A general website licensed by the Department of Information and Communications of a locality shall not use any domain name identical to other localities’ one.

Article 30. Conditions for technical aspects of domestic general websites and domestic social networks

1. Technical conditions:

Creating a technical equipment system that satisfies the following requirements:

a) With regard to general websites: Contents of news shall be stored for at least 90 days from the posting date; history of posted news shall be stored for at least 02 years;

b) With regard to social networks: Details associated with accounts, log in time, log out time, IP address of users and history of posted information shall be stored for at least 02 years;

c) Receive and take actions against warnings of users’ violations;

d) Detect, give warnings and prevent illegal access, types of cyberspace attack and conform to information safety standards;

dd) Prepare a backup plan to maintain the safe and continuous operation and repair breakdowns, except for force majeure events as per the law,

e) Have at least 01 DNS server in Vietnam, facilitating the prompt inspection, storing, and supply of information in the whole of website or social network owned by the organization or enterprise as prescribed in Points a, b, c, d and dd of this Clause.

2. Apart from technical conditions prescribed in Clause 1 of this Article, the technical system to set up a social network must perform the following tasks:

a) Register and store members' personal information, including: Full name; date of birth; identity card number/citizen identification number/passport number, date of issue, place of issue, mobile phone number in Vietnam; email address (if any). In case an Internet user aged less than 14 who has not obtained an identity card number/citizen identification number/passport number, date of issue, place of issue, mobile phone number in Vietnam, his/her legal guardian's personal information shall be registered as prescribed in this Point as the permission and the guardian shall take responsibility for such registration;

b) Perform user authentication by mobile phone number upon registering an account;

c) Prevent or eliminate violations prescribed in Clause 1 Article 8 of the Law on Cybersecurity, Clause 1 Article 5 hereof, or the regulations on intellectual property upon requests of competent authorities;

d) Establish a mechanism to give members a warning upon posting violating contents prescribed in Clause 1 Article 8 of the Law on Cybersecurity and Clause 1, Article 5 hereof (filter).

Article 31. Conditions for content management of domestic general websites and domestic social networks

1. Conditions for content management of general websites:

a) A procedure for information management is available: Determining the scope of information resources to be taken, and the mechanism for management and check of information before and after posting;

b) Having a mechanism to control information sources, ensuring the posted information does not infringe copyright and must be accurate according to the source content; the quoted content may only be published within the timeline specified in the agreement (in writing) between the press agency and the general website but not earlier than 01 hour from the publication of the source content; retrieval content must be removed immediately after the source content is removed (no later than 03 hours after the source content is removed);

c) Having tools as electronic means to receive and handle user complaints on content and copyright; personnel receiving requests to handle violating content from competent authorities must be on duty 24/7;

d) Posting no reader comments on the cited contents;

dd) Having the contents enclosed with their author's name and source name (i.e. full name of the source), the publishing and broadcasting timing, and a link to the source article at the end of the cited article;

e) Differentiating the discussion and Q&A section which is directly related to the functions, tasks, powers, organizational structure, services, products and lines of business serving the operation of such agency, organization or enterprise;

g) With regard to any general website that shares content production activities with a press agency:

- No content in relation to investigation and review of those issues affecting the legitimate rights and interests of an organization or individual shall be jointly produced;

- Electronic press agencies shall take responsibility for the associated information on the general website; the number of associated articles must not exceed 50% of the total number of news articles published by such press agency in 01 month;

- Upon participating in the production of associated content, employees and collaborators of the general website shall not act as a reporter, an editor or a journalist;

h) Having a cooperation agreement on content source with at least three (03) press agencies.

2. Conditions for information management of social networks:

a) Having an agreement on provision and use of social networking services in accordance with the provisions of Point dd Clause 2 Article 31 hereof, the Code of Conduct on social networks issued by the Ministry of Information and Communications together with Decision No. 874/QĐ-BTTTT dated 17 June 2021, and fully ensuring the contents specified at Point d Clause 2 Article 32 hereof; post the Agreement on provision and use of social networking services on the social networking homepage; ensuring the users must agree to the Agreement on use of social networking services (in electronic means) to use the services and features of the social network;

b) Having a dedicated department on duty 24/7 to handle the following:

- To receive, process and respond to requests from competent authorities in accordance with Vietnamese law;

- To resolve and respond to complaints from Vietnamese users;
- c) Having solutions in place to censor the content posted on social networks;
- d) Taking measures to protect private information and personal information of users;
- dd) Guaranteeing the users' right to make decisions when they allow their personal information to be provided to other organizations, enterprises, and individuals;
- e) Having solutions to not arrange articles in a fixed column; Not posting or allowing their members (including personnel of organizations or enterprises providing social networking services) to write articles in the form of reports, investigations, interviews to post on social networks.
- g) Taking measures such that children can use social networks in no more than 120 minutes per day.

Article 32. Application for issue of the General Website License or Social Network License

1. Application for a General Website Establishment Permit:

An application for such permit shall be made in 01 set of documents, including:

- a) An application form for issue of the General Website Establishment Permit in Form 15 in the Appendix hereto;
- b) A valid copy of one of the following documents, including a copy extracted from the master register, a certified true copy or a copy enclosed with the original: Enterprise registration certificate, investment registration certificate, Establishment decision (or valid copy of the equivalent license and/or certificate issued before the date of effectiveness the Law on Investment No. 67/2014/QH13 and Law on Enterprises No. 68/2014/QH13); Charter of operation (in the case of unions or associations).

Its tasks and functions stated in the Establishment decision or Charter of operation must be conformable with those contents provided on the general website;

- c) An operation scheme bearing the signature and seal of the legal representative of the enterprise or the head of the state agency applying for the license, including the following main contents: Purposes of information supply; contents, expected columns; information sources, printed homepage and key columns; personnel, technical, information management and finance plans which guarantees the operation of the general website in accordance with Points b, c, d

and dd Clause 6 Article 27 hereof; place where DNS servers are located in Vietnam; in the case of cooperation with a press agency for content production, the rate of associated articles, the mechanism for cooperation, production, editing, censorship and posting on the general website;

d) A printout of the homepage and key columns; the homepage must have all the information as prescribed in Clause 11 Article 27 hereof;

dd) The cooperation agreement on content source between the general website and a press agency should contain the following basic information: Agreement term; the scope of cited contents; responsibilities for information management of each party (the press agency takes responsibility for notifying the general website to promptly update the revised information); the general website's commitment to not provide news to third parties.

A cooperation agreement for joint production of contents between the general website and a press agency shall specify:

- The mechanism of cooperation in article production, the press agency takes responsibility for the content of articles within the association scope;

- The field of content production cooperation (in compliance with the provisions of Point c Clause 5 Article 27 hereof);

- A commitment not to jointly producing any content related to investigation and review of those issues affecting the legitimate rights and interests of an organization or individual;

- A commitment not to let employees and collaborators of the general website act as a reporter, an editor or a journalist upon participating in the production of associated content;

- A commitment to the number of associated articles not exceeding 50% of the total number of news articles published by the press agency in 01 month;

- A commitment to the content of associated news articles to be published on the press agency's before being published on the general website.

2. Application for issue of the Social Networking Service Provision Permit An application for issue of such Permit shall be made in 02 set of documents, including:

a) An application form for issue of the Social Networking Service Provision Permit in Form No. 06 in the Appendix hereto;

b) A valid copy of one of the following documents, including a copy extracted from the master register, a certified true copy or a copy enclosed with the original: Enterprise registration certificate, investment registration certificate, Establishment decision (or valid copy of the equivalent certificate and/or license

issued before the date of effectiveness the Law on Investment 2020 and Law on Enterprises 2020); Charter of operation (in the case of unions or associations);

Its tasks and functions stated in establishment decision or charter of operation must be conformable with the scope and field in which users can exchange information on social networks;

c) An operation scheme bearing the signature and seal of the legal representative of the enterprise or the head of the state agency applying for the license, including the following main contents: Detailed description of the services (including paid or free ones), homepage interface and service page interface, scope; field of information; personnel organizational plan, technical aspects, information management and finance to ensure the operation of social networks in accordance with Points b, c, d, dd Clause 7 Article 27 hereof; place where the DNS servers are located in Vietnam;

d) An agreement on provision and use of social networking services shall contain at least the following: Contents that are prohibited from being exchanged or shared on social networks; rights and responsibilities of users of social networking services, expressly stating the responsibility of users not to take advantage of social networks for unauthorized press activities; rights and responsibilities of organizations and enterprises providing social networking services; handling mechanism for members violating the agreement on provision and use of social networking services; risk warning to users upon storing, exchanging and sharing online information; mechanism for settlement of complaints and disputes between social network members and organizations and/or enterprises providing social networking services or and other organizations and/or individuals; mechanism for handling user complaints with regard to the information that affects the legitimate rights and interests of organizations and/or individuals posted by members on social networks; publicizing whether or not to collect and process personal data of service users in the agreement on provision and use of social networking services; policies to protect personal information and private information of social network users;

dd) A color printout of the homepage and column pages of social networks.

Article 33. Procedures for issue of a General Website Establishment Permit

1. The application for licensing shall be submitted in person, by post or via electronic means to the licensing authority as prescribed in Clause 10 Article 27 hereof.

2. Within 15 days from the date of receipt of a valid application, the

competent authority shall review and grant a General Website Establishment Permit in Form No. 16 in the Appendix hereto and send the licensed applicant a line of code (showing the logo of the licensed general website) via the applicant's email address.

In the case of rejection of the application, the licensing authority shall reply in writing, expressly stating the reasons for such rejection.

3. Within 07 business days from the date of receipt of a valid application submitted by a local news agency, the Department of Information and Communications shall appraise and forward it enclosed with a written request for licensing to the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) for consideration and licensing as per the law. In the case of rejection of the application, the Department of Information and Communications shall reply in writing, expressly stating the reasons for such rejection.

4. Applicants shall attach such code to the service description content on the application store (if any) and their general websites. The code is linked to the licensing data section of the Portals of the licensing competent authorities and of the Authority of Broadcasting and Electronic Information under the Ministry of Information and Communications.

Article 34. Procedures and conditions for granting a Social Networking Service Provision Permit and procedures for granting an Acknowledgement of Notification of Social Networking Service Provision

1. Conditions and procedures for granting a Social Networking Service Provision Permit:

a) Conditions for granting a Social Networking Service Provision Permit:

- The social network has a large number of regular visitors.

In case a social network with a small number of regular visitors needs to apply for a License to provide livestreaming services or revenue-generating activities (excluding e-commerce activities), the licensing will still be taken into consideration.

- The conditions for providing social networking services as prescribed in Clause 7 Article 27 hereof are fully met;

b) Procedures for granting a Social Networking Service Provision Permit:

The Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) will send a written notice to the social network with a large number of regular visitors (by post or by electronic means) on the submission of the application for a license as prescribed.

Within 45 days from the date of receipt of the notice, the organization/enterprise may continue provide existing social networking services, but must submit an application for a Social Networking Service Provision Permit to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications). An application for licensing shall be submitted in person, by post or via electronic means to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications).

Within 07 days from the date of receipt of a valid application, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall send a document enclosed with the application to the Department of Information and Communications of the province/city where the organization/enterprise is headquartered, requesting a physical inspection of the satisfaction of the conditions specified at Point a Clause 1 Article 34 hereof at the time of submission of the application.

Within 15 days after receiving the document from the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information), the Department of Information and Communications shall issue a written notice of inspection of the satisfaction of the conditions specified at Point a Clause 1 Article 34 hereof.

Within 15 days after receiving the written notice from the Department of Information and Communications, the Ministry of Information and Communications shall review and grant a license in Form No. 07 in the Appendix hereto and send the licensed applicant a line of code (showing the logo of the licensed social network) via the applicant's email address.

In the case of rejection of the application, the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) shall reply in writing, expressly stating the reasons for such rejection.

The applicants shall attach such code to the service description content on the application store (if any) and the social networks. The code is linked to the licensing data section of the Portal of the Authority of Broadcasting and Electronic Information under the Ministry of Information and Communications.

2. Procedures for issue of Acknowledgement of Notification of Social Networking Service Provision:

At least 15 days prior to the social networking service provision, organizations or enterprises must send a notification of social networking service provision in Form No. 08 in the Appendix hereto and a valid copy including a

copy extracted from the master register or a certified copy or a copy enclosed with the original of one of the following documents: Business registration certificate, investment registration certificate, Decision on Establishment (or a valid copy of other valid equivalent certificate or license issued before the effectiveness the 2020 Law on Investment and the 2020 Law on Enterprises); Charter (in the case of unions or associations) to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications). Notice shall be delivered by hand, by post or by electronic means.

Within 15 days from the receipt of the valid notification, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall issue an Acknowledgement of Notification of Social Networking Service Provision in Form No. 10 in the Appendix hereto and send a code to the organization or enterprise granted the Acknowledgement of Notification (showing the social network icon of the notification) via the email address of the organization or enterprise.

In the case of rejection, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall give response in writing, expressly stating the reasons for such rejection.

The applicants shall attach such code to the service description content on the application store (if any) and the social networks. The code is linked to the licensing data section of the Portal of the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications).

Article 35. Amendment, supplement, extension, and reissue of General Website Establishment Permit, Social Networking Service Provision License, Acknowledgement of Notification of Social Networking Service Provision

1. The licensing authority shall review and make the decision on the amendment, supplement, reissue or extension of licenses and acknowledgements.

2. Procedures for license and certification amendment and supplement:

a) Organizations and enterprises which have obtained the General Website Establishment Permit, Social Networking Service Provision License or Acknowledgement of Notification of Social Networking Service Provision must carry out procedures for amendment of and supplement to the Permit or Acknowledgement in the following cases: Change of the organization or enterprise name; change of head office address, change of server location, change of personnel responsible before the law and content management personnel; change of the website name (if any), change or supplement to content on the general website and the method of information provision (domain name,

application distribution system) in the case of a general website; change of the social network name (if any), the type of service and the scope of services (domain name, application distribution system) in the case of a social network;

b) Organizations or enterprises shall submit an application dossier for amendment of and supplement to the license/acknowledgement in Form No. 17 (in the case of a General Website Establishment Permit), Form No. 11 (in the case of a Social Networking Service Provision License), Form No. 09 (in the case of an Acknowledgement of Notification of Social Networking Service Provision) in the Appendix hereto and relevant supporting documents to the licensing authority;

c) Within 15 days from the receipt of the valid dossier, the licensing authority shall appraise and grant the amended and supplemented license or acknowledgement in Form No. 16 (in the case of a General Website Establishment Permit), Form No. 07 (in the case of a Social Networking Service Provision License), Form No. 10 (in the case of an Acknowledgement of Notification of Social Networking Service Provision) in the Appendix hereto after updating the amendment and supplement and specifying the date of first issue of the License/Acknowledgement, the date of issue of the amended or supplemented License/Acknowledgement. The amended or supplemented license shall be valid from the date of amendment of and supplement to the expiry date of the originally granted license. In the case of rejection of dossier, the licensing authority shall give response in writing, expressly stating the reasons for such rejection.

3. Extension of the License:

a) No later than 30 days before the expiry date of the License, organizations or enterprises wishing to extend the granted License shall send a written request for extension in Form No. 18 (in the case of general websites) and Form No. 12 (in the case of social networks) in the Appendix hereto;

b) Within 15 days from the receipt of the valid written request, the licensing authority shall appraise and grant an extension of the granted License in Form No. 16 (in the case of a General Website Establishment Permit) and Form No. 07 (in the case of a Social Networking Service Provision License) in the Appendix hereto. The License extension is considered based on the organization and the enterprise's compliance with the provisions of the License and relevant laws on electronic information management. The extended license must specify the following: date of first issue, and date of extension.

In the case of rejection of the request, the licensing authority shall give response in writing, expressly stating the reasons for such rejection;

c) A license may be extended once and the extension period shall not

exceed 01 year.

4. When a general website or social network is licensed, when transferring or changing its owner, the new owner must carry out the procedures for application reissue for the license as prescribed in Articles 33 and 34 hereof.

5. License/Certificate reissue:

a) In case the License/Acknowledgement is lost or damaged and is no longer usable, the organization or enterprise granted such License/Acknowledgement shall send a written request for reissue of the License/Acknowledgement to the competent authority in Form No. 19 (in the case of general websites), Form No. 13 (in the case of social networks) in the Appendix hereto;

b) Within 15 days from the receipt of the written request, the licensing authority shall review and reissue the license in Form No. 16 (in the case of general websites) and Form No. 07 (in the case of social networks) in the Appendix hereto. In the case of rejection of the request, the licensing authority shall give response in writing, expressly stating the reasons for such rejection;

c) The reissued License shall contain the same contents as the lost or damaged License which is no longer usable. The reissued License shall specify the following: date of first issue, date of reissue, and the number of times of reissue.

Article 36. Procedures for suspension of operations, revocation of the General Website Establishment Permit and Social Networking Service Provision License; suspension of the social networking service provision

1. The licensing authority as prescribed in Clause 10, Article 27 hereof shall issue a decision to suspend the operations of the general website or to suspend the provision of the social networking service for a period of 03 months when the organization or enterprise commits any of the following violations:

a) Violating the provisions of Points b, d, dd, and e, Clause 1, Article 5 hereof twice in 12 months;

b) Failing to satisfy the conditions specified in Clause 6 or 8, Article 27 or failing to comply with Clause 2, Article 85 hereof after receiving a written request from the competent authority prescribed in Clause 10, Article 27 hereof;

c) Failing to carry out the procedures for application for a Social Networking Service Provision License within 60 days from the date of receipt of a notice from the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information).

2. The competent authority prescribed in Clause 10, Article 27 hereof shall

issue a decision on revocation of the General Website Establishment Permit, Social Networking Service Provision License or Acknowledgement of Notification of Social Networking Service Provision, and suspension of social networking service provision for a definite time in the following cases:

- a) When the organization or enterprise violates the provisions of Points a and c, Clause 1, Article 5 hereof;
- b) When the organization or enterprise, after the three-month period of suspension, fails to implement remedial measures to ensure the feasibility.
- c) When the agency, organization or enterprise establishing the general website or a social network provides a written notice of termination of operation or return of the license/certificate;
- d) When the General Website Establishment Permit, the Social Networking Service Provision License or Acknowledgement of Notification of Social Networking Service Provision of the organization or enterprise is no longer valid as prescribed in Clause 9 Article 27 hereof.

3. Sequence and procedures for suspension of operations, revocation of the General Website Establishment Permit, Social Networking Service Provision License or Acknowledgement of Notification of Social Networking Service Provision, and suspension of the social networking service provision:

- a) Upon detecting a violation by an organization or enterprise against the provisions of Points a and c, Clause 1 of this Article, the competent authorities specified in Clause 10, Article 27 hereof shall issue a decision on suspension of operations of the general website or suspension of social networking service provision for a period of 03 months;
- b) Upon detecting a violation by an organization or enterprise against the provisions of Point b, Clause 1 of this Article, the competent authorities specified in Clause 10, Article 27 hereof shall issue a written notice requesting the organization or enterprise to take remedial measures. After 15 days from the end of the period specified in the written notice, if the organization or enterprise fails to report and remedy the violations, the competent authorities shall issue a decision on suspension of operations of the general website or suspension of social networking service provision for a period of 03 months;
- c) When it is detected that an organization or enterprise commits violations as prescribed in Clause 2 of this Article, the competent authorities specified in Clause 10, Article 27 hereof shall issue a decision on revocation of the General Website Establishment Permit, Social Networking Service Provision License or Acknowledgement of Notification of Social Networking Service Provision and

request the termination of its operation.

4. Competent State management agencies shall apply necessary technical measures to prevent infringing content, services and applications in the following cases:

a) Organizations and individuals managing websites and social networks fail to remove infringing content, services and applications as prescribed in Clause 1, Article 8 of the Law on Cybersecurity, and Clause 1, Article 5 hereof at the request of competent State management agencies;

b) Organizations and individuals managing websites and social networks cannot be contacted by the competent State management agencies (via contact information published on the website of such organizations or individuals);

c) The organization or individual that manages the website or social network fails to terminate its operation at the request of competent State management agencies as prescribed in Clause 3 of this Article.

Article 37. Rights and obligations of organizations and enterprises establishing general websites

Organizations and enterprises establishing general websites have the following rights and obligations:

1. To establish general websites and to provide general information to the public in accordance with law;

2. To have at least one server system located in Vietnam to serve the inspection, check, storage and provision of information as required by competent state management agencies and to handle complaints of customers on service provision as prescribed by the Ministry of Information and Communications;

3. To develop a process for general information management, promptly update and modify the cited content when there is a change of the source.

4. To check, monitor and remove infringing content, services and applications as prescribed in Clause 1, Article 8 of the Law on Cybersecurity and Clause 1, Article 5 hereof within 24 hours after self-detection or at the request of the Ministry of Information and Communications or the local Department of Information and Communications (in writing, by phone, or by electronic means); handle requests and complaints on intellectual property in accordance with the provisions of Vietnam's legislation on intellectual property.

5. To implement measures to protect children on cyberspace as prescribed in Articles 35, 36, and 37 of Decree No. 56/2017/ND-CP dated 09 May 2017 of the Government detailing a number of articles of the Law on Children.

6. To connect to the monitoring system of the Ministry of Information and

Communications to monitor the posting activities on the general website and statistics of visitors.

7. To report in accordance with applicable regulations and to be subject to inspection and check by competent State management agencies.

Article 38. Rights and obligations of organizations and enterprises providing domestic social networking services

Organizations and enterprises providing the social networking service have the following rights and obligations:

1. To manage and provide social networking services in compliance with the provisions of law, in accordance with the service provision and use agreement with users; Describe the process and method of content distribution on their social networks and make it publicly available in the Service Agreement/Community Standards, supporting the users' choosing process.

2. To ensure users' right to make decisions when allowing their personal information to be used for the purposes of promotion, communication and provided to other organizations and individuals.

3. Not to post or allow their members (including personnel of organizations or enterprises providing social networking services) to write articles in the form of reports, investigations, interviews and post on social networks.

4. To inspect, monitor and remove information and services in violation of Clause 1, Article 8 of the Law on Cybersecurity and Clause 1, Article 5 hereof within 24 hours from the detection violations.

5. To prevent and remove information and services in violation of the law at the request of the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) or the local Departments of Information and Communications (in writing, by phone or by electronic means) under Clause 4, Article 27 hereof.

6. Social networks shall temporarily suspend accounts, fan pages, groups, and channels that regularly post illegal content within 24 hours at the request of the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) and the local Department of Information and Communications (in writing, by phone or by electronic means) or when violations are detected by themselves. The temporary suspension period shall be between 07 days and 30 days, depending on the severity and number of violations.

Social networks permanently suspend user accounts, fan pages, groups, and channels that post content in violation of the law affecting national security, or accounts, rampages, groups, and channels that have been temporarily suspended

for 3 or more times at the request of the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) or the local Department of Information and Communications.

In case a social network fails to handle illegal content and services, fails to temporarily suspend or permanently suspend illegal accounts as required without a good reason, the Ministry of Information and Communications will suspend the provision of social networking services or revoke its license as prescribed in Article 36 hereof.

7. Within 48 hours from the receipt of a complaint from a Vietnamese user, the social network must temporarily lock the complained content and services that affect the legitimate rights and interests of the organization or individual, and remove the content and services when there is information verifying the violation as prescribed in Clause 1, Article 8 of the Law on Cybersecurity and Clause 1, Article 5 hereof (implement measures according to the Law on Intellectual Property and relevant regulations in the case of complaints related to the infringement of copyright and intellectual property rights);

8. To provide personal information to competent state management agencies upon written request to serve the investigation and handling of violations of the legislation on the management, provision and use of internet services and online information;

9. To have at least one server system located in Vietnam to serve the inspection, check, storage and provision of information as required by competent state management agencies and to handle complaints of customers on service provision as prescribed by the Ministry of Information and Communications.

10. To register, store, authenticate and manage users' personal information in accordance with the law. To ensure that only users who have provided complete and accurate personal information as prescribed in Clause 2, Article 30 hereof can post (write articles, comment and livestream) and share information on social networks.

11. To cooperate with the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) and the Department of Information and Communications in providing information and disseminating Vietnamese law provisions related to the provision and use of the Internet and online information to social network users.

12. To implement measures to protect children on cyberspace as prescribed in Articles 35, 36, and 37 of Decree No. 56/2017/ND-CP dated 09 May 2017 of the Government detailing a number of articles of the Law on Children; only allow

users aged 16 or older in Vietnam to create accounts as prescribed in point a, clause 2, Article 30 hereof.

13. To connect to the monitoring system of the Ministry of Information and Communications for the statistics and monitoring of users and visitors;

14. To provide tools for looking up and scanning content if so required by the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information);

15. To report in accordance with applicable regulations and to be subject to inspection and check by competent state management agencies

Article 39. Rights and obligations of users of domestic and foreign social networks providing cross-border services in Vietnam

Users of social networking services (including organizations and individuals) have the following rights and obligations:

1. To use social networking services on the Internet except for services prohibited by law.

2. To have their private information and personal information kept confidential in accordance with law.

3. To comply with regulations on the management, provision and use of social networking services.

4. To be responsible for the content they store, provide or transmit on social networks or spread via direct links they create.

5. Accounts, channels, fan pages, and groups on social networks have the right to register with the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) for training and dissemination of law provisions on provision and use of Internet services and online information, and recommendation for selection of advertisements.

6. To comply with specialized laws when providing specialized information and services on social networks; comply with tax law provisions when carrying out revenue-generating activities on social networks.

7. Account owners, channel owners, fan page owners, and group administrators on social networks must be responsible for managing content posted on their accounts, fan pages, groups or channels; be responsible for preventing and removing information in violation of the law, information affecting the legitimate rights and interests of other organizations and individuals, and information affecting children posted on theirs accounts, fan pages, groups or channels (including users' comments) within 24 hours upon request (in writing, via electronic media) of the Ministry of Information and Communications

(Authority of Broadcasting and Electronic Information) or the local Department of Information and Communications or within 48 hours in the case of complaints with evidence from users; not to take advantage of social networks to write articles in the form of reports, investigations or interviews;

8. Accounts, fan pages, channels and groups on social networks must comply with specialized laws when providing information in the form of livestream.

Section 3

MOBILE TELECOMMUNICATIONS NETWORK CONTENT SERVICE PROVISION

Article 40. Mobile telecommunications network content service provision

1. Organizations and enterprises providing mobile telecommunications network content services are organizations or enterprises establishing equipment systems in Vietnam to serve the provision of content to users of mobile telecommunications services through forms of services associated with mobile telecommunications networks such as message service, voice call service, and data service. The provision of specialized content services on mobile telecommunications networks will comply with specialized laws.

2. Organizations and enterprises providing mobile telecommunications network content services must register the provision of mobile telecommunications network content services as prescribed in Article 41 of hereof;

3. Conditions for registration of mobile telecommunications network content service provision:

a) The organization and enterprise providing mobile telecommunications network content services is an organization or enterprise established in accordance with the law of Vietnam with the registered functions, tasks or business lines of providing online content services as posted on the National Business Registration Portal;

b) The organization and enterprise providing mobile telecommunications network content services has sufficient financial, technical, organizational and human resource capacities commensurate with the scale of operation;

c) Measures are taken for ensuring information safety and security.

Article 41. Procedures for registration of mobile telecommunications network content service provision

1. Dossier for registration of content service provision:

Organizations and enterprises shall submit 01 set of the dossier for registration of mobile telecommunications network content service provision including the following documents to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) by hand, by post, or by electronic means:

a) An application form for mobile telecommunications network content service provision in Form No. 21 in the Appendix hereto;

b) A valid copy of one of the following documents, including a copy extracted from the master register, a certified true copy or a copy enclosed with the original: Business registration certificate, investment registration certificate, Decision on Establishment (or another valid equivalent copy of certificate or license issued before the effectiveness the 2020 Law on Investment and the 2020 Law on Enterprises); Charter (in the case of unions or associations) with functions, tasks or business lines of mobile telecommunications network content service provision;

c) Decision on the allocation of telecommunications codes and numbers related to the valid short message service numbers allocated by the Ministry of Information and Communications (Telecommunications Authority);

If the organization or enterprise has not yet been allocated a short message service number, it may submit an application for the allocation of codes and numbers in accordance with the legislation on management and use of telecommunications number storages and a dossier for registration of mobile telecommunications network content service provision.

If organizations or enterprises use the same short message service number, there must be documents proving the authorization (or written permission) to use the short message service number of the organization or enterprise allocated that number by the Ministry of Information and Communications (Telecommunications Authority).

2. Time limit and process for application handling:

Within 25 days from receipt of the valid dossier, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall review and grant a Mobile Telecommunications Network Content Service Provision Registration Certificate to organizations and enterprises in Form No. 22 in the Appendix hereto. In the case of rejection of the

dossier, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall give response in writing, expressly stating the reasons for such rejection.

3. Within 10 days from receipt of the valid dossier from the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications), the Telecommunications Authority (Ministry of Information and Communications) issues a Decision on the allocation of telecommunications codes and numbers to the enterprise. In the case of rejection to issue telecommunications codes and numbers to enterprises, the Telecommunications Authority (Ministry of Information and Communications) shall give response in writing, expressly stating the reason.

4. The validity period of the Mobile Telecommunications Network Content Service Provision Registration Certificate shall be in accordance with the request of the organization or enterprise but not longer than 05 years

5. The Mobile Telecommunications Network Content Service Provision Registration Certificate shall expire once the organization or enterprise is dissolved, goes bankrupt or after 12 months from the effective date of the Certificate, the organization or enterprise fails to provide information content services in reality.

In the case of expiration or revocation of the Mobile Telecommunications Network Content Service Provision Registration Certificate, the reissue shall be carried out in the same manner as the procedures for new issue as prescribed in this Article.

Article 42. Amending, supplementing, reissuing and extending the Certificate of registration of provision of information content services on mobile telecommunications networks

1. Organizations and enterprises shall carry out procedures for amending and supplementing the granted certificate of registration of provision of information content services when the following contents are changed:

- a) Name of the organization/enterprise;
- b) Address of the head office;
- c) The legal representative of the organization/enterprise;
- d) Name and content of the service;
- dd) Number of short message service;
- e) Mode of service provision.

2. Organizations and enterprises shall send 01 dossier for amendments and supplements of the certificate of registration of provision of information content

services on mobile telecommunications networks directly, or by post or electronic means, to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications), including the following documents:

a) An application form for amendments and supplements of the certificate in Form 23 in the Appendix hereto;

b) Detailed description of the proposed amendments and supplements and related supporting documents.

3. Within 20 days after receiving the valid dossier, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall consider granting the Certificate of amendments and supplements to the Certificate of registration of provision of information content services on mobile telecommunications networks in Form No. 22 in the Appendix issued with this Decree to the organization or enterprise. The certificate after updating the amended and supplemented contents and the date of first granting of the certificate, the date of granting of the amended and supplemented certificate. The amended and/or supplemented Certificate shall be valid from the date of granting of the amendments and/or supplements to the expiry date of the originally granted Certificate. In the case of rejection of the application, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall reply in writing, expressly stating the reasons for such rejection.

4. Extension of the certificate:

a) At least 30 days before the expiry date of the certificate, the organization or enterprise that wants to have their issued certificate extended shall send an application for extension of the certificate in Form No. 24 in the Appendix hereto.

b) Within 15 days from the date of receipt of a valid written request, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall appraise and grant extension of the certificate in Form No. 22 in the Appendix hereto. The consideration for extension of the Certificate is carried out based on the enterprise's compliance with the provisions of the Certificate of registration of provision of information content services on mobile telecommunications networks and the provisions of law on provision of information content services on mobile telecommunications networks. The extended certificate shall expressly state the following: the date of first issue of the certificate, the date of issue of the extended certificate.

In the case of rejection of the application, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall

reply in writing, expressly stating the reasons for such rejection;

c) The certificate can be extended once with the validity not exceeding 01 year.

5. Reissue of the Certificate:

a) In case the Certificate of registration of provision of information content services on mobile telecommunications networks is lost or damaged and is no longer usable, the enterprise shall send an application for the reissue of the certificate in Form No. 25 in the Appendix hereto, to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications). In the case of request for the reissue of the certificate when the certificate is damaged and no longer usable, please enclose the application with the damaged certificate;

b) Within 15 days from the date of receipt of a valid application, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall consider and reissue extension of the certificate in Form No. 22 in the Appendix hereto. In the case of rejection of the application, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall reply in writing, expressly stating the reasons for such rejection;

c) The reissued certificate shall contain the same contents as the lost or damaged certificate which is no longer usable. The reissued Certificate shall expressly state the following information: date of first granting of certificate, date of re-granting, number of times of re-granting.

6. For information content services on mobile telecommunications networks that have been granted a certificate, upon transferring or changing the owner of the certificate, the procedures shall be carried out for the application for the reissue of the certificate, which is the same as for first granting of the certificate, under Article 41 hereof.

Article 43. Procedures for suspension of operation and revocation of the Certificate of registration of provision of information content services on mobile telecommunications networks

1. The authority competent to grant the certification as prescribed in this Decree shall issue a decision to suspend the provision of information content services on mobile telecommunications networks for a period of 03 months when the organization or enterprise commits one of the following violations:

a) Violating the provisions of Points b, d, dd, and e, Clause 1, Article 5 hereof 02 (two) times in 12 months;

b) Failing to comply with the provisions specified in Article 44 hereof although the licensing authority required it to correct them in writing.

2. The authority competent to grant the certificate shall issue a decision to revoke the certificate of registration of providing information content services on mobile telecommunications networks in the following cases:

a) When the organization or enterprise violates the provisions of Points a and c, Clause 1, Article 5 hereof;

b) When the organization or enterprise, after the expiration of the three-month period of operation suspension, fails to report on a feasible plan to correct the violation;

c) When the agency, organization or enterprise providing information content services on mobile telecommunications networks provides a written notice of termination of operation or return of the certificate;

d) When the certificate of registration of provision of information content services on mobile telecommunications networks is no longer valid as prescribed in Clauses 4 and 5, Article 41 hereof.

3. Order and procedures for suspension of provision of information content services on mobile telecommunications networks and revocation of the certificate of registration of provision of information services on mobile telecommunications networks:

a) Upon detecting a violation by an organization or enterprise against the provisions of Point a, Clause 1 of this Article, the authority competent to grant the certificate shall issue a Decision to suspend its operation or a Decision on deprivation of the rights to use the certificate of registration of provision of information content services on mobile telecommunications networks within 3 months;

b) Upon detecting a violation by an organization or enterprise against the provisions of Point b, Clause 1 of this Article, the authority competent to grant the certificate shall issue a written notice requesting the organization or enterprise to correct its violation. After 15 days from the expiry date of the request specified in the written notice, if the organization or enterprise fails to correct the violation, the authority competent to grant the certificate shall issue a decision to suspend the certificate of registration of provision of information content services on mobile telecommunications networks and to suspend the provision of information content services on the mobile telecommunications network within 3 months;

c) When detecting the organization or enterprise violating the provisions in Clause 2 of this Article, the authority competent to grant the certificate shall issue

a decision to revoke the certificate of registration of provision of information content services on mobile telecommunications networks and to suspend the provision of information content services on the mobile telecommunications network.

Article 44. Rights and obligations of organizations and enterprises providing information content services on mobile telecommunications networks

Organizations and enterprises providing information content services on mobile telecommunications networks shall have the following rights and obligations:

1. To establish an equipment system at the location where they have discretion to legitimate use in accordance with law and to lease telecommunications transmission lines to connect with telecommunications enterprises.

2. To have at least one server system located in Vietnam which satisfies the inspection, examination, storage and provision of information as required by the competent State administrative authority and to settle complaints of customers on service provision as stipulated by the Ministry of Information and Communications.

3. To implement the regulations on allocation of telecommunications number storages and Internet resources according to the planning and regulations on management of telecommunications resources.

4. To ensure the provision of information contents to service users in accordance with the provisions of law.

5. To publicly disclose the agreements on provision and use of content services, and to instruct on complaint settlement for users before providing services in accordance with provisions of relevant law.

6. To provide services in strict accordance with the service quality and prices as announced to service users.

7. For services provided on a periodic basis (daily, weekly, monthly, quarterly, yearly, etc.), the service is only provided after a successful service registration notification is sent to service users by SMS with the following information: The subscriber has successfully registered [registered service name]; code, short message service number; charge cycle; service rate; method of service cancellation; customer support hotline.

8. To ensure users the capability to reject, cancel, look up the history of charged transactions, query for free the registered information services in the

appropriate method (texting the service number, calling the support center or accessing the website providing information of the business and other method).

9. To ensure the provision of services in accordance with the requirements of registered users; to not carry out the fee collection for information content services that users do not receive or receive incomplete information content in accordance with registered requirements;

10. Advertising content on the service shall contain the following information: Service name, service provider code, business name code, registration method, charge cycle, service rate, rejection method, customer support hotline.

For subscribers who have registered to use periodic services, service providers shall send an SMS to users informing them of the automatic renewal of services according to the following regulations:

a) Notification information: Service name, code, short message service number, charge cycle, service rate, cancellation method, customer support hotline;

b) Time and period for sending notification: Notify once every 07 days from the date of successful registration with daily and weekly services. Notify once every 30 days from the date of successful registration with monthly and yearly services; Notification time is from 7:00 am to 10:00 pm daily.

In case the subscriber has sent an SMS of correct syntax to cancel the service, the organization or enterprise providing the service shall send a message informing the result of processing such cancellation request.

11. To store for at least 180 days of provided contents; to store for at least 01 year of data processing registration requests, request to stop providing services, details of charges, user's complaint information and complaint handling results from the date of receipt and handling to serve the inspection and examination in accordance with applicable regulations.

12. Enterprises providing content services shall have a customer support hotline.

13. To implement the reporting regime as prescribed in Article 47 hereof and submit the same for inspection and examination by competent state management authorities.

Article 45. Rights and obligations of mobile telecommunications businesses

Mobile telecommunications businesses shall have the following rights and obligations:

1. To cooperate in business with organizations and enterprises providing

mobile telecommunications network content services in accordance with the following principles:

- (a) Via negotiation on the basis of ensuring fairness, rationality and conformation with the rights and interests of the parties involved;
- b) Effectively using telecommunications resources and infrastructure;
- (c) Ensuring safe and consistent operations of telecommunications networks;
- d) Guaranteeing the legitimate rights and interests of telecommunications service users and relevant organizations and individuals;
- (dd) Providing connections to organizations and enterprises providing information content services on mobile telecommunications networks at any point technically feasible on telecommunications networks and carrying out connections on a timely, reasonable, public and transparent basis;
- (e) Not practicing discriminatory treatment in terms of connections, service rates, payment, telecommunications technical standards and regulations, telecommunications network and service quality.

2. To be responsible for inspecting and monitoring the process and service provision system of organizations and enterprises providing content services on mobile telecommunications networks, ensuring that the registration, authentication, rejection, renewal, service cancellation, charge collection and notification to service users comply with provisions of relevant law.

3. To be responsible for examining and ensuring that only connecting to provide services with content services provided via websites (website/wapsite/app) in compliance with provisions of relevant laws (content services in conditional business lines which require a license, authorization, certificate of eligibility for business operation shall be granted such documents by a specialized regulatory State authority in accordance with provisions of law).

4. To suspend, disconnect or reject to connect with organizations and enterprises providing information content services on mobile telecommunications networks in the following cases:

- a) The telecommunications business discovers by itself that there is a violation of Clause 1, Article 8 of the Law on Cybersecurity, Clause 1, Article 5 hereof;
- b) There is a request from the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) by phone, text or by electronic means. The timeline for implementation is 24 hours from the date of request at the latest;

c) When there is a Decision on revocation of the Certificate of registration for provision of information content services on mobile telecommunications networks, a decision on revocation of short message service numbers or a notice on acceptance of the return of short message service numbers.

d) Enterprises providing information content services on mobile telecommunications networks do not have License, Authorization or Certificate of eligibility for business operation according to provisions of relevant specialized laws, or these documents have expired;

5. Mobile telecommunications businesses shall uniformly use codes and numbers in accordance with the planning on number storages for service users to inquire on information content services in use. Information contents provided to users include: Service name, code, short message service number, charge cycle, service rate, cancellation method.

6. Send notification via SMS to subscribers every 30 days to inform users on content service charge collection (including information of amount of charge, period and corresponding service name).

7. To coordinate with organizations and enterprises providing information content services on mobile telecommunications networks in settling complaints and disputes regarding service rate and quality for users under Article 46 hereof.

8. To report in accordance with provisions of Article 47 hereof and submit to inspection and examination by competent state management authorities.

Article 46. Settlement of complaints on the provision of information content services on mobile telecommunications networks

1. Mobile telecommunications businesses and organizations and enterprises providing information content services on mobile telecommunications networks are obliged to organize the receipt of complaints from service users on the information content services provided. In case the mobile telecommunications business is the focal point, it shall be responsible for transferring the service user's complaint on the content services to the information content service provider within 24 hours from receipt of the same and coordinating in the settlement process.

The focal point for receiving complaints on service users' content services is responsible for answering and notifying the settlement results to service users. Service users can complain on issues related to the provision of information content services on mobile telecommunications networks through the following forms: Text, email, customer support hotline or directly at the service provider organization or enterprise.

2. Organizations and enterprises providing information content services shall assume the prime responsibility for settling complaints. In the case of detecting the collection of charges for using content services in contravention of regulations, organizations, content service providers and telecommunications businesses shall be responsible for refunding the wrongly collected service charges to service users within 03 days from the date of receipt of complaint settlement results.

3. Statute of limitations for complaints: No later than 90 days from the date of receipt of notice of content service charge collection.

4. Timeline for complaint settlement: No more than 20 days from the date of receipt of the complaint.

5. In the case of disagreement with the complaint settlement results of organizations or enterprises providing information content services, service users have the right to initiate civil lawsuits at the Court in accordance with the civil procedure code.

Article 47. Reporting regime

1. Organizations and enterprises providing information content services shall implement their reporting regime on yearly basis and make extraordinary reports at the request of the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) and the local Department of Information and Communications. The content, method of sending the report, and the timeline for implementation of the periodical report are as follows:

- a) The content of the report is made in Form No. 26 in the Appendix hereto;
- b) Reporting time: before 31 December of each year;
- c) Method of sending the report: send directly, by post or via electronic means to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information, Telecommunications Authority) and the local Department of Information and Communications where the enterprise's head office is registered.

2. Mobile telecommunications organizations and enterprises should implement their reporting regime on yearly basis and make extraordinary reports at the request of competent State management agencies.

The content, method of sending the report, and the timeline for preparation of the periodical report are as follows:

- a) The content of the report is made in Form No. 27 in the Appendix hereto;
- b) Reporting time: before 31 December of each year;
- c) Method of sending the report: sending directly, by post, or by electronic

means to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information, Telecommunications Authority) and the local Department of Information and Communications where the enterprise's head office is registered.

Article 48. Rights and obligations of users of information content services on mobile telecommunications networks

Users of information content services on mobile telecommunications networks have the following rights and obligations:

1. To use information content services on mobile telecommunications networks except for the services prohibited in accordance with law;
2. To comply with the provisions on the use of information content services on mobile telecommunications networks in accordance with law;
3. To self-check and be responsible for their own decision on the use of services;
4. To have the right to complain or denounce when the content of services received is not the content of services announced or agreed by organizations or enterprises providing information content services on mobile telecommunications networks.

Chapter IV
ONLINE VIDEO GAMES

Article 49. Principles for management of online video games

1. Online video games are classified as follows:
 - a) Video games which have simultaneous interactions among various players via the game server system of enterprises (hereinafter referred to as G1 games);
 - b) Video games which have interactions only between players and the game server system of enterprises (hereinafter referred to as G2 games);
 - c) Video games which have interactions among various players but no interaction between players and the game server system of enterprises (hereinafter referred to as G3 games);
 - d) Video games which are downloaded via the network with no interaction among players or between players and the game server system of enterprises (hereinafter referred to as G4 games).
2. Enterprises may release online G1 video games when they have a

License to provide G1 online video game services and an Authorization to release online G1 video games.

3. Enterprises may release online G2, G3 and G4 video games when they have the Certificate of eligibility to provide online G2, G3 and G4 video games and the Certificate of acknowledgement of release of online G2, G3 and G4 video games.

4. Foreign organizations and individuals providing online video game services for users in Vietnam shall establish an enterprise in accordance with Vietnamese law to provide online video game services in accordance with the provisions of this Decree and provisions on foreign investment.

Article 50. Rating online video games by ages of players

1. Online video games are rated according to age groups as follows:

a) Online video games for players aged 18 years or older (marked as 18+) are games containing violent armed confrontation and combat activities which take place continuously; but have no pornography acts, sounds, images, language or dialogue;

b) Online video games for players aged 16 years or older (marked as 16+) are games containing armed confrontation and combat activities; and without acts, image, sound, language, dialogue of exposed-skin characters, or close-up attention to sensitive parts of human body;

c) Online video games for players aged 12 years or older (marked as 12+) are games containing armed confrontation and combat activities are armed combat games without close and graphic weapon image; with restricted/mitigated weapon impact sound; and without acts, image, sound, language, dialogue of exposed-skin characters, or close-up attention to sensitive parts of human body;

d) Online video games for players of all ages (marked as 00+) are animated cartoon games without armed combat; ghostly, horrible and violent image, sound; acts, image sound, language, dialogue of exposed-skin characters; and close-up attention to the sensitive parts of the human body.

2. Responsibilities of online video game service providers in rating games by ages:

a) Self-rating online video games by ages of players as prescribed in Clause 1 of this Article;

b) Displaying the results of online video game rating by ages of players in the dossier for the License to provide G1 online video game services, in the dossier for the Certificate of eligibility to provide online G2, G3 and G4 video games. Online video game rating by ages of players is one of the appraised

contents of online video games;

c) Displaying the results of online video game rating by ages of players in the top-left corner of the advertising window and device screen while the players are using online video game services.

3. When detecting that the enterprise implements the rating of G1, G2, G3, G4 online video games by ages of players not in accordance with the provisions in Clause 1 of this Article, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) and the local Department of Information and Communications shall send a written request to the enterprise to re-adjust the game rating within 15 days.

In case the enterprise does not re-adjust the results of game rating by ages of players as required, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) and the local Department of Information and Communications shall issue a written request to the enterprise to stop releasing its games and take measures to ensure the interests of the players. After 15 days from the date of issue of the above document, if the enterprise does not stop releasing its game as required, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications), and the local Department of Information and Communications shall revoke the Authorization for releasing online G1 video games and the Certificate of acknowledgement of release of online G2, G3 and G4 video games issued to the enterprise.

Article 51. Issue of a License to provide online G1 video games

1. An enterprise shall be issued with a License to provide online G1 video games when the conditions below are satisfied:

a) Being an enterprise established in accordance with the laws of Vietnam, with the business of providing online video game services that have been posted on the National Business Registration Portal and have a head office with an express and contactable address and telephone number;

b) Having registered a domain name for provision of services;

c) Having sufficient financial capacity, organization and personnel to administer video games suitable to the operation scale of the enterprise;

d) Having a system of technical equipment to connect payment with Vietnamese lawful payment service providers, guaranteeing accurate and sufficient update and storage, and enabling players to search details of their payment accounts on the game application system (game account);

dd) Having a system of technical equipment to ensure the player's personal

information is fully stored and updated, including: Full name; date of birth; permanent residence address; identity card number/citizen identification number/passport number, date of issue, place of issue, mobile phone number in Vietnam; email address (if any). In case a player aged less than 14 who has not obtained an identity card number/citizen identification number/passport number, date of issue, place of issue, mobile phone number in Vietnam, his/her legal guardian's personal information shall be registered as the consent and the guardian shall take responsibility for such registration;

e) Having a technical equipment system to manage the playing duration of those players aged under 18 on a calendar day basis (from 00h00 to 24h00), ensuring that the duration for playing each game does not exceed 60 minutes;

d) Having a system of technical equipment to ensure continuous display of the video game age rating in advertisements or introduction of all games and while providing online video game services; giving a warning that “Chơi quá 180 phút một ngày sẽ ảnh hưởng xấu đến sức khỏe” (Over 180 minute gaming a day will badly harm your health) at a noticeable position in the game forum and on the device screen of players every 30 minutes throughout the play;

h) Having a system of technical equipment to ensure the management of the game's forum content (if any) as prescribed in Clause 2 Article 31 hereof;

i) Taking technical measures to manage player's account information to ensure direct and synchronous connection with the player's personal information management system and the enterprise's game payment management system;

k) Taking technical measures to manage the player's account information to ensure full storage, continuous and accurate update of information on the player's use of the service, including: Account name, service time, information related to the possession of virtual items, virtual units, reward points of the player;

l) Having a plan in place to ensure information safety and security, service quality and legitimate interests of players;

m) Having an equipment and connection backup plan, and a data backup plan in place to maintain the system safety in the case of any breakdown.

2. The validity period of the License to provide online G1 video games depends on the request of the enterprise and shall not exceed 05 years.

3. The License to provide online G1 video games will expire in case the enterprise is either dissolved, bankrupt or revoked, or after 12 (twelve) months from the effective date of the License, the enterprise fails to implement the actual release of the game. The Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) shall issue a decision to

revoke the expired Licenses and announce it on the website of the Authority of Broadcasting and Electronic Information.

4. In case the License to provide online G1 video games is revoked or expired, the reissue of the License shall be carried out in the same way as the procedures for new issue under Articles 52 and 53 hereof.

5. The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Information and Communications in, stipulating the collection rate, mode of collection, payment, management and use of fees for appraising online G1 video games and the level of funding for evaluation of the content and scripts of online G1 video games.

Article 52. Application for a License to provide online G1 video games

The application for a License to provide online G1 video games shall include the following:

1. An application form for the License in Form No. 28 in the Appendix hereto.

2. A valid copy (including either a copy extracted from the master register, a certified true copy or a copy enclosed with the original) of the enterprise registration certificate or the investment registration certificate, or a valid copy of other valid certificate, equivalent license issued before the date of effectiveness the Law on Investment 2020 and the Law on Enterprises 2020.

3. A scheme for providing online G1 video games containing:

a) A service provision plan, financial capacity, organization, personnel and technical aspects that meet the conditions prescribed in Clause 1 Article 51 hereof;

b) Equipment system general layout, equipment system locations;

c) Equipment system details, including main part and backup part (including name, function and expected configuration) to ensure service quality and information safety and security; ensuring players' interests and their personal information confidentiality;

d) Details on methods and the scope of service provision; plans for connection to the internet and telecommunications network (enterprise's name, domain name, IP address, connection channel capacity, gaming distribution channel);

dd) Details on the gaming payment system and a plan for connection to payment service providers in Vietnam (name, connection methods, rights and responsibilities of parties);

e) Details on the service provision monitoring system; a plan for data backup and backup options; processes for service operation, exploitation,

provision and use; cooperation between specialized agencies in ensuring information safety and security.

Article 53. Procedures for issuing a License to provide online G1 video games

1. Applicants shall submit 01 application for a License to provide online G1 video games to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) in one of the following forms: in person, by post or by electronic means.

2. Within 20 days from the date of receipt of a valid application, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall consider and issue a License to provide online G1 video games in Form No. 29 in the Appendix hereto. In the case of rejection of the application, the Authority of Broadcasting and Electronic Information (under the Ministry of Information and Communications) shall reply in writing, expressly stating the reasons for such rejection.

Article 54. Amendment of, supplement, extension or reissue of a License to provide online G1 video games

1. A license holder shall apply for amendment of and/or supplement to a License to provide online G1 video games within 10 days after any of the following changes is made:

- a) Name of the license holder;
- b) Name of the legal representative of the license holder;
- c) Address of the head office, transaction office;
- d) The address where the server is located or rented.

The license holder may apply for amendment of and/or supplement to both the License and the issued Authorization for release of online G1 video games.

2. Applicants shall submit 01 application for amendment of and/or supplement to the License to provide online G1 video games to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) in one of the following forms: in person, by post or by electronic means.

3. An application for amendment of and supplement to the License to provide online G1 video games shall include:

- a) An application form for amendment of and/or supplement to the License to provide online G1 video games in Form No. 30 in the Appendix hereto;
- b) Documents proving reasons for amendment and/or supplement.

4. Within 10 days from the date of receipt of a valid application, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall appraise it and issue an amended and/or supplemented license to the applicant in Form No. 29 in the Appendix hereto. The amended and/or supplemented license shall be valid from the date of granting of the amendments and/or supplements to the expiry date of the originally granted license. In the case of rejection of the application, the Authority of Broadcasting and Electronic Information shall reply in writing, expressly stating the reasons for such rejection.

5. Extension of the License:

a) At least 30 days before the expiry of the license, the license holder that wants to have their granted License extended shall send an application form for extension in Form No. 31 in the Appendix hereto in one of the following forms: in person, by post or by electronic means;

b) Within 10 days from the date of receipt of a valid application form, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall appraise it and grant extension of the License in Form No. 29 in the Appendix hereto. The consideration for license extension shall be carried out based on the license holder's compliance with the provisions of the license to release online G1 video games and the law on provision of online video game services. The extended license must specify the following: date of first issue, and date of extension.

In the case of rejection of the application, the Authority of Broadcasting and Electronic Information shall reply in writing, expressly stating the reasons for such rejection;

c) The license may be extended once with the validity not exceeding 01 year.

6. Reissue of the License:

a) In case a License to provide online G1 video games is lost or damaged and is no longer usable, the license holder shall send an application form for reissue of the license in Form No. 32 in the Appendix hereto to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications), expressly stating the number and date of issue of the granted license and the reasons for requesting such reissue. In case the request for reissue is for the damaged license, the application must be enclosed with the damaged license;

b) Within 10 days after the receipt of a valid application, the Authority of

Broadcasting and Electronic Information shall consider and reissue the License to such license holder. In the case of rejection of the application, the Authority of Broadcasting and Electronic Information shall reply in writing, expressly stating the reasons for such rejection;

c) The reissued License shall contain the same contents as the lost or damaged License which is no longer usable. The reissued License shall specify the following: date of first issue, date of reissue, and the number of times of reissue.

7. The holder of a License to provide online G1 video games shall, upon transferring or changing the owner thereof, carry out the procedures for application for reissue of the License under Articles 52 and 53 hereof.

Article 55. Granting an Authorization for release of online G1 video games

1. A game provider shall be issued with an Authorization for release of online G1 video games when the conditions below are satisfied:

a) Its License to provide online G1 video games remains valid for at least 06 months.

b) The content and scripts of the video game do not violate the provisions of Clause 1 Article 8 of the Law on Cybersecurity, Clause 1 Article 5 hereof, or of regulations on intellectual property; do not simulate bonus games in casinos, games using card images; do not have any images, sounds, or language that specifically describe the following: Terrorism, murder, torture, ill-treatment, abuse, trafficking in women and children; incitement to suicide, violence; obscene, vulgarity contrary to the moral, cultural, fine traditions and customs of the nation; distortion of or destruction to historical traditions; violation of sovereignty and territorial integrity; use of drugs, alcohol, tobacco; gambling and other illegal acts.

c) The online video games have an age rating which is suitable for the game content and scripts as prescribed in Clauses 1 and 2 Article 50 hereof.

2. The validity period of the Authorization for release of online G1 video games depends on the term of the written authorization for the game to be released in Vietnam but shall not exceed 5 years. In case the game-related written authorization expires, if the online video game provider continues to be authorized to release such game, the procedures for requesting the reissue of the Decision shall be carried out.

Article 56: Application for the Authorization for release of online G1 video games

An application for the Authorization for release of online G1 video games includes the following:

1. An application form for an Authorization for release of online G1 video games in Form No. 33 in the Appendix hereto and a commitment to fully perform the rights and obligations of the enterprise specified in Article 66 hereof.

2. A copyright certificate of the games (valid copies thereof, including copies extracted from the master register or certified true copies); the written agreement for the applicant to release the games in Vietnam. For games released by a foreign franchisee, the documents must be legalized in the host country and accompanied by a written agreement for the applicant to release the games in Vietnam (the supporting documents and written agreement in a foreign language must be translated into Vietnamese and notarized).

3. A scheme for releasing online G1 video games containing:

a) Name and origin of the games; details of the game scripts and content which satisfy the provisions of Point b Clause 1 Article 55 hereof; character system, mission system, map (diagram); virtual item system, virtual units and conversion rates, services, reward points; sounds, images, interactive activities and tasks of the characters, antagonistic activities among them (including character images, weapons, etc.); release version; player age rating;

b) Details of the method and scope of service provision, including: Domain name and IP address of the website that introduces and provides games and game applications; name of the application store that distributes the games;

c) Details of the payment and collection methods of the games;

4. The device that stores the featured images, activities, and sounds of the game, namely: Maps and diagrams; some character lines, items, equipment for the characters; typical antagonistic activity among characters on duty; forum management, player conversations (if any); display of the age rating, recommendation.

Article 57. Procedures for granting the Authorization for release of online G1 video games

1. Applicants shall submit 01 application for an Authorization for release of online G1 video games to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) in one of the following forms: in person, by post or by electronic means.

2. Within 20 days from the date of receipt of a valid application, the Authority of Broadcasting and Electronic Information shall appraise the game's content and scripts. If all conditions are satisfied, the Authority of Broadcasting

and Electronic Information (Ministry of Information and Communications) shall consider and grant an Authorization for release of online G1 video games to the applicant in Form No. 34 in the Appendix hereto and send the applicant a line of code (showing logos of the online G1 video games that have been authorized for release) via the applicant's email address.

In the case of rejection of the application, the Authority of Broadcasting and Electronic Information shall reply in writing, expressly stating the reasons for such rejection.

3. Applicants that are granted the Authorization shall attach such code to the video game description on the application store (if any) and the website providing the video games. The code is linked to the licensing data section of the Portal of the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications).

Article 58. Amending, supplementing and re-granting the Authorization for release of online G1 video games

1. Authorization holders shall apply for amendment of and/or supplement to their issued Authorization for release of online G1 video games in any of the following cases:

- a) A change in name and/or origin of the games;
- b) A change in video game age rating;
- c) Version update or upgrade along with modifications to script of the games as compared with the former version;
- d) A change or supplement to the approved method and scope of provision of online G1 video games (domain name for games provided on the website, IP address, distribution channel for games provided to mobile devices);
- dd) A change in the server location or lease.

2. Applicants shall submit 01 application for amendment of and/or supplement to the Authorization for release of online G1 video games to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) in one of the following forms: in person, by post or by electronic means.

3. An application for amendment of and/or supplement to the Authorization for release of online G1 video games includes the following:

- a) An application form for amendment of and/or supplement to the Authorization for release of online G1 video games in Form No. 35 in the Appendix hereto;
- b) Documents proving reasons for amendment and/or supplement.

4. Within 10 days from the date of receipt of a valid application, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall appraise it and grant the Authorization to the applicant in Form No. 34 in the Appendix hereto after updating the amended and supplemented contents and expressly stating the date of first issue and the date of amendment and supplement. In the case of rejection of the application, the Authority of Broadcasting and Electronic Information shall reply in writing, expressly stating the reasons for such rejection.

5. Reissue of the Authorization:

a) In case an Authorization for release of online G1 video games is lost or damaged and is no longer usable or complies with the transitional provisions in Clause 4, Article 85 hereof, the authorization holder shall send an application form for reissue of the authorization in Form No. 36 in the Appendix hereto to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications), expressly stating the number and date of issue of the granted Authorization and the reasons for requesting such reissue. In case the request for reissue is for the damaged Authorization, the application must be enclosed with such Authorization;

b) Within 10 days from the date of receipt of a valid application, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall review and reissue the Authorization in Form No. 34 in the Appendix hereto. In the case of rejection of the application, the Authority of Broadcasting and Electronic Information shall reply in writing, expressly stating the reasons for such rejection.

c) The reissued Authorization shall contain the same contents as the lost or damaged License which is no longer usable. The re-granted license shall expressly state the following: date of first issue, date of reissue, number of times of reissue.

6. The holder of an Authorization for release of online G1 video games shall, upon transferring or changing the owner thereof, carry out the procedures for application for reissue of the Authorization under Articles 55 and 56 hereof.

Article 59. Procedures for suspension of operations and revocation of the License to provide online G1 video games and the Authorization for release of online G1 video games

1. The Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall issue a Decision to suspend the provision of online G1 video games, and/or to suspend the release of online G1 video games for a period of 03 months when the holder commits any of the following:

a) Violating the provisions of Points b, d, dd, and e, Clause 1, Article 5 hereof;

b) Failing to satisfy the conditions specified in Clause 1, Article 51 or Clause 1, Article 55 hereof after being requested in writing by the Authority of Broadcasting and Electronic Information for correction.

2. The Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall revoke a License to provide online G1 video games and/or an Authorization for release of online G1 video games when:

a) The holder violates the provisions of Points a and c, Clause 1, Article 5 hereof;

b) The holder is suspended from operation or issue under the provisions of Clause 1 of this Article but fails to take remedial measures to ensure its viability after the suspension period expires;

c) The cases in which the License expires under Clause 3, Article 51 hereof or the Authorization expires under Clause 2, Article 54 hereof.

3. Procedures for suspension of operations and revocation of the License to provide online G1 video games, the Authorization for release of online G1 video games:

a) Upon detecting a holder's violation of the provisions of Point a Clause 1 of this Article, the Authority of Broadcasting and Electronic Information (under the Ministry of Information and Communications) shall issue a Decision to suspend the provision of online G1 video games, and/or to suspend the release of online G1 video games to the holder for a period of 03 months;

b) Upon detecting a holder's violation of the provisions of Point b Clause 1 of this Article, the Authority of Broadcasting and Electronic Information shall issue a written notice requesting the holder to correct its violation. After 15 days from the expiry of the time limit required in the written notice, if the holder fails to correct it, the Authority of Broadcasting and Electronic Information shall issue a Decision to suspend the provision of online G1 video games, and/or to suspend the release of online G1 video games to the holder for a period of 03 months;

c) Upon detecting a holder's violation of the provisions of Clause 2 of this Article, the Authority of Broadcasting and Electronic Information shall issue a decision to revoke the License to provide online G1 video games and/or the Authorization for release of online G1 video games of the holder .

Article 60. Issue of a Certificate of eligibility to provide online G2, G3 and G4 video games

1. An enterprise shall be issued with a Certificate of eligibility to provide

online G2, G3 and G4 video games when the conditions below are satisfied:

a) Being an enterprise established in accordance with the laws of Vietnam, with the business of providing online video game services that have been posted on the National Business Registration Portal of the enterprise and have a head office with an express and contactable address and telephone number;

b) Having registered a domain name for provision of services;

c) Having sufficient financial capacity, organization and personnel to administer video games suitable to the operation scale of the enterprise;

d) Having a system of technical equipment to connect payment with Vietnamese lawful payment service providers, guaranteeing accurate and sufficient update and storage, and enabling players to search details of their payment accounts on the game application system (game account);

dd) Having a system of technical equipment to ensure the player's personal information is fully stored and updated, including: Full name; date of birth; permanent residence address; identity card number/citizen identification number/passport number, date of issue, place of issue, mobile phone number in Vietnam; email address (if any). In case a player aged less than 14 who has not obtained an identity card number/citizen identification number/passport number, date of issue, place of issue, mobile phone number in Vietnam, his/her legal guardian's personal information shall be registered as the consent and the guardian shall take responsibility for such registration;

e) Having a technical equipment system to manage the playing duration of those players aged 18 or under on a calendar day basis (from 00h00 to 24h00), ensuring that the duration for playing each game does not exceed 60 minutes;

d) Having a system of technical equipment to ensure continuous display of the video game age rating in advertisements or introduction of all games and while providing online video game services; giving a warning that “Chơi quá 180 phút một ngày sẽ ảnh hưởng xấu đến sức khỏe” (Over 180 minute gaming a day will badly harm your health) at a noticeable position in the game forum and on the device screen of players every 30 minutes throughout the play;

h) Having a system of technical equipment to ensure the management of the game's forum content (if any) as prescribed in Clause 2 Article 31 hereof;

i) Taking technical measures to manage player's account information to ensure direct and synchronous connection with the player's personal information management system and the enterprise's game payment management system;

k) Taking technical measures to manage the player's account information to ensure full storage, continuous and accurate update of information on the

player's use of the service, including: Account name, service time, information related to the possession of virtual items, virtual units, reward points of the player;

l) Having a plan in place to ensure information safety and security, service quality and legitimate interests of players;

m) Having an equipment and connection backup plan, and a data backup plan in place to maintain the system safety in the case of any breakdown.

2. The validity period of the Certificate of eligibility to provide online G2, G3 and G4 video games depends on the request of the enterprise and shall not exceed 05 years.

3. The Certificate of eligibility to provide online G2, G3 and G4 video games will be no longer valid in case the enterprise is either dissolved, bankrupt or revoked, or after 12 (twelve) months from the effective date of the Certificate, the enterprise fails to implement the actual release of the game. The licensing authority will then issue a decision to revoke the Certificate of eligibility to provide online G2, G3 and G4 video games and post a notice on its website.

4. In case the Certificate of eligibility to provide online G2, G3 and G4 video games is revoked or no longer valid, the reissue of the Certificate shall be carried out in the same way as the procedures for new issue under Articles 61 and 62 hereof.

5. The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Information and Communications in, stipulating the collection rate, mode of collection, payment, management and use of fees for appraising online G2, G3 and G4 video games and the spending on evaluation of the dossier for Notice of release of online G2, G3 and G4 video games.

Article 61. Application for a Certificate of eligibility to provide online G2, G3 and G4 video games

The application for a Certificate of eligibility to provide online G2, G3 and G4 video games shall include the following:

1. An application form for the Certificate of eligibility to provide online G2, G3 and G4 video games in Form No. 37 in the Appendix hereto.

2. A valid copy (including either a copy extracted from the master register, a certified true copy or a copy enclosed with the original) of the enterprise registration certificate or the investment registration certificate, or a valid copy of other valid Certificate, equivalent license issued before the date of effectiveness the Law on Investment 2020 and the Law on Enterprises 2020.

3. A scheme for providing online G2, G3 and G4 video games at least containing:

- a) A plan for rendering services and financial situation, personnel and technical aspects that meet the conditions prescribed in Clause 1 Article 60 hereof;
- b) Equipment system general layout, equipment system locations;
- c) Equipment system details, including main part and backup part (including name, function and expected configuration) to ensure service quality and information safety and security; ensuring players' interests and their personal information confidentiality;
- d) Details on methods and the scope of service provision; plans for connection to the internet and telecommunications network (enterprise's name, domain name, IP address, connection channel capacity, gaming distribution channel);
- dd) Details on the gaming payment system and a plan for connection to payment service providers in Vietnam (name, connection methods, rights and responsibilities of parties);
- e) Details on the service provision monitoring system; a plan for data backup and backup options; processes for service operation, exploitation, provision and use; cooperation between specialized agencies in ensuring information safety and security.

Article 62. Procedures for issue of Certificate of eligibility to provide online G2, G3 and G4 video games

1. The applicant shall submit 01 application for a Certificate of eligibility to provide online G2, G3 and G4 video games to the Department of Information and Communications of the province/city where the applicant is headquartered in one of the following forms: in person, by post or by electronic means.

2. Within 20 days from the date on which the satisfactory application is received, the Department of Information and Communications shall review and consider to issue the Certificate of eligibility to provide online G2, G3 and G4 video games to the applicant in Form No. 38 in the Appendix hereto. If the application is rejected, the Department of Information and Communications shall provide explanation in writing.

Article 63. Amendment of, supplement, extension or reissue of Certificate of eligibility to provide online G2, G3 and G4 video games

1. The certificate holder shall apply for amendment of and/or supplement to the issued Certificate of eligibility to provide online G2, G3 and G4 video games in any of the following cases:

- a) Change to the certificate holder's name;
- b) Change to the name of the legal representative of the certificate holder;

- c) [Change to] the type of video games provided (G2, G3, G4);
- d) Change to the address of the head office or transaction office of the certificate holder;
- dd) Change to the server hosting/rental locations.

2. The applicant shall submit 01 application for amendment of and/or supplement to the Certificate of eligibility to provide online G2, G3 and G4 video games to the Department of Information and Communications of the province/city where the applicant is headquartered in one of the following forms: in person, by post or by electronic means.

3. The application for amendment of and/or supplement to the Certificate of eligibility to provide online G2, G3 and G4 video games shall include:

- a) An application for amendment of and/or supplement to the Certificate of eligibility to provide online G2, G3 and G4 video games in Form No. 39 in the Appendix hereto;
- b) Documents proving reasons for amendment and/or supplement.

4. Within 10 days from the date on which the satisfactory application is received, the Department of Information and Communications shall review and consider to issue the amended and/or supplemented Certificate to the applicant in Form No. 38 in the Appendix hereto. The amended and/or supplemented Certificate shall be valid from the date of granting of the amendments and/or supplements to the expiry date of the originally granted Certificate. If the application is rejected, the Department of Information and Communications shall provide explanation in writing.

5. Extension of the Certificate:

a) At least 15 days before the expiry of the Certificate, the certificate holder that wants to have their granted Certificate extended shall send an application for extension of the Certificate in Form No. 40 in the Appendix hereto to the Department of Information and Communications of the province/city where the certificate holder is headquartered in one of the following forms: in person, by post or by electronic means;

b) Within 07 days from the date on which the satisfactory application is received, the Department of Information and Communications shall review and grant extension of the Certificate in Form No. 38 in the Appendix hereto. The consideration for extension of the Certificate shall be carried out based on the certificate holder's compliance with the provisions of the Certificate of eligibility to provide online G2, G3 and G4 video games and the law on provision of online video game services. The extended Certificate shall expressly state the date of the

first issue, and the date of extension.

If the application is rejected, the Department of Information and Communications shall provide explanation in writing.

c) The Certificate can be extended once with the validity not exceeding 01 year.

6. Reissue of the Certificate:

a) In case where the Certificate of eligibility to provide online G2, G3 and G4 video games is lost or damaged and is no longer usable, the certificate holder shall send an application for reissue of the Certificate in Form No. 41 in the Appendix hereto to the Department of Information and Communications of the province/city where the certificate holder is headquartered in one of the following forms: in person, by post or by electronic means, in which expressly stating the Certificate's number, date of issue, and the reason(s) for reissue. In case the request for reissue is for the damaged Certificate, it is required to enclose the application with the damaged Certificate;

b) Within 07 days from the date on which the satisfactory application is received, the Department of Information and Communications shall review and reissue the Certificate to the applicant in Form No. 38 in the Appendix hereto. If the application is rejected, the Department of Information and Communications shall provide explanation in writing;

c) The reissued Certificate shall contain the same contents as the lost or damaged Certificate which is no longer usable. The re-granted Certificate shall expressly state the date of first issue, date of re-issue, and number of times of re-issue.

7. The holder of a Certificate of eligibility to provide online G2, G3 and G4 video games shall, upon transferring or changing the owner of the Certificate, carry out the procedures for application for reissue of the Certificate under Articles 61 and 62 hereof.

Article 64. Issue of Acknowledgement of release of online G2, G3 and G4 video games

1. At least 20 business days before the official provision of online G2, G3 and G4 video games, the applicant shall submit a dossier for Notice of release for each video game to be provided to the Department of Information and Communications of the province/city where the applicant is headquartered in one of the following forms: in person, by post or by electronic means.

The dossier for Notice of release shall include: A declaration of Notice of release of online G2, G3 and G4 video games in Form No. 42a in the Appendix

hereto with a commitment to fully exercise the rights and obligations for the applicant specified in Article 66 hereof; Documents certifying the legal copyright of the games (a valid copy includes a copy extracted from master register or certified true copy of the legal copyright); a written agreement for the applicant to publish the games in Vietnam. For games released by a foreign franchisee, the documents must be legalized in the host country and accompanied by a written agreement for the applicant to release the games in Vietnam (the supporting documents and written agreement in a foreign language must be translated into Vietnamese and notarized).

2. Within 10 business days from the date on which a satisfactory application is received, the Department of Information and Communications shall organize the appraisal of the dossier for Notice of release. If all conditions are satisfied, the Department of Information and Communications shall review and issue an Acknowledgement of release of online G2, G3 and G4 video games to the applicant in Form No. 42b in the Appendix hereto and send the applicant a line of code (showing the logos of the online G2, G3 and G4 video games that have been licensed for release) via the applicant's email address.

The Acknowledgement of release of online G2, G3 and G4 video games has a term according to the term of the authorization document that permits the game release in Vietnam but shall not exceed 5 years. In case the game-related written authorization expires, if the online video game provider continues to be authorized to release such game, the procedures for requesting the reissue of the Acknowledgement of release of online G2, G3 and G4 video games shall be carried out.

If the application is rejected, the Department of Information and Communications shall provide explanation in writing.

3. The game provider granted the Acknowledgement of release shall attach such code to the video game description on the application store (if any) and the website providing the video games. The code is linked to the licensing data section of the Portal of the Department of Information and Communications.

4. The game provider shall send an additional notice to the Department of Information and Communications of the province/city where it is headquartered if any change below arises during the provision of the video game services:

- a) Name and/or origin of the games;
- b) Video game age rating;
- c) Type of video games provided (G2, G3, G4);
- d) A change or supplement to the approved method and scope of provision

of online G2, G3 and G4 video games (domain name for games provided on the website, IP address, distribution channel for games provided to mobile devices);

Within 07 days from the date of receipt of the valid additional notice, the Department of Information and Communications shall consider and agree with the content of the notice of the game provider. If the application is rejected, the Department of Information and Communications shall provide explanation in writing.

Article 65. Suspension of operations, revocation of Certificates of eligibility to provide online G2, G3 and G4 video games and Certificates of acknowledgement of release of online G2, G3 and G4 video games

1. The Department of Information and Communications of the province/city where the game provider is headquartered shall issue a Decision to suspend the provision of online G2, G3 and G4 video games, and/or to suspend the release of online G2, G3 and G4 video games for a period of 03 months when the game provider commits any of the following:

a) Violating the provisions of Points b, d, dd, and e, Clause 1, Article 5 hereof;

b) Failing to satisfy the conditions specified in Clause 1, Article 60 hereof after being requested for correction in writing by the Department of Information and Communications.

2. The Certificate of eligibility to provide online G2, G3 and G4 video games and Acknowledgement of release of online G2, G3 and G4 video games shall be revoked by the Department of Information and Communications in the following cases:

a) The holder violates the provisions of Points a and c, Clause 1, Article 5 hereof;

b) The certificate holder has been suspended from the provision of online G2, G3 and G4 video games under the provisions of Clause 1 hereof but fails to take remedial measures to ensure its viability after the suspension period expires;

c) The cases in which the Certificate expires under Clause 3, Article 60 hereof or the Acknowledgement of release expires under Clause 2, Article 64 hereof.

3. Order and procedures for suspension of provision of online G2, G3 and G4 video games and revocation of Certificates of eligibility to provide online G2, G3 and G4 video games and Certificates of acknowledgement of release of online G2, G3 and G4 video games:

a) Upon detecting a violation by a game provider against the provisions of

Point a, Clause 1 of this Article, the Department of Information and Communications shall issue a Decision to suspend the provision of online G2, G3 and G4 video games, and/or to suspend the release of online G2, G3 and G4 video games for a period of 03 months;

b) Upon detecting a violation by a game provider against the provisions of Point b, Clause 1 of this Article, the Department of Information and Communications shall issue a written notice requesting the game provider to correct such violation. After 15 days from the end of the time limit required in the written notice, if the game provider fails to take correction, the Department of Information and Communications shall issue a Decision to suspend the provision of online G2, G3 and G4 video games, and/or to suspend the release of online G2, G3 and G4 video games for a period of 03 months;

c) Upon detecting a violation by a game provider against the provisions of Clause 2 of this Article, the Department of Information and Communications shall issue a Decision to revoke the Certificate of eligibility to provide online G2, G3 and G4 video games and/or Acknowledgement of release of online G2, G3 and G4 video games of the violating game provider.

Article 66. Rights and obligations of online video game service providers

Online video game service providers shall have the following rights and obligations:

1. To lease transmission lines from telecommunications businesses for connection of the service provision equipment system to the public telecommunications network;

2. To have at least one server system located in Vietnam to serve the inspection, check, storage and provision of information as required by the competent State management authority and to handle complaints of customers on service provision as prescribed by the Ministry of Information and Communications;

3. To set up a website for introduction, provision of online video game services and display the following information:

- a) Classification of video games by the age of players for each game;
- b) Rules for each game;
- c) Provision on management of information and activities of video games;
- d) Rules for dealing with complaints and disputes on interests arising between players and the game provider and among players;
- dd) Details of the game provider, including: the game provider's name;

transaction office address; contact phone number; number of License/Certificate of Eligibility/Acknowledgement/Authorization for release of online video games; links to the licensing data section of the Portals of the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) or the Department of Information and Communications of the province/city where the game provider is headquartered;

For games provided on the application store, the games' introduction section shall display the number of License/Certificate of Eligibility/Acknowledgement/Authorization for release of online video games, date of granting, links to the licensing data section of the Portal of the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) or the Department of Information and Communications of the province/city where the game provider is headquartered.

4. To apply measures for player protection, including:

a) To advertise and/or introduce on the games (on advertising programs, websites or online applications of the game provider) with the information matching the content, scripts, sounds and images in the licensed games, to comply with the regulations on advertisement, and to include the following required details: name of the game; game age rating; warnings on undesirable physical and mental effects which may have on players;

b) To register personal information of players and apply measures to limit playtime for children and people under 18 years old as prescribed at Points dd and e, Clause 1, Article 51; Points dd and e, Clause 1, Article 60 hereof;

5. To ensure the legitimate interests of players in strict accordance with the announced rules of games; to be responsible for the prices and quality of services, and for information safety; to deal with complaints and disputes arising among players and the game provider and among players;

6. To comply with regulations on virtual items, reward points and virtual units as prescribed in Article 69 hereof;

7. In the case of suspension of online video game services, the game provider shall: Give a notice on the games' websites at least 90 days before the planned date of service suspension; take measures to ensure the interests of players; and submit a written report to the licensing authority on these contents fifteen (15) days before the official day of service suspension;

8. Implement technical and professional measures to manage the content of forums and conversations among players as specified in Clause 2, Article 31 hereof.

9. Not advertise online video games without having obtained the Authorization for release of online G1 video games or the Acknowledgement of release of online G2, G3 and G4 video games on forums and websites of the game providers and other mass media;

10. Pay the fees for appraising online G1 video games, G2, G3, and G4;

11. Prepare and submit periodic and extraordinary reports to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) or the Department of Information and Communications of the province/city where the game provider is headquartered;

12. Be subject to inspection, check and handing of breaches by competent State administrative authorities;

13. Comply with regulations on online video game copyright in accordance with relevant copyright laws;

14. Comply with regulations on the issue and management of game cards as prescribed in Article 70 hereof.

Article 67. Online G1 video games Appraisal Advisory Council and Working Group of the Appraisal Advisory Council

1. The Online G1 video games Appraisal Advisory Council consists of representatives of a number of relevant agencies and organizations with appropriate qualifications.

2. The Online G1 video games Appraisal Advisory Council shall give advices in the process of appraising the contents and scripts of online G1 video games and other special cases at the request of the Ministry of Information and Communications, ensuring strict and objective appraisal advisory work.

3. The Ministry of Information and Communications shall promulgate the Decision on Establishment and Operation Regulations of the Online G1 video games Appraisal Advisory Council.

4. The Online G1 video games Appraisal Advisory Council may have a Working Group to assist the Council in relation to the appraisal of online G1 video games. The Working Group shall be established by the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications).

Article 68. Personal information of players

1. When creating an account to play online video games, players must provide fully and accurately the following personal information:

a) Full name;

b) Date of birth;

- c) Registered permanent residence;
- d) ID card number/citizen ID card number/passport number, date of issue, place of issue, mobile phone number in Vietnam;
- d) Email address (if any).

In case a player aged less than 14 (fourteen) who has not obtained an ID card number/citizen ID card number/passport number, date of issue, place of issue, mobile phone number in Vietnam, his/her legal guardian shall decide to use the guardian's personal information for registration to show the permission and the guardian shall take responsibility for such registration.

2. Online video game service providers must keep personal information of players during the service use of players and for 06 (six) months after the cessation of such use; and must have in place a system of professional and technical equipment ready to be connected to the national population database or electronic civil status database at the request of a competent authority to authenticate information of players.

Article 69. Regulations on virtual items, virtual units, and reward points

1. Online video game service providers may only create virtual items, virtual units, and reward points in online video games according to the content reported by them in the Authorization for release of online G1 video games, Acknowledgement of release of online G2, G3 and G4 video games.

2. Players can use reward points or virtual units in their game account to exchange for virtual items created by the game providers.

3. Online video game service providers are obliged to manage virtual items, virtual units, and reward points in their games in accordance with the announced game rules and the approved and licensed game contents. It is not allowed to attach bonus promotions (in cash or with material items) to the interface and features of online video games.

4. Virtual items, virtual units, and reward points are only used within the scope of online video games and for the exact purpose reported by the game providers. Virtual items, virtual units, and reward points are not assets, and cannot be exchanged for money, payment cards, coupons or other items of transaction value outside of online video games.

5. Players are not allowed to trade virtual items, virtual units, and reward points.

Article 70. Regulations on issue of game cards

1. Online video game service providers may issue and shall be responsible

for managing game cards.

2. Online video game service providers may only use game cards to top up their own legal online video games or those of other businesses in that their own Group of Companies; and shall not use game cards to top up unlicensed online video games or for other purposes.

3. Online video game service providers upon issue of game cards must issue internal regulations on game card issue applicable in their own system. Upon issue of non-physical cards, the game providers must develop a document describing the processes for card activation/deactivation, card transactions, and risk management (including steps such as risk identification, measurement, control and handling, etc.), the scope of card use and measures to control the use of the card within the agreed scope.

The game providers shall include details on the card number and values in their periodic reports to be submitted to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) or the Department of Information and Communications of the province where they are headquartered.

4. In 15 days before ceasing to issue and use game cards, the game providers shall give a notice in writing to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) or the Department of Information and Communications of the province where they are headquartered for monitoring and management. The notice shall include: Total number of issued cards, total number of used cards, total number of available cards, face value of cards, total revenue during the card issue period.

Article 71. Rights and obligations of server rental service providers, server hosting providers; telecommunications businesses, and Internet service providers

1. To reject, suspend, or discontinue the connection to unlicensed online G1 video games, G2, G3, and G4.

2. To comply with the request of the competent state authorities in suspension of connection or disconnection with unlicensed online G1 video games, G2, G3, and G4.

3. To coordinate with the competent state authorities in ensuring information safety and security and investigating and preventing illegal acts in the provision and use of online video game services.

4. To report to the competent state authorities upon detecting violations in ensuring information safety and security in order to promptly prevent illegal acts

in the provision and use of online video game services.

Article 72. Rights and obligations of payment service providers

1. To reject, suspend, or discontinue the connection to unlicensed online G1 video games, G2, G3, and G4.

2. To comply with the request of the competent state authorities in suspension of connection or disconnection with unlicensed online G1 video games, G2, G3, and G4.

3. To coordinate with the competent state authorities in ensuring information safety and security and investigating and preventing illegal acts pertaining to payment services in the provision and use of online video game services.

Article 73. Regulations on information provision and reporting regime

1. Information provision:

a) Monthly, the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall publish and update the list of licensed providers and online G1 video games, G2, G3, and G4; the list of discontinued games; the list of Licenses/Certificates of Eligibility/Acknowledgements/Authorizations that have been suspended, revoked or are no longer valid on the Portal of the Authority of Broadcasting and Electronic Information (www.abei.gov.vn);

b) Monthly, the local Department of Information and Communications shall publish and update the list of licensed providers and online G2, G3 and G4 video games, the list of discontinued online G2, G3 and G4 video games, the list of Certificates of Eligibility/Acknowledgements that have been suspended, revoked or are no longer valid on the Portal of the Department of Information and Communications.

2. Reporting regime:

a) Online video game service providers shall prepare and submit periodic reports every 6 months (before 30 June and 31 December of each year) in Form No. 43 in the Appendix hereto to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) and the Department of Information and Communications of the province where the providers are headquartered and make extraordinary reports upon request of a competent state authority;

The reports may be submitted: by hand, by post or by electronic means.

b) The local Department of Information and Communications shall send the list of licensed game providers and online G2, G3 and G4 video games, the

list of discontinued games, and the list of Certificates of Eligibility/Acknowledgements that have been suspended, revoked or are no longer valid periodically before the 25th of every month, in Form No. 44 in the Appendix hereto; and send periodic reports every 6 months (before 30 June and before 31 December of each year) on local management, provision and use of video game services, or make extraordinary reports upon request to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications).

The reports may be submitted: by hand, by post or by electronic means.

Article 74. Conditions for operation of public gaming centers

1. Organizations and individuals may only establish public gaming centers after obtaining the certificate of eligibility to run public gaming centers.

2. The certificate of eligibility to run public gaming centers shall be issued after the following conditions are satisfied:

a) A business registration for public gaming center has been obtained;

b) The public gaming center is at least 200m far away from primary schools, lower secondary schools, upper secondary schools, inter-level secondary schools, continuing education centers, upper-secondary ethnic boarding schools, and upper-secondary ethnic day schools, based on the shortest road length from the public gaming center to the main entrance or side entrance to these schools;

c) There is a sign bearing the words “Public gaming center” including the name, address, contact telephone number and business registration number of the public gaming center. If the public gaming center is also an Internet agency, the sign must also include the words “Internet agency”. If the public gaming center is also a public Internet access point, the sign must also include the words “public Internet access point”;

d) There are in place procedure and equipment for fire prevention and fighting in accordance with applicable regulations on fire and explosion control of the Ministry of Public Security.

3. The People’s Committees of provinces and centrally-run cities shall

a) Assign the Department of Information and Communications or the district-level people’s committees to verify applications, undertake inspection visit to facilities and consider to issue, amend, supplement, renew, reissue or revoke the certificates of eligibility to run public gaming centers in their locality;

b) Authorize the Department of Information and Communications or the district-level people’s committees to act as issuing authorities;

c) Direct the Department of Information and Communications or the

district-level people's committees to publish the list of local public gaming centers having their certificates of eligibility to run public gaming centers granted/revoked, and the list of online G1 video games having the Authorizations for release granted/revoked on their websites; inform the local public gaming center owners with the list of licensed/revoked online G1 video games; direct the Department of Information and Communications to assume the prime responsibility for, and coordinate with the district-level people's committees in, disseminating laws, managing, inspecting, examining and handling violations of local public Internet access points and public gaming centers; and report to the Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) on the relevant items in Form No. 50 in the Appendix hereto before 31 December of each year.

Article 75. Certificate of eligibility to run public gaming centers

1. A certificate of eligibility to run public gaming centers is valid for 03 years.

2. The template of Certificate of eligibility to run public gaming centers is specified in Form No. 51 in Appendix issued herewith.

Article 76. Procedures for issue of Certificate of eligibility to run public gaming centers

1. Application for issue of Certificate of eligibility to run public gaming centers:

An organization/individual applying for a Certificate of eligibility to run public gaming centers shall, in person or by post, send an application to the issuing authority, including:

a) An application form for Certificate in Forms No. 52a or 52b in the Appendix hereto;

b) Certified true copy(ies) of the public gaming center registration certificate;

c) Certified true copy(ies) of ID card/citizen ID card/passport of the public gaming center owner if the owner is an individual; certified true copy(ies) of ID card/citizen ID card/passport of the representative of the organization or business running the public gaming center if the owner is an organization or enterprise.

2. Time limit and process for application handling:

Within 15 business days from the date on which the application prescribed in Clause 2 of this Article is received, the issuing authority shall verify the application, undertake an inspection visit and issue a certificate of eligibility to run public gaming centers. If the application is rejected, the issuing authority must

provide explanation in writing.

3. If the holder of a Certificate of eligibility to run public gaming centers wishes to keep running the business, it shall apply for the new Certificate of eligibility to run public gaming centers at least 20 days prior to the expiry date of the current certificate in accordance with the provisions of Clauses 2 and 3 of this Article.

Article 77. Procedures for amendment of and/or supplement to Certificate of eligibility to run public gaming centers

1. Within validity period of the Certificate of eligibility to run public gaming centers, the owner of the public gaming center must carry out the procedures for amendment of and/or supplement to the granted Certificate if there is any change to the following:

- a) The name of the public gaming center;
- b) The owner of the public gaming center if the owner is an individual or the person in charge of the public gaming center if the owner is an organization or enterprise.

2. Application for amendment of and/or supplement to Certificate of eligibility to run public gaming centers:

The applicant shall send, in person or by post, an application for amendment of and/or supplement to Certificate of eligibility to run public gaming centers to the issuing authority, including:

- a) An application form for amendment of and/or supplement to the Certificate in Forms No. 53a or 53b in the Appendix hereto;
- b) Documents related to the changed information (if any).

3. Time limit and process for application handling:

Within 05 business days, the issuing authority shall be responsible to verify and consider issuing the amended and/or supplemented Certificate of eligibility to run public gaming centers to replace the former Certificate. If the application is rejected, the issuing authority must provide explanation in writing.

4. The amended and/or supplemented Certificate of eligibility to run public gaming centers shall be valid for the remaining validity period of the former Certificate.

Article 78. Renewal and reissue of Certificate of eligibility to run public gaming centers

1. The public gaming centers having been granted with a Certificate of eligibility to run public gaming centers and wishing to keep running the business

but cannot complete the procedures for application of the Certificate as prescribed in Article 76 hereof shall, at least 30 days before the expiry of the current Certificate, send, in person or by post, an application for renewal of the Certificate, including the following:

a) An application form for renewal in Forms No. 54a or 54b in the Appendix hereto;

b) Certified true copy(ies) of ID card/citizen ID card/passport if the owner is an individual.

2. Within 05 business days, the issuing authority shall verify and consider issuing a decision on renewal of the certificate of eligibility to run public gaming centers in Form No. 55a or 55b in the Appendix I issued herewith. If the application is rejected, the issuing authority must provide explanation in writing.

3. A certificate of eligibility to run public gaming centers may be renewed only 1 time for up to 01-year period.

4. If a Certificate of eligibility to run public gaming centers is lost, torn, burnt, or otherwise damaged, the owner of the public gaming center shall, in person or by post, send an application for reissue of the Certificate in Forms No. 56a or 56b in the Appendix hereto to the issuing authority. Within 05 business days, the issuing authority shall consider reissuing the certificate of eligibility to run public gaming centers.

If the application is rejected, the issuing authority must provide explanation in writing.

Article 79. Revocation of the Certificate of Eligibility to Run Public Gaming Centers

1. The owner of a public gaming center shall have the related Certificate of Eligibility to Run Public Gaming Centers revoked in any of the following cases:

a) Committing fraud or forging application to enable the certificate of eligibility to run public gaming centers to be granted;

b) Changing total areas of computer rooms but failing to meet the conditions specified by Point d Clause 2 Article 74 of this Decree;

c) After 06 months from the notice of the certificate issuing authority on the public gaming center failing to meet the distance requirements specified by Point b Clause 2 Article 74 of this Decree due to the fact that a school or continuing education center specified by Point b Clause 2 Article 74 of this Decree has recently commenced operation or due to other objective reasons;

d) The Certificate of Eligibility to Run Public Gaming Centers expires.

2. An owner who had a certificate of eligibility to run public gaming centers

revoked under Point a Clause 1 of this Article is entitled to, after 01 year from the date on which the certificate was revoked, apply for a new certificate if he is now eligible for the certificate as prescribed. An owner who had a certificate of eligibility to run public gaming centers revoked under Points b and c Clause 1 of this Article is entitled to apply for a new certificate, as soon as possible when he is eligible for the certificate as prescribed.

Article 80. Rights and obligations of owners of public gaming centers

A public gaming center owner shall have the following rights and obligations:

1. To establish an equipment system intended for the provision of video game services at the location indicated in the granted Certificate of Eligibility to Run Public Gaming Centers;
2. To be provided with Internet access services upon execution of an Internet agency contract with an Internet access service provider;
3. To display publicly the rules for the use of video game services in conspicuous places, specifying the prohibited acts set out in Clause 1, Article 8 of the Law on Cybersecurity and Articles 5, 10 and 81 of this Decree;
4. To display an updated list of G1 games whose content and script have been approved at the service provision point and classification of games by age (information is updated from the website of the Ministry of Information and Communications, www.mic.gov.vn);
5. Not to organize or to allow Internet users to use computer functions in their business location to perform the prohibited acts specified by Clause 1, Article 8 of the Law on Cybersecurity and Article 5 of this Decree;
6. To require that the enterprise entering into an Internet agency contract with them give guidance and provide information on Internet access services and to be subject to the inspection and supervision of such enterprise;
7. To participate in training programs on the Internet and video games organized by state management agencies and enterprises in their locality;
8. Not to operate the public gaming center between 10:00 p.m. and 08:00 a.m.
9. To comply with regulations on ensuring information safety and information security;
10. To be subject to inspection, examination and handling of breaches by competent state agencies.

Article 81. Rights and obligations of players

A player shall have the following rights and obligations:

1. To play online video games except for the video games prohibited by law;
2. The rights and obligations of Internet users specified by Article 10 of this Decree;
3. To select video games suitable for their age;
4. Not to take advantage of video games to commit illegal acts;
5. To perform registration of personal information as required by the Ministry of Information and Communications;
6. To comply with regulations on play time management and regulations on operation hours of public gaming centers;
7. To have their interests ensured by video game service providers in accordance with the rules of electronic games and rules for dealing with complaints and disputes publicized on the website for service provision of such providers.

Chapter V

INFORMATION MONITORING AND PREVENTION AND REMOVAL OF UNLAWFUL ONLINE INFORMATION

Article 82. Online information supervision

1. The Ministry of Information and Communications deploys a technical system to monitor and collect online information nationwide.
2. Ministries, branches and localities shall monitor and detect unlawful information related to the fields and areas under their management.
3. Telecommunications businesses and Internet service providers shall have the following responsibilities:
 - a) To take measures to monitor, collect and detect unlawful information on their technical infrastructure and applications;
 - b) To provide information and data related to telecommunications and internet subscribers showing signs of violation of the law to ensure the accurate search and identification of organizations and individuals using their services as may be requested by the Ministry of Information and Communications (Authority of Information Security).

Article 83. Preventing and removing unlawful online information

1. Ministries, branches and localities shall warn, recommend to prevent and remove unlawful information related to the fields and areas under their

management.

2. The Ministry of Information and Communications (Authority of Information Security) is the focal point for directing and monitoring the compliance of telecommunications and Internet businesses, hosting service providers, data center service providers and other businesses with requests to prevent and remove unlawful online information.

The Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) is the focal point for directing telecommunications and Internet businesses to reject to provide or suspend the provision of telecommunications and internet services and other services to organizations and individuals using their services to post unlawful online information at the request of the Ministry of Information and Communications.

3. Telecommunications service providers, Internet service providers, hosting service providers, data center service providers and other businesses shall:

a) Prevent and remove unlawful online content, services and applications on their networks within 24 hours of the receipt of the request from the Ministry of Information and Communications (Authority of Information Security).

b) Reject to provide or suspend the provision of telecommunications services, internet services and other services to organizations and individuals using their services to post unlawful online information at the request of the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information).

c) In the case of telecommunications and internet service providers, connect, receive coordination orders and report results via technical systems and take other handling measures at the request of the Ministry of Information and Communications (Authority of Information Security).

Article 84. Responsibilities of enterprises when entering into Internet service provision, use contracts with domestic and foreign organizations and individuals

Telecommunications businesses, Internet service providers and domain name registration and maintenance service providers must stipulate in their contracts for the provision and use of telecommunications services, Internet services, domain registration and maintenance services items that require domestic and foreign organizations and individuals entering into such contracts:

a) Not to provide, post, store or transmit information with unlawful content when using telecommunications and internet services;

b) To prevent and remove unlawful content, services and applications as

may be requested by competent state agencies in accordance with the law.

Chapter VI

TRANSITIONAL AND IMPLEMENTATION PROVISIONS

Article 85. Transitional provisions

1. General Website Establishment Permit issued under Decree No. 72/2013/ND-CP and Decree No. 27/2018/ND-CP shall cease to be effective on the date specified on such permit.

A general website licensed under Decree No. 72/2013/ND-CP and Decree No. 27/2018/ND-CP, if in any case cooperating with press agencies as prescribed in point c, Clause 5, Article 27 hereof, must apply for reissue of the General Website License as prescribed on Clause 1, Article 31 and Clause 1, Article 32 hereof.

2. Social Networking Service Provision License issued under Decree No. 72/2013/ND-CP and Decree No. 27/2013/ND-CP shall cease to be effective on the date specified on such license.

Within 03 months from the effectiveness this Decree, organizations and enterprises that have obtained the Social Networking Service Provision License must review and report to the Ministry of Information and Communications on monthly total visits (data for 06 consecutive months) and the number of monthly regular users of the social network under their management.

3. License to provide online G1 video games service and Certificate of eligibility to provide online G2, G3 and G4 video games issued under Decree No. 72/2013/ND-CP and Decree No. 27/2018/ND-CP shall cease to be effective on the date specified on such documents.

4. The issued Decision on the approval of online G1 video games content and script shall cease to be effective on the expiry date of the License to provide online G1 video games service issued under Decree No. 72/2013/ND-CP and Decree No. 27/2018/ND-CP.

Once the Decision on the approval of online G1 video games content and script expires, the enterprise shall carry out the procedures for the reissue of Authorization for release of online G1 video games under Clause 5, Article 58 hereof.

5. Within 03 (three) months from the effectiveness this Decree, enterprises that have obtained Decision on the approval of online video game content and script under Decree No. 72/2013/ND-CP and Decree No. 27/2018/ND-CP must

review, make statistics and report to the Authority of Broadcasting and Electronic Information (under the Ministry of Information and Communications) on games released (a list and number of licensed games with game details include: Name, rating, origin of the games, scope and method of service provision; a list and number of games ceasing to be released).

6. Within 03 (three) months from the effectiveness this Decree, enterprises that have obtained Decision on the approval of online video game content and script under Joint Circular No. 60/2006/TTLB-BVHTT-BBCVT-BCA dated 01 June 2006 of the Ministry of Culture and Information, the Ministry of Post and Telematics and the Ministry of Public Security on online game management shall review and make statistics on released games and carry out the procedures for application for the reissue of the Authorization for release of online G1 video games under Articles 55 and 56 hereof.

In the case of online G1 video games failing to satisfy the conditions prescribed in Article 55 hereof, within 90 days from receipt of the written notice from the Authority of Broadcasting and Electronic Information, the enterprise must cease the release of such games.

7. Acknowledgement of Notification of Online G2, G3 and G4 video games Service Provision issued shall cease to be effective on the expiry date of the Certificate of eligibility to provide online G2, G3 and G4 video games under Decree No. 72/2013/ND-CP and Decree No. 27/2018/ND-CP.

Once the Acknowledgement of Notification of Online G2, G3 and G4 video games Service Provision expires, the enterprise shall carry out the procedures for the reissue of Acknowledgement of release of online G2, G3 and G4 video games under Clause 1, Article 64 hereof.

8. Within 03 (three) months from the effectiveness this Decree, enterprises that have obtained Acknowledgement of Notification of Online G2, G3 and G4 video games Service Provision under Decree No. 72/2013/ND-CP and Decree No. 27/2018/ND-CP must review, make statistics and report to the local Department of Information and Communications of the place of their registered headquarters on games released (a list and number of licensed games with game details include: Name, rating, origin of the games, type of game (G2, G3, G4), scope and method of service provision; a list and number of games ceasing to be released).

9. Within 03 (three) months from the effectiveness this Decree, enterprises that have obtained the Mobile Telecommunications Network Content Service Provision Registration Certificate must carry out the procedures for application for the reissue of the Mobile Telecommunications Network Content Service

Provision Registration Certificate under Article 41 hereof.

Article 86. Effectiveness

1. This Decree takes effect on 2023.
2. This Decree annuls the following:
 - a) Decree No. 72/2013/ND-CP dated 15 July 2013 of the Government on the management, provision and use of Internet services and online information;
 - b) Decree No. 27/2018/ND-CP dated 01 March 2018 of the Government amending and supplementing a number of articles of Decree No. 72/2013/ND-CP dated 15 July 2013 of the Government on the management, provision and use of Internet services and online information;
 - c) Article 2 of Decree No. 150/2018/ND-CP dated 07 November 2018 of the Government amending a number of Decrees related to conditions for investment in businesses and administrative procedures in the field of information and communications;
 - d) Circular No. 24/2014/TT-BTTTT dated 29 December 2014 of the Minister of Information and Communications detailing the management, provision and use of online video game services;
 - dd) Circular No. 09/2014/TT-BTTTT dated 19 August 2014 of the Minister of Information and Communications detailing the management, provision and use of information on websites and social networks.
 - e) Articles 1, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of Circular No. 17/2016/TT-BTTTT dated 28 June 2016 of the Minister of Information and Communication detailing the process and procedures for registration of mobile telecommunications network content service provision.
 - g) Clauses 1, 3, 4, 5 and 6 of Article 1, Article 2, Article 3 of Circular No. 08/2017/TT-BTTTT dated 23 June 2017 of the Minister of Information and Communications amending and supplementing a number of articles of Circular No. 17/2016/TT-BTTTT dated 28 June 2016 of the Minister of Information and Communication detailing the process and procedures for registration of mobile telecommunications network content service provision.
 - h) Circular No. 38/2016/TT-BTTTT dated 26 December 2016 of the Minister of Information and Communications detailing the cross-border provision of public information.

Article 87. Organization of implementation

1. The Minister of Information and Communications shall be responsible for guiding and inspecting the implementation of this Decree.

2. The Ministers, Heads of ministerial-level agencies, Heads of Government agencies and Chairpersons of People's Committees at all levels shall be responsible for the implementation hereof./.

Recipients:

- Secretariat of the Communist Party of Vietnam;
- The Prime Minister and Deputy Prime Ministers;
- Ministries, ministerial-level agencies and Government agencies;
- People's Councils and People's Committees of provinces and centrally-run cities;
- Office of the Central Committee and Boards of the Communist Party of Vietnam;
- Office of the General Secretary;
- Office of the President;
- Ethnic Council and Committees of the National Assembly;
- Office of the National Assembly;
- Supreme People's Court;
- Supreme People's Procuracy;
- The State Audit Office of Vietnam;
- National Financial Supervisory Commission;
- Vietnam Bank for Social Policies;
- Vietnam Development Bank;
- The Central Committee of the Vietnam Fatherland Front;
- Central agencies of unions;
- The Government Office: - The Minister-Chairman, Vice Chairmen, PM's Assistant, Director General of the VGP, subordinate Departments, Authorities and units, Government gazettes;
- For filing: Archives, Science, Education and Cultural-Social Affairs (2 copies).

**ON BEHALF OF THE
GOVERNMENT
PRIME MINISTER**

Pham Minh Chinh