**DRAFT DECREE: Amending and supplementing some provisions of Decree No. 72/2013/ND-CP dated 15 July 2013 of the Government on management, provision and use of Internet services and information on the network and the Government's Decree No. 27/2018/ND-CP of March 1, 2018, amending and supplementing a number of Article of the Government's Decree No.** [**72/2013/ND-CP**](https://thuvienphapluat.vn/van-ban/cong-nghe-thong-tin/nghi-dinh-72-2013-nd-cp-quan-ly-cung-cap-su-dung-dich-vu-internet-va-thong-tin-tren-mang-201110.aspx) **of July 15, 2013, on management, provision and use of Internet services and information on the network**

Pursuant to the Law on Government’s Organization on June 19, 2015;

Pursuant to the Law on Telecommunications on November 23, 2009;

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

Pursuant to the Press Law on April 5, 2016;

Pursuant to the Law on Publishing on November 20, 2012;

Pursuant to the Law on Investment on June 17, 2020;

Pursuant to the Law on Enterprises on June 17, 2020;

At the request of the Minister of Information and Communications;

The Government promulgated the Government's Decree amending and supplementing a number of provisions of the Government's Decree No. 72/2013/ND-CP of July 15, 2013, on management, provision and use of Internet services and information on the network which has been amended, supplementing in the Government's Decree No. 27/2018/ND-CP of March 1, 2018, amending and supplementing a number of provisions of the [Government's Decree No. 72/2013/ND-CP](https://thuvienphapluat.vn/van-ban/cong-nghe-thong-tin/nghi-dinh-72-2013-nd-cp-quan-ly-cung-cap-su-dung-dich-vu-internet-va-thong-tin-tren-mang-201110.aspx)  of July 15, 2013, on management, provision and use of Internet services and information on the network.

**Article 1. The Government's Decree No. 72/2013/ND-CP of July 15, 2013, on management, provision, and use of Internet services and online information has been amended and supplemented in the Government's Decree No. 27/2018/ND-CP of March 1, 2018. to supplement some articles of the Government's Decree No. 72/2013/ND-CP of July 15, 2013, on management, provision, and use of Internet services and information online (herein addition to Decree No. 72/2013/ND-CP) as follows:**

1. Clause 19, Clause 21, Clause 22, Clause 25, Clause 26, Clause 28 of Article 3 are amended as follows:

"19. Aggregated information means information reported from Vietnamese press sources.

21. Website means an information system used to set up one or more websites and applications online presented in the form of notation, numbers, writing, images, sounds, and other forms of information for the provision and use of the content, different services on the network environment.

22. Social network means an information service system established on the basis of a website or an application on the network that provides the network user community with services of storing, providing, using, searching, sharing, and exchanging information with each other, including services, account creation features, content channels, personal websites (including personal blogs), forums, online chats, livestreams, audio sharing, images and other similar forms of services and features.

25. New generic top-level domain name (New gTLD) is a shared international top-level domain name (gTLD) extended and allocated directly by Internet Corporation for Assigned Names and Numbers is - ICANN to organizations and individuals around the world under the ICANN Shared Top-Level Extension Program (New gTLD Program).

26. Domain name registration and maintenance service means a service that provides agencies, organizations, and individuals with the ability to register, create, update, maintain and manage domain names.

Domain name registration and maintenance services include: Service of registration and maintenance of domain names ".vn" provided by Vietnam Internet Center (VNNIC) and domain name registrar ".vn"; Services of registration and maintenance of international domain names provided by international registrars in Vietnam and overseas organizations and enterprises for organizations and individuals in Vietnam; International domain registration and maintenance services are provided by organizations managing shared top-level domains in Vietnam (Registry of New gTLD domains) for organizations and individuals in Vietnam.

The following activities are implemented in the domain registration and maintenance service:

- Store, manage and ensure the security of domain name data and domain name subject information; ensure the safety of the operation of the domain name;

- Report and provide information on domain names and information of organizations and individuals registering domain names, coordinating to handle issues of registration and use of domain names at the request of competent agencies;

- Manage and operate technical systems for domain name registration and maintenance; promote the registration and use of domain names;

28. Protection of national interests related to New gTLD domains and second-level domains under New gTLD means taking measures to protest and prevent the free registration and use of New gTLD domains and second-level domains under New gTLD that may infringe on national interests.

**2. Clause 29, Clause 30, Clause 31, Clause 32, Clause 33, Clause 34, Clause 35, Clause 36, Clause 37, Clause 38, Clause 39, Clause 40, Clause 41, Clause 42, Clause 43, Clause 44, Clause 45, Clause 46, Clause 47, Clause 48 of Article 3 are added as** follows:

29. Cross-border information provision means the use of websites by overseas organizations and individuals on websites, social networks, online applications, search services and other similar forms on the Internet to provide information that users in Vietnam have access to or use of the service

30. Providing content services on a mobile telecommunications network means an organization or an enterprise setting up a system of equipment in Vietnam and connecting to the mobile telecommunications infrastructure to carry out the registration, cancellation and registration process. providing content services for a fee to mobile users via SMS, USSD, Livescreen short message numbers through mobile telecommunications networks.

31. Payment support services in online games are all support activities for online video game service providers to collect money from players, including activities payment intermediaries, payment services via banks and other forms of payment as prescribed by law.

32. An application store is an electronic information site or online application used to upload, distribute, install and update computer software and applications on the network.

33. Social network account (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.

34. Channel is an electronic information page of a social network created by a social network account to share content and connect social network accounts to comment and exchange information.

35. Fanpage is an electronic information page of a social network created by a social network account to share information and connect with the community of users of that social network.

36. Application is a computer program created to allow the use of one or several features and services on the network.

37. Video streaming (livestream) is a feature that allows social media accounts to stream video in real time.

38. Fake news is information that reflects partially or completely from the truth, intentionally created by a subject to serve its own purposes and intentions.

39. Acts of abusing children in the network environment are acts of using computer networks, telecommunications networks to commit acts of causing physical, emotional, psychological harm, or harm to honor and dignity of children.

40. Harmful information to children in the online environment is information that harms a child's physics, emotion, psychology, honor and dignity that is circulated on computer networks, telecommunications networks and electronic means connected to the network.

41. A data center is a complex consisting of: a system of technical infrastructure works, information infrastructure and ancillary equipment installed therein to perform storage, processing, exchange and centrally manage data of one or more organizations and individuals.

42. Data center service business is a commercial activity including server rental services, data center space rental services, data storage space rental services, and computing cloud services.

43. Server rental service is a service that provides customers with a server and available equipment and information infrastructure of a data center for their own use.

44. Data center space rental is a service that provides space for customers to design and install servers and/or other storage devices by themselves.

45. Data storage space rental service is a service that provides storage space for organizations and individuals.

46. ​​Cloud computing service is a service of distributing information technology resources (information infrastructure, platforms, software) in the form of services on a network environment by providing resources, servers, storage and networking (Infrastructure as a service (IaaS)); provides users with the ability to create, manage and operate applications (Platform as a Service (PaaS); rent specific applications to users (Software as a Service (SaaS).

47. Data center service re-business is a form of traders sub-leasing services of organizations or enterprises that own data centers to provide services to customers.

48. Data center service trader means an organization or individual that has or does not own a data center and performs one or more services as prescribed in Clause 42, Article 3 of this Decree.

3. To amend and supplement Article 5 as follows:

“Article 5. Prohibited acts

1. Taking advantage of the provision and use of Internet services and information on the network for the purpose of:

a) Against the State of the Socialist Republic of Vietnam; causing harm to national security, social order and safety; undermining the great national unity bloc; propagating war, terrorism; causing hatred and conflict among ethnic groups and religions;

b) Propaganda, incitement to violence, lewdness, debauchery, crimes, social evils, superstition, destruction of the nation's fine customs and traditions, social morality, adverse influence on social order, safety and health of the community;

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

d) Disseminating information that distorts, slanders or offends the reputation of the organization, honor and dignity of individuals;

d) Forging organizations or individuals; spreading and disseminating fake news and untruthful information, causing confusion among the people, causing damage to socio-economic activities, causing difficulties for the operation of state agencies or official duty performers, infringing upon the lawful rights and interests of other agencies, organizations and individuals;

e) Information affecting the normal physical and mental development of children;

g) Information infringing upon the intellectual property rights of other individuals or organizations;

h) Advertising, propagating, trading in prohibited goods and services; disseminating journalistic, literary, artistic works, and prohibited publications.

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

3. Illegally obstructing the operation of the Vietnamese national domain name server system ".vn", the lawful operation of the equipment system providing Internet services and information on the network.

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

5. Creating unauthorized links to legitimate domain names of organizations and individuals; create, install, distribute malware, computer viruses; illegally infiltrate, gain control of information systems, create attack tools on the Internet.

6. Stealing or obtaining private information of citizens by illegal means; Unauthorized sale or provision of citizens' personal information to others.

7. Other prohibited acts as prescribed by law.

4. To amend and supplement Clause 2, Article 6 as follows:

"2. The licensing, modification, supplementation, extension, revocation and re-issuance of Internet service provision licenses shall comply with the provisions of Articles 35, 36, 38 and 39 of the Law on Telecommunications; Article 18, Article 23, Article 24, Article 28 Decree No. 25/2011/ND-CP dated April 6, 2011 of the Government detailing and implementing a number of articles of the Law on Telecommunications and Decree No. 81/ 2016/NDCP dated July 1, 2016 amending and supplementing a number of articles of Decree 25/2011/ND-CP”.

5. To amend and supplement Clause 2, Article 7 as follows:

 "2. To register and notify the sample contract according to the form of Internet services with competent state management agencies for uniform implementation throughout the enterprise.

6. To amend and supplement Clauses 2 and 3, Article 11 as follows:

 "2. Viet Nam National Internet eXchange (VNIX) is an Internet exchange station under the Vietnam Internet Center established by the Ministry of Information and Communications to:

a) To ensure the safety and continuous operation of the entire Vietnamese Internet network in case of incidents to domestic and international telecommunications networks; In case of losing international connection, VNIX forwards traffic to ensure continuous operation of Vietnam's Internet network.

b) To promote domestic Internet connection; promote domestic content development;

c) To connect and exchange Internet traffic with networks using Autonomous System Number (ASN) and independent, legal IP addresses in Vietnam and internationally.

d) To connect with regional and international Internet transfer stations; Connect the root domain name server system (ROOT DNS) and international content and network systems to develop infrastructure, content and exchange Internet traffic;

dd) To connect networks using IPv6, promote the transformation of Vietnam's Internet network to IPv6;

e) To operate on a non-profit basis to improve service quality and reduce service costs.

g) Internet service providers are responsible for coordinating, connecting and routing through VNIX to ensure the safety and continuous operation of the entire Vietnamese Internet network in the event of a problem with the domestic and international Internet network.”

“3. The Ministry of Information and Communications promulgates mechanisms and policies to facilitate Internet service providers to connect with each other, VNIX and other Internet transfer stations."

**7. Article 12 is amended and supplemented as follows:**

**“Article 12. Registration, use, suspension and revocation of domain names**

1. The Ministry of Information and Communications shall manage the Vietnamese national domain name “.vn” and international domain names that international organizations allocate to organizations and individuals in Vietnam.

2. All organizations and individuals have the right to register Vietnamese national domain names “.vn” and international domain names.

3. The registration, change of registration information, refund of domain name “.vn” is done through the domain name registrar “.vn”. Organizations and individuals submit registration dossiers, change registration information, return domain names ".vn" according to regulations of the Ministry of Information and Communications

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

a) Equality and non-discrimination;

b) Pre-registration is entitled to use first, except for domain names reserved for auction as prescribed by law;

c) Comply with regulations on protection of the Vietnamese national domain name “.vn” under Article 68 of the Law on Information Technology;

d) Comply with regulations on auction and transfer of the right to use domain names in accordance with the Law on Telecommunications.

5. Domain names registered by organizations or individuals must not contain phrases that infringe upon national interests or are inconsistent with social ethics, customs and traditions of the nation; must show seriousness to avoid misunderstanding or misrepresentation due to polyphony or when not using accents in Vietnamese.

6. Domain name is the name of a Party organization or a State agency only used for Party organizations and State agencies; Other organizations and individuals are not allowed to register and use these domain names.

7. Organizations and individuals must complete the payment of registration fees and charges for using the domain name “.vn” as prescribed before the domain name is put into operation or is maintained in operation. Fees and charges for registration and use of domain names ".vn" cover management costs and costs of providing public services for domain names ".vn" of the Ministry of Information and Communications (Vietnam Internet Center).

8. Each period, priority shall be given to registration fees and domain name maintenance fees for specific subjects in line with socio-economic development strategies. The Ministry of Information and Communications prescribes priority domain names and priority subjects. The Ministry of Finance shall stipulate the priority level of registration fee and domain name maintenance fee.

9. Agencies and organizations may only grant domain names under the registered domain names to member units and individuals working in their agencies and organizations and must be responsible for managing the granted domain names that they have granted; do not grant domain names under their own domain names to other agencies, organizations and individuals.

10. Electronic newspapers, websites or web portals of Party and State agencies must use at least 01 domain name “.vn” and store information on a server system with an address IP in Vietnam.

11. Organizations and individuals in Vietnam, after completing registration to use international domain names, must notify the use of international domain names to the Ministry of Information and Communications at the address: www.thongbaotenmien.vn. The content and information of the notice shall comply with the regulations of the Ministry of Information and Communications.

12. The domain name is suspended from operation under a decision of an agency competent to sanction information and communication violations in the activities of inspection, examination and handling of violations or at the written request of investigating agencies when conducting professional activities to promptly prevent acts of causing information insecurity in the activities of ensuring national security, social order and safety in accordance with law.

13. The Ministry of Information and Communications shall prescribe dossiers, methods and order of registration, suspension and revocation of domain names.”.

**8. Article 12b is added as follows:**

**"Article 12b. Activities of the new shared top-level domain management organization (New gTLD) in Vietnam**

1. New shared top-level domain management organizations (New gTLD) in Vietnam are organizations and enterprises in Vietnam that have been transferred by ICANN to manage the new shared top-level domain (Registry of the NewgTLD domain name).

2. Before registering New gTLD with ICANN, agencies, organizations and enterprises need to send a written notice to the Ministry of Information and Communications and get the consent of the Ministry of Information and Communications. After the New gTLD was officially transferred by ICANN, agencies, organizations and enterprises sent a written notice to the Ministry of Information and Communications. The provision of domain name registration and maintenance services under New gTLD complies with the provisions of this Decree and the regulations of the Ministry of Information and Communications.

3. A new shared top-level domain name management organization (New gTLD) may provide the service when it fully meets the following conditions:

a) Being an enterprise established under Vietnamese law;

b) Having sufficient financial, technical, organizational and personnel capacity to carry out the operation of the new shared top-level domain (New gTLD) organization and ensure information safety and security;

c) Be licensed to operate a new shared top-level domain name (New gTLD) in Vietnam according to the provisions of Clause 4 of this Article.

4. Order and procedures for granting operating licenses New gTLD management organization in Vietnam.

a) A dossier of application for an operation license of a new shared top-level domain name (New gTLD) in Vietnam is prepared into 1 set of dossier, including:

- An application form for an operation license of a new shared top-level domain name (New gTLD) organization in Vietnam, made according to Form No. 03 in the Appendix to this Decree;

- Valid copies include a copy issued from the master register or a certified copy or a copy compared with the original Certificate of Business Registration (or valid copies of other valid certificates or equivalent licenses issued before the effective date of the Law on Investment No. 67/2014/QH13 and the Law on Enterprises No. 68/2014/QH13);

- An operation plan signed and sealed by the head of the enterprise applying for the license, including the following main contents: an explanatory report on operation scale and financial and technical capacity, information of organizations and human resource; measures to ensure information safety and information security to implement the operation of New gTLD organization in Vietnam.

b) Address to receive documents: Ministry of Information and Communications - 18 Nguyen Du, Hanoi.

c) Order and procedures for licensing:

Within 30 days from the date of receiving the valid registration dossier of the enterprise, the Ministry of Information and Communications shall consider granting the operation license of New gTLD in Vietnam Nam, or a written request to supplement or complete the dossier in case the registration dossier is invalid as prescribed. In case of refusal, the Ministry of Information and Communications shall reply in writing, clearly stating the reason.

5. New gTLD in Vietnam complies with the provisions of Article 14a of this Decree and regulations on the operation of the New General-Level Domain Management Organization; report, provide information and coordinate with competent state management agencies of the Ministry of Information and Communications”.

**9. Article 14a is added as follows:**

**"Article 14a. Rights and obligations of organizations and enterprises providing domain name registration and maintenance services**

1. To organize the registration and maintenance of domain names in accordance with the provisions of Vietnamese law and the laws of the countries where the services are provided.

2. To supply lists of international domain names registered and used by Vietnamese users; domain name information and domain registration subject at the request of the Ministry of Information and Communications (Vietnam Internet Center).

3. To suspend the operation and revocation of domain names at the request of the Ministry of Information and Communications (Vietnam Internet Center) in cases where the registration and use of domain names violate the provisions of Vietnamese law on management, provision and use of internet services and information on the network;

4. In case of failure to coordinate in handling domain names in violation of regulations on registration and use at the request of the Ministry of Information and Communications (Vietnam Internet Center), organizations and enterprises shall be responsible for the application of such force measures to handle violations, including measures to prevent service provision.

5. In addition to the provisions of Clauses 1, 2, 3 and 4 of this Article, the Domain Name Registrar ".vn" shall have the following rights and obligations:

a/ To store sufficient and accurate information on organizations and individuals registering domain names; to store, manage and back up domain name data records in accordance with regulations of the Ministry of Information and Communications;

b/ To formulate and publicize forms, processes and procedures for domain name registration in accordance with regulations of the Ministry of Information and Communications;

c) Refusing to provide services when organizations and individuals do not meet regulations on registration and use of domain names;

d/ To report, provide information and coordinate with competent state management agencies in accordance with regulations;

dd) To establish a domain name server (DNS) system, a technical system for providing services and implement safety measures for domain names and domain data of organizations and individuals. Domestic domain registrar ".vn" must use a domain name server (DNS) that uses the Vietnamese country domain name ".vn" and place at least 02 DNS domain name clusters including domain data management servers and servers that respond to domain name queries in Vietnam when providing services; Use the country domain name ".vn" for online services to register and maintain the domain name ".vn".

f/ To be guided and provided with information on the registration and use of domain names and subject to inspection and examination by the Ministry of Information and Communications;

g) Domain registrar ".vn" collects service charge for activities implemented by the Registrar in providing registration and maintenance of domain names ".vn" and services for the process of registration and use of domain names ".vn" such as support for trademark protection, intellectual property rights...

6. In addition to the provisions of Clauses 1, 2, 3 and 4 of this Article, the International Domain Registrar in Vietnam and the New gTLD in Vietnam have the following rights and obligations:

a) The registrar of international domain names in Vietnam shall report on activities of the registrar of international domain names in Vietnam as prescribed in Clause 3, Article 14 of this Decree;

b/ To manage information on organizations and individuals in Vietnam registering international domain names at their units, including their name, head office address, telephone number, fax number and email address; full name, date of birth, number of the people's license, place of issuance, date of issuance, permanent address, telephone number, email address for individuals; Store sufficient and accurate information about organizations and individuals registering domain names in accordance with regulations of the Ministry of Information and Communications;

c/ To formulate and publicize forms, processes and procedures for domain name registration in accordance with regulations of the Ministry of Information and Communications;

d/ To guide organizations and individuals registering international domain names to notify the use of international domain names in accordance with regulations of the Ministry of Information and Communications;

dd) Refusing to provide services when organizations and individuals do not meet regulations on registration and use of domain names;

f/ To report, provide information and coordinate with competent state management agencies in accordance with regulations;

g/ Before the 15th day of the first quarterly month, the Registrar of International Domain Names in Vietnam; The new general domain management organization (New gTLD) in Vietnam reports the updated list of international domains that it is managing to the Ministry of Information and Communications (Vietnam Internet Center) in the network environment under the guidance of the Ministry of [Information and Communications at www.thongbaotenmien.vn.](http://www.thongbaotenmien.vn/) Information on domain name and registration date; subject information includes: classification of subject by individual, organization, subject name, contact address, telephone, email; Volatility information about management domains (forwarded domains, forwarded domains) during the reporting period.

h) Set up at least 02 DNS domain name clusters including domain data management servers and servers that respond to domain name queries in Vietnam when providing services;

i/ To be guided and provided with information on the registration and use of domain names and subject to inspection and examination by the Ministry of Information and Communications."

**10. Article 14 is amended as follows:**

"**Article 14. Domain registrar ".vn"**

1. Domain name registrar ".vn" means an enterprise providing services of registration and maintenance of Vietnamese national domain names ".vn", including:

a) Domain name registrar ".vn" means a Vietnamese enterprise: To provide services of registration and maintenance of domain names ".vn" to subject names in Vietnam and abroad;

b) Domain name registrar ".vn" means an overseas organization: To provide services of registration and maintenance of domain names ".vn" to overseas subject."

2. Domain name registrar ".vn" may provide services when fully meeting the following conditions:

a) Being a Vietnamese enterprise or overseas organization that signs a contract with the ICANN or with the Official Domain Registrar (Accredited Registrar) of ICANN;

b/ Having sufficient technical capacity suitable to the scale of operation to provide domain name registration and maintenance services;

c) Signing a contract with Vietnam Internet Center to become a domain name registrar ".vn".

3. Enterprises wishing to provide services of registration and maintenance of domain names ".vn" send dossiers of application for registration and maintenance of domain names ".vn" to the Ministry of Information and Communications (Vietnam Internet Center). The dossier includes:

a) An application form for provision of domain name registration and maintenance service ".vn" using the form No. 01 in the Appendix issued with this Decree;

b) Valid copy includes a copy issued from the original book or certified copy or a comparison copy with the original of the Enterprise Registration Certificate (or a valid copy of the Certificate or other valid equivalent license issued before the effective date of the Investment Law No. 67/2014/QH13 and the Law on Enterprises No. 68/2014/QH13);

c) A certified translation of the contract signed by an overseas organization with the official domain registrar (Accredited Registrar) of the International Domain Name Management Organization - ICANN (applicable in case an overseas organization signs a contract with the official domain registrar of ICANN);

d) The plan on personnel and technical deployment ensures sufficient capacity and suitable to the scale of operation to provide domain name registration and maintenance services.

4. The Ministry of Information and Communications (Vietnam Internet Center) considers, agrees and signs a contract to provide the service of registration and maintenance of domain names ".vn" with enterprises on the basis of the following criteria:

a) In accordance with the needs of providing registration and maintenance services for domain names “.vn”;

b) Conform to the master plan on Internet resources;

c) Satisfy the conditions specified in Clause 2 of this Article.

5. The contract for provision of domain name registration and maintenance services ".vn" specified in Clause 5 of this Article must fully comply with the contents prescribed in form No. 40 in the Appendix issued with this Decree.

6. When providing the service of registration and maintenance of domain names ".vn", the registrar of domain names ".vn" must ensure:

a) Not to infringe and harm the legitimate rights and interests of the subject as well as those of other domain registrar ".vn";

b) Not to take advantage of the Domain Name Registrar's advantage to appropriate, obstruct or try to hinder the entities from registering and using the domain name legally;

c) In case of development of distribution channels, there must be a contract with the organization participating in the distribution channel and ensure that the organization participating in the distribution channel only implements the development of registration of domain name use, must not perform the role of the Registrar in domain name management ".vn".

**11. Article 15 is amended as follows:**

**"Article 15. International domain registrar in Vietnam**

1. International domain name registrar in Vietnam means an enterprise providing services of registration and maintenance of international domain names in Vietnam.

2. International domain name registrar in Vietnam may provide services when fully meeting the following conditions:

a/ Being a Vietnamese enterprise;

b) There is a contract signed with the ICANN or the official domain registrar (Accredited Registrar) of ICANN to provide international domain name registration services in Vietnam.

c) The Ministry of Information and Communications (Vietnam Internet Center) has confirmed the completion of the report on activities of the international domain registrar in Vietnam as prescribed in Clause 3 of this Article.

3. Report on activities of international domain registrar

a) For international domain registrar in Vietnam: The report dossier includes:

- Report on operation of the international domain registrar in Vietnam according to form No. 02 in the Appendix issued with this Decree;

- A copy of the Enterprise Registration Certificate (or a valid copy of the Certificate or other valid equivalent license issued before the effective date of the Investment Law No. 67/2014/QH13 and the Enterprise Law No. 68/2014/QH13);

- A copy of the contract signed with the International Domain Name Management Organization - ICANN or a contract signed with the official domain registrar (Accredited Registrar) of ICANN to provide international domain name registration services in Vietnam.

b) For enterprises providing services of registration and maintenance of cross-border international domain names: The reporting dossiers include:

- Report on activities of international domain registrar in Vietnam according to Form No. 02 in the Appendix issued with this Decree.

b) Address of receiving dossier:

- Vietnam Internet Center - 18 Nguyen Du, Hanoi.

- Website: www.thongbaotenmien.vn

c) Confirmation of completion of the report on operation of the international domain registrar in Vietnam:

- Within 10 working days from the date of receiving the valid report dossier of the enterprise, the Ministry of Information and Communications (Vietnam Internet Center) will send the enterprise a document confirming the completion of the report on operation of the international domain registrar in Vietnam, at the same time, put on the management list at website www.thongbaotenmien.vn, or the written request for supplementation and completion of dossiers in case the registration dossier is invalid as prescribed.

- Enterprises are only allowed to provide services after receiving documents confirming the completion of reports on activities of international domain registrar in Vietnam from the Ministry of Information and Communications (Vietnam Internet Center).

- Form of confirmation: In writing or through the network environment according to the addresses specified by the Ministry of Information and Communications at [the www.thongbaotenmien.vn.](http://www.thongbaotenmien.vn/)

- In case the enterprise no longer meets the operational conditions of the International Domain Registrar in Vietnam specified in Clause 2 of this Article, the Ministry of Information and Communications (Vietnam Internet Center) shall notify the cancellation of certification of completion of the report on operation of the International Domain Registrar in Vietnam and remove the enterprise name from the list of international domain registrar [in Vietnam at www.thongbaotenmien.vn."](http://www.thongbaotenmien.vn/)

**12. Clause 2 and Clause 4 of Article 6 are amended as follows:**

"2. Grounds for settlement of domain name disputes at the request of the plaintiff, including all the elements specified below:

a) The disputed domain name is identical or confusingly similar to the plaintiff's name; identical or confusingly similar to a trademark, geographical indication or trade name in which the plaintiff is a person with legitimate rights or interests;

b) The respondent has no legitimate rights or interests related to that domain name;

c) The defendant uses the domain name with malicious intent, when there is one of the following contents:

- The defendant leases or transfers the domain name to the plaintiff who is the owner of a name, trademark, trade name, geographical indication that is identical or confusingly similar to that domain name; leased or transferred to a competitor of the claimant for personal gain or for illicit gain;

- The defendant appropriates, prevents the plaintiff who is the owner of the name, trademark, trade name or geographical indication from registering the domain name corresponding to that name, trade mark or service mark in order to unfair competition purposes;

- The defendant uses the domain name to damage the reputation of the plaintiff, hinder the plaintiff's business activities or cause confusion or loss of public confidence in the name, trademark, trade name, the plaintiff's geographical indication for the purpose of unfair competition;

- Other cases prove that the defendant's use of the domain name violates the plaintiff's legitimate rights and interests.

 “4. During the dispute settlement process, the Ministry of Information and Communications shall maintain the status quo of domain name registration and use (including the registrant for use, the domain name registrar) based on the request of the competent agencies and organizations on dispute settlement in accordance with law.

The domain name management agency “.vn” shall handle the disputed domain name based on the minutes of successful conciliation of the disputing parties or the legally effective decision of the Arbitration agency or the legally effective decision of the Court and according to the order and procedures prescribed by law on civil judgment enforcement.”

**13. Clause 4 Article 17 is amended as follows:**

"4. Procedures for issuance and allocation of Internet addresses and network numbers:

a) An application for issuance and allocation of Internet address and network number, including declaration of registration of IP address, ASN network number and other relevant papers as prescribed by the Ministry of Information and Communications;

b) Organizations and enterprises shall submit dossiers of registration of Internet addresses and network numbers to the Ministry of Information and Communications (Vietnam Internet Center). The time limit for replying to results or decisions on issuance and allocation of IP addresses to agencies, organizations and enterprises is at least 15 (fifteen) working days after receiving a complete and valid dossier. In case of refusal, the Ministry of Information and Communications has a written reply, clearly stating the reason for refusal.

c) The Ministry of Information and Communications shall specify dossiers, order and methods of registration, allocation, grant and revocation of Internet addresses and network numbers."

**14. Article 20 is amended as follows:**

"**Article 20. Classification of information on the network**

Types of information on the network:

1. Electronic newspapers.

2. A general website means a website of an organization or enterprise that provides general information of a journalistic nature on the basis of quoting original and accurate information from Vietnamese press sources in accordance with the law on intellectual property.

3. Internal website means a website of an agency, organization or enterprise that provides information on the functions, powers, tasks, organizational apparatus, operation, services, products and trades serving the operation of such agency, organization or enterprise.

4. Personal website or personal account means a website set up or set up by an individual through the use of social networking services to provide and exchange information of the individual himself/herself, not to represent another organization or individual and not to provide aggregated information.

5. Website providing specialized application services means the website of agencies, organizations, enterprises and individuals providing related services in the fields of telecommunications, information technology, radio, television, e-commerce, finance, banking, culture, medicine, education and other specialized fields.

6. Websites providing social networking services specified in this Decree.

**15. Clause 4a Article 21 is added as follows:**

**"**4a**.** The management, provision and use of information contents on personal websites and internal websites must comply with regulations on registration and use of Internet resources and relevant provisions in this Decree.

**16. Article 21a is added as follows:**

**"Article 21a. Management responsibilities of ministries, minister-level agencies and People's Committees of provinces and centrally run cities**

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

The Ministry of Information and Communications is responsible to the Government for performing the state management function of the management, provision and use of Internet services and information on the network nationwide, has the following tasks and powers:

 a) Formulate and submit to competent authorities for promulgation according to their competence mechanisms, policies and laws on management, provision and use of Internet services and online information;

b) Organize training and retraining in professional skills in the provision and use of Internet services and online information;

c) Inspect, examine and handle violations of Internet service provision and use and online information in accordance with law;

d) International cooperation in the management, provision and use of Internet services and information on the network;

d) Perform other tasks as prescribed by law.

2. The Ministry of Public Security shall, within the ambit of its tasks and powers, protect national security, ensure social order and safety, and fight against crime and violations of the law on security. national, social order and safety on the internet.

3. 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 within the scope of their duties and powers their term is responsible for managing the following activities in the network environment: commercial activities; cultural, sports and tourism activities; medical operations; educational and training activities; labor and employment; payments made on the internet.

4. Other ministries, ministerial-level agencies and government-attached agencies shall, within the ambit of their tasks and powers, have to perform the online management of their assigned sectors and domains according to their competence.

5. Responsibilities of the People's Committees of the provinces and centrally-run cities

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

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

b) Organize training and retraining to improve management and professional skills in the provision and use of Internet services and online information in the locality;

c) Inspect, examine and handle violations of Internet service provision and use and online information according to its competence;

d) Periodically report on the management of provision and use of Internet services and online information in the locality and send it to the Ministry of Information and Communications before December 31 of each year and make ad-hoc reports upon request. of a competent state agency;

d) Perform other tasks as prescribed by law.

**17. Article 22 is amended as follows:**

**"Article 22. Provide cross-border information**

1. Foreign organizations, enterprises and individuals, when providing information across borders with users in Vietnam or with access from Vietnam, must comply with the provisions of relevant Laws of Vietnam.

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

a) Foreign organizations, enterprises and individuals providing information across borders violate the provisions of Article 5 of this Decree, Clause 1, Article 8 of the Law on Cybersecurity, Article 28 of the Law on Intellectual Property;

b) Foreign organizations, enterprises and individuals that do not cooperate with the Ministry of Information and Communications in handling information in violation of law at Point a) of this Clause.

3. Foreign organizations and individuals providing information across borders that rent digital information storage space in Vietnam or have the number of regularly access (UV- Unique Visitor) from in Vietnam in 01 (one) month from 100,000 (one hundred thousand) or more will have the following rights and obligations:

a) Notify the Ministry of Information and Communications of contact information as prescribed in Clause 4 Article 22 of this Decree;

b) Prevent and remove information and services that violate the law at the request of the Ministry of Information and Communications according to the process specified in Clause 5 of this Article.

c/ Implement cooperation agreements on contents with Vietnamese press agencies when providing information from the Vietnamese press on the basis of copyright regulations;

d/ Store data and establish branches or representative offices in Vietnam as prescribed in Clause 3 Article 26 of the Law on Cybersecurity and relevant documents under the Law;

dd) Establish specialized units to handle the following issues:

- Receive, process and respond to requests of competent authorities in accordance with the provisions of Vietnamese law;

- Resolve and respond to complaints from Vietnamese users;

e) Within 24 hours after receiving a complaint from a Vietnamese user, a foreign organization or individual providing information across the border must handle the complaint. If the complaint is legitimate, it must temporarily lock or delete the complained content that affects the lawful rights and interests of the organization or individual as prescribed in Clause 1, Article 5 of this Decree and notify the reason for the content being temporarily locked or deleted and the email address of the complaining organization or individual (if any) to person who posted the complained content.

g) Foreign organizations and individuals that provide cross-border information via social networks only allow accounts, community pages, and content channels in Vietnam that have notified their contact information to the Ministry of New Information and Communications to livestream and participate in revenue-generating services in any form;

h) Publicize policies and procedures to support customers in handling network safety and security issues in a concise, clear and intuitive manner;

i) Foreign organizations and individuals providing cross-border information shall make annual reports (before December 31) or make irregular reports upon request to the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) according to Form No. 04 in the Appendix to this Decree.

Reports are sent in one of 02 ways: sending reports directly, by post or by electronic means.

4. Information and notification method

a) Notify contact information to the Ministry of Information and Communications with the following contents:

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

- Contact: Name of representative organization or individual in Vietnam, email address, contact phone.

b) Foreign organizations and individuals shall send notices to the Ministry of Information and Communications in one of the following forms: Sending reports directly, by post or by electronic means.

5. Responsibilities and procedures for handling illegal content provided across borders

a) Ministries, branches and localities are responsible for detecting and identifying illegal contents, services and applications on the network within their respective fields of management scope according to assigned functions and tasks in Article 21a of this Decree;

The Ministry of Information and Communications is the agency that receives notifications of illegal online content, services and applications from other ministries, branches and localities and is the contact point who will be responsible of sending handling requests to the foreign organizations and individuals providing public information across borders;

b) Foreign organizations and individuals shall prevent and remove infringing content and services within 24 hours since receiving the request of the Ministry of Information and Communications.

For livestream, foreign organizations and individuals shall prevent and remove infringing content within 03 hours since receiving the request of the Ministry of Information and Communications.

For social network accounts, fanpages, channels that regularly provide illegal content (In a month, there are at least 5 times of providing illegal content, which is requested to be blocked or removed by the Ministry of Information and Communications), foreign organizations and individuals shall temporarily block the operation of these accounts, fanpages, channels within 24 hours since receiving the request of the Ministry of Information and Communications. The temporary lockout period is from 07 days to no more than 30 days, depending on the severity of the violation.

For online applications that violate the law, foreign organizations and individuals shall prevent and remove this application from the application store under their management and distribution, within 24 hours since receiving the request of the Ministry of Information and Communications.

After the aforesaid time limit, if foreign organizations and individuals fail to handle infringing content, services and applications on the network, or fail to temporarily lock infringing social network accounts, fanpages, and channels according to requests without legitimate reasons, the Ministry of Information and Communications will implement measures to prevent content, services and applications on the network from violating the law.

In case of detecting content, services and applications on the cross-border network that violate the law affecting Vietnam's national security, the competent Vietnamese authorities shall immediately take measures to prevent content, services, and applications on the network from violating the law.

Preventive measures can only be removed after violations have been handled by foreign organizations and individuals at the request of the Ministry of Information and Communications.

6. Rights and obligations of telecommunications enterprises and data storage rental enterprises in Vietnam

a) Telecommunications enterprises and data storage rental enterprises in Vietnam shall immediately report to the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) in writing or by phone or by email within 03 (three) hours from the time of detecting the content of information violating the provisions of Clause 1, Article 5 of this Decree.

b) Telecommunication enterprises shall:

(i) Implement necessary technical measures to prevent access to content, services and applications on the network that violate the law at the request of the Ministry of Information and Communications. The time for completion must not exceed 03 (three) hours from the time of receiving the request;

(ii) Report user traffic in Vietnam to websites providing information across borders every 06 months (before June 30 and December 31 every year) or unexpected reports at the request of the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information).

c) Storage data leasing enterprises in Vietnam shall make reports to the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) on leasing digital information storage space to foreign organizations and individuals in Vietnam to provide cross-border information to users in Vietnam periodically every 12 months (before December 31 every year) or unexpected reports as required.

(i) The report must include: Name of the leasing enterprise; address and device location; legal representative of foreign organizations and individuals renting space; rental fee; lease term; the number of rental equipment; Internet connection capacity;

(ii) The report is sent in one of the following forms: submitted in person or sent by mail.

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

Organizations and individuals, when detecting information that violates Vietnamese law on websites provided by foreign organizations and individuals to users in Vietnam, have the following rights and obligations:

a) Request foreign organizations and individuals providing cross-border information to handle infringing information by appropriate forms;

b) Notify the Ministry of Information and Communications the violations in one of the following forms: Send in person or by post or by electronic means;

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

**18. Article 23 is amended as follows:**

"**Article 23. Principles of management of websites**

1. Organizations and enterprises operating in Vietnam may only set up websites to synthesize or provide social network services when having a license to set up a general website, a license to provide social network services or a certificate of notification of provision of social network services.

2. Websites not required to be licensed under the provisions of this Decree include:

a) Websites providing specialized application services;

b) Personal websites, internal websites;

c) Websites of state agencies providing information as prescribed in Article 10 of the Government's Decree No. 43/2011/ND-CP of June 13, 2011, providing information and public services online on websites or web portals of state agencies;

d) Internal forums on websites used for internal information exchange and Q&A activities directly related to functions, tasks, powers, organizational apparatus, services, products and trades serving the activities of agencies, organizations and businesses.

3. Internal websites, websites providing specialized application services, personal websites, when providing general information, must have general websites licenses;

4. General websites and social networks are not integrated to provide services on the same interface, category of a website or of an application online.

5. The licensing and management of general websites complies with the following provisions:

a/ Organizations and enterprises may only grant licenses to set up general websites when they satisfy the conditions specified in Clause 6 of this Article;

b) Press agencies that already have electronic newspapers/magazines do not have a general website.

c) General websites of press agencies may only re-quote or re-broadcast press products which have been previously issued or broadcast. The process of licensing and management procedures is the same as for the general website;

d) General websites are permitted to link with press agencies to produce contents in the fields of science, technology, economy, culture, sports, entertainment, advertising and social security as prescribed in Article 37 of the Press Law on the basis of written production cooperation agreements on content.

6. Conditions for issuance of licenses to set up a general website

a/ Being an organization or enterprise established under Vietnamese law with functions, tasks, operational occupations, business registration (already published on the National Enterprise Portal) or having the right and purpose (for press agencies) in accordance with the contents of information provided;

b/ Having organizations and personnel that satisfy the provisions of Article 23a of this Decree;

c/ Having registered the use of domain names to set up a general website and satisfy the provisions of Article 23b of this Decree;

d/ To satisfy technical conditions specified in Article 23c of this Decree;

dd) Take measures to ensure information security, information security and information management as prescribed in Article 23d of this Decree;

7. The management and licensing of social networks comply with the following provisions:

a) Classification of social networks:

Foreign social networks are provided across borders into Vietnam by foreign organizations and individuals. The management of foreign social networks shall comply with the provisions of Article 22 of this Decree.

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

- Social network with a large number of regular visitors: Is a social network with a number of regular visitors (UV- Unique Visitor) in 01 (one) month from 10,000 people or more.

- Social networks with a low number of regular visitors: is a social network with a number of regular visitors in 01 (one) month below 10,000 people.

b) Organizations and enterprises in Vietnam may only provide social network services when having a license to provide social network services (for social networks with a large number of regular visitors) or have notified in writing to competent state management agencies and confirmed in writing by competent State agencies (for social networks have a low number of regular visitors).

c) The Ministry of Information and Communications shall review, make statistics and issue a written notice on which social networks have to submit dossier of application for licensing as prescribed in Article 23dd, Article 23g of this Decree for social networks with a large number of regular visitors.

d) Only social networks that have been granted licenses by the Ministry of Information and Communications to provide social network services may provide livestreaming services or other revenue-generating services;

Social networks with a low number of regular visitors can apply for a license to provide social networking services if there is a need to provide livestreaming services or other revenue-generating services.

dd) Multi-service social network is a social network that integrates other specialized services to use social network member’s data to optimize business and service activities on social networks. Multi-service social networks, when integrating other specialized services in conditional business lines (requiring a license or certificate of business eligibility), must carry out procedures for applying for a license or certificate of business eligibility for such specialized services. The services may be provided only when licensed and must comply with specialized laws;

e) If internal websites and specialized websites provide social networking services, must comply with Clause 8 of this Article;

g) Accounts, fanpages, channels on domestic social networks or foreign social networks providing cross-border services to Vietnam with 10,000 followers/registrations or more must inform contact information to the Ministry of Information and Communications, using Form No. 05 in the Appendix issued with this Decree and sending the notice in one of the following forms: sending notice in person or by post or by electronic means;

Accounts, fanpages, channels on domestic social networks or foreign social networks that provide cross-border services to Vietnam with a following/registered number of less than 10,000 people are not required to notify. However, if they want to use online video streaming services (livestream) or participate in services that generate revenue in any form, they must notify the Ministry of Information and Communications in accordance with Form No. No. 05 in the Appendix issued together with this Decree and sending the notice in one of the following forms: sending notice in person or by post or by electronic means;

h) Social networks only allow that have notified contact information to the Ministry of Information and Communications to use livestream services and participate in generating revenue in any form;

i) The owners of accounts, fanpages, channels on domestic social networks or foreign social networks providing cross-border services to Vietnam must be responsible for managing the content posted on their accounts, fanpages and channels (including comments of users); are responsible for preventing and removing information that violates the law, information that affects the lawful rights and interests of other organizations and individuals, and information that affects children posted on their accounts fanpages and channels within 03 hours upon request from users or management agencies.

8. Domestic organizations and enterprises, when providing social network services, must satisfy the following conditions:

a/ Being an organization or enterprise established under Vietnamese law, having the functions, tasks or business registration that already posted on the National Business Registration Portal in accordance with the social network services provided;

b/ Having units and personnel that satisfy the provisions of Article 23a of this Decree;

c/ Having registered to use domain names to provide social network services and satisfy the provisions of Article 23b of this Decree;

d/ Satisfying technical conditions specified in Article 23c of this Decree;

dd) Taking measures to ensure information security and manage information as prescribed in Article 23d of this Decree;

9. Validity of licenses and certificates

a) The license to set up a general website, the license to provide social networking services may be valid for a term at the request of the organization or enterprise but must not exceed 5 years.

b) The license to set up a general website, the license/certificate to notify the provision of social networking services is no longer valid when the organization or enterprise is dissolved, bankrupt, revoked or after 12 (twelve) months from the effective date of the license, if the organization or enterprise does not implement the actual operation or there is no report to the licensing/certification authority. The licensing/certification authority will issue a decision to revoke the expired licenses/certifications and notify them on the licensing/certification agency's website.

In case the license to set up a general website, the license/certificate of notification of providing social networking services is no longer valid or revoked, the license re-issuance shall be carried out as a new issuance procedure according to the provisions of Article 23e, Article 23g of this Decree.

10. Licensing competence:

a) The Ministry of Information and Communications shall grant licenses to provide social network services to 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 certificate of notification for social networks with a low number of regular visitors.

c) The Authority of Broadcasting and Electronic Information (Ministry of Information and Communications) shall grant the license to establish a general website for press agencies, diplomatic and consular agencies, organizations and enterprises directly under the Central Government and religious organizations operating legally in Vietnam; foreign governmental and non-governmental organizations operating legally in Vietnam; Departments of Information and Communications and other agencies and organizations as prescribed by the Ministry of Information and Communications;

d) Departments of Information and Communications shall grant licenses to set up general websites for organizations and enterprises not specified at Point c of this Clause and have their head office operating in their localities.

11. Information and location to be displayed on domestic websites and 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, contact phone number; name of the person who is responsible for managing the content.

General websites and social networks must have license numbers/ certificates of validity, including information about date, month and year of issue, licensing agencies;

The name of the page (if any) and the name of the service (general website or social network) must be clearly written below the page name/application name, in font size 2/3 of the font size of the name’s page and have a color that doesn't mix with the background color. The page name must not be the same as the name of the press agency, do not use words (in Vietnamese or equivalent foreign languages) that may cause confusion as a press agency or journalistic activity such as: newspaper, magazine, news, news, radio, television, media, news agency, etc.

b) For websites accessed through domain names: Page names and service type names placed on top of the homepage, other information to be displayed is located at the bottom of the homepage;

For websites accessed through online apps: The name of the page and service name must be shown directly below the app's logo; other information to display is in the Contact info section.

12. Reporting:

a) Organizations and enterprises granted licenses to set up general websites, a license/certificate of provision of social networking services to carry out the regime of reporting once a year (on December 31 every year) using form No. 20 (for general website) or form No. 14 (for social networks) in the Appendix issued with this Decree, or unexpectedly reported at the request of competent state management agencies.

The report is sent directly, by post or electronically to the Ministry of Information and Communications (The Authority of Broadcasting and Electronic Information) and the Department of Information and Communications of the locality where the enterprise registers its headquarters.

b) The Department of Information and Communications sends a report every six months on state management of electronic information on the local network to the Ministry of Information and Communications (The Authority of Broadcasting and Electronic Information). The report includes the assessment of management, licensing, handling of violations, data on licensing, handling of violations, proposals, recommendations, etc.

Reports are submitted in person, by post or electronically by December 31 and June 30 of each year.

**19. Article 23a is amended as follows:**

**" Article 23a. Conditions on organization and personnel for domestic general websites and social networks.**

1. There is an information content management department, in which at least 01 personnel responsible for managing information contents are Vietnamese nationals or foreigners with temporary residence cards issued by competent agencies with a validity of at least 06 months in Vietnam from the time of submission of dossiers.

Personnel responsible for managing information content must participate in online information management training course organized by the Ministry of Information and Communications within 12 months of being licensed to operate.

2. Have head office with clear address and contact phone number and contact."

**20. Article 23b is amended as follows:**

"**Article 23b. Conditions on domain names and page names**

1. For organizations or enterprises that are not press agencies, the sequence of characters that make up the domain name or page name must not be the same or identical with the name of the press agency.

 2. Domain names, page names that do not use words (in Vietnamese or equivalent foreign languages) that may cause confusion as press agencies or press activities such as newspapers, magazines, news, radio, television, media, etc.

3. General websites and social networks use the domain name “.vn” as the main domain name and store information on a server system with an IP address in Vietnam.

4. The domain name “.vn” must have at least 06 months remaining validity at the time of licensing application and must comply with regulations on management and use of Internet resources. For international domain names, there must be a confirmation of using the legal domain name.

5. The general website licensed by the Department of Information and Communications of the provinces and centrally-run cities shall not use domain names with the same sequence of characters as other local names.

6. General electronic information sites and social networks must not use the same domain name with the same sequence of characters;”

**21. Article 23c is amended as follows:**

a) Point a and Point b Clause 1 are amended as follows:

“a) For general information websites: Archive at least 90 days for general information content from the time of posting; keep at least 02 years for the log of information processing posted;

Connect to the monitoring system of the Ministry of Information and Communications to serve the monitoring and posting of articles on the general website and statistics on the number of users accessing them when required;

b) For social networks: Store at least 02 years of account information, login and logout time, user's IP address and posted information processing log;

b) To amend and supplement Point a, Clause 2 as follows:

“a) Register and store members' personal information, including: Full name; date of birth; identity card number/citizen identification card/passport issue date, place of issue or verified phone number and email address (if any). In case the Internet user is under 14 years old and does not have an identity card/citizen identification card/passport, the legal guardian shall decide to register the guardian's personal information according to the provisions of this point to express permission and be responsible before the law for such registration;”

**22. Article 23d is amended as follows:**

**" Article 23d: Conditions for management of information content for general websites and social networks in the country**

1. Conditions on information management for general information websites.

a) Having an information management process: Determining the scope of exploited information sources, managing and checking information before and after posting;

b) Having a mechanism to control information sources, ensuring that aggregated information posted does not infringe copyright and must be exactly according to the source content; The quoted content may only be released at least 30 minutes after the source content is released, according to a written agreement between the general website and the press agency; the recitation content must be removed immediately after the source content is removed;

c) Having tools by electronic means to receive and handle users' complaints about content and copyright; have a mechanism to coordinate in handling infringing content at the request of competent authorities.

d) Do not publish comments or comments of readers on the content of the news or articles cited;

dd) The aggregated content clearly states the author's name and the source's name (write the full name of the source), the time it was published and broadcast, and put a link to the source article at the end of the cited article;

e) Separate the discussion and question-and-answer columns directly related to the functions, tasks, powers, organizational apparatus, services, products and industries serving the activities of the agency or organization itself.

2. Conditions on information management for social networks:

a) There is an agreement on the provision and use of social networking services in accordance with the provisions of Point dd Clause 2 Article 23 dd of this Decree and posted on the homepage of the social network; ensure that users must agree to an agreement to use social networking services (by electronic means) to be able to use services and utilities of social networks;

b) Having a specialized department to handle the following issues:

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

- Resolve and respond to complaints from Vietnamese users;

c) Having a solution to censor content posted on social networks and a coordination mechanism to prevent and remove illegal content at the request of the Ministry of Information and Communications and competent authorities; take measures to temporarily block for a definite term or permanently block accounts, fanpages, and content channels that regularly provide illegal information (at least 05 times in a month providing illegal content and requested to be blocked or removed by the Ministry of Information and Communications);

d) Take measures to protect the confidentiality of private information and personal information of users;

dd) Ensuring the right of users to decide whether to allow their personal information to be collected or provided to other organizations, enterprises or individuals.

e) There are solutions to prevent members from taking advantage of social networks for press activities as prescribed in Clause 2, Article 3 of the Law on Press; Only allow users to play livestream when this account, fanpage or channel has notified contact information with the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information).

g) Display content posted by members in real time, do not arrange in fixed categories, do not order members to produce content in the form of journalistic works to publish in any form;

h) Take measures to control the time for children to use social networks for no more than 120 minutes/day.”

**23. Point a, c, d and dd Clause 1 Article 23 are amended as follows:**

"1. Application for a license to set up a general website:

A dossier of application for a license is made in 1 set, including:

a) An application form for a license to set up a general website, made according to form No. 15 in the Appendix to this Decree;

c) Operational plan signed and sealed by the head of the organization or enterprise applying for the license, including the following main contents: Purpose of providing information; information content, expected categories; information sources (in case of association with a press agency to produce content, it is necessary to clearly state the mechanism for cooperation, production, editing and censorship of news articles, posting them on the general website); printout of the homepage and main category pages; the personnel, technical, information management and financial plan to ensure the operation of the general website in accordance with the provisions of Points b, c, d, and dd, Clause 6, Article 23 of Decree No. this provision; information about the location of the server system in Vietnam;

d) A printout of the homepage and main category pages; the homepage must have full information as prescribed in Clause 11 Article 23 of this Decree”.

dd) The written agreement on cooperation in sources of information between the general website and the press agency should contain the following basic information: The duration of the agreement, the scope of the quoted content, the responsibility for the management of the information. information of each party (the press agency is responsible for notifying the general website to promptly update the revised information), commits not to provide citation information to 3rd parties.

For a general website linked to a press agency for content production: the written agreement must clearly specify the mechanism for cooperation in news production between the general website and the news agency. magazine, in which the press agencies are responsible for the content of news articles within the scope of the link.

**24. Clause 2 Article 23dd is amended as follows:**

"2. Dossier of application for a license to provide social networking services. A dossier of application for a license is made in 2 sets, including:

a) An application form for a license to provide social network services, made according to Form No. 06 in the Appendix to this Decree;

b) A valid copy includes a copy issued from the master register or a certified copy or a copy compared with the original of one of the following papers: Certificate of Business Registration, Certificate of Investment Registration Investment, Establishment Decision (or valid copy of Certificate, other valid equivalent license issued before the effective date of Law on Investment No. 67/2014/QH13 and Law on Enterprise No. 68/2014/QH13 ); Operational charter (for associations and mass organizations);

The establishment decision or the operation charter must have functions and tasks suitable to the scope and field where users can exchange information on social networking sites;

c) Operational plan signed and sealed by the head of the organization or enterprise applying for the license, including the following main contents: Detailed description of services (including fee-based and non-paid services); fee), homepage interface and service page interface, scope; the field of information exchange; a plan on organization of personnel, techniques, information management and finance to ensure the operation of the social network in accordance with the provisions of Points b, c, d, and dd, Clause 5, Article 23 of the Decree. this; Information about the location of the server system in Vietnam

d) An agreement on provision and use of social networking services must contain at least the following contents: Contents prohibited from being exchanged or shared on social networks; rights and responsibilities of users of social networking services; rights and responsibilities of organizations and enterprises providing social networking services; handling mechanism for members violating agreements on provision and use of social networking services; warn users of the risks when storing, exchanging and sharing information on the network; mechanism for settlement of complaints and disputes between social network members and organizations and enterprises providing social networking services or with other organizations and individuals; mechanism for handling users' complaints with information that affects the legitimate rights and interests of organizations and individuals posted by members on social networks; publicize whether or not to collect and process personal data of service users in the agreement to provide and use social networking services; policy on protection of personal information and private information of users of social networking services.

dd) Color printout of the social media homepage.

**25. Article 23e is amended as follows:**

**"Article 23e. Process and procedures for issuance of licenses to set up a general website**

1. Dossier of application for a permit shall be sent directly, by post or by electronic means to the licensing authority as prescribed in Clause 10, Article 23 of this Decree.

2. Within 10 working days from the date of receipt of a valid dossier, the competent authority shall consider and grant a license to set up a general website using Form No. 16 in the attached Appendix. this Decree. In case of refusal, the competent authority shall reply in writing, clearly stating the reason.

3. Within 05 working days after receiving valid dossiers from local press agencies, Departments of Information and Communications of provinces and cities shall appraise and transfer the attached dossiers. a written request for a license to the Ministry of Information and Communications (the Department of Radio, Television and Electronic Information) for consideration and licensing in accordance with law. In case the application does not meet the conditions, the Department of Information and Communications will reply in writing, clearly stating the reason.”

**26. Article 23g is amended as follows:**

**"Article 23g. Procedures and conditions for issuance of licenses to provide social network services, and procedures for issuance of notification certification of providing social network services**

**1. Conditions, procedures for issuance of licenses to provide social network services**

a) Conditions for issuance of licenses to provide social network services

- Social networks with a number of regular visitors in 01 (one) month of 10,000 or more;

(In case the social network has a number of regular visitors in one month of less than 10,000 people but needs to apply for a license to provide livestream services or services with generating revenue, it is still considered for licensing);

- Implement 2-layer account identification (account identification with real name in card/citizen identification and phone number) for members.

- Fully meet the conditions when providing social networking services as prescribed in Clause 8 Article 23.

b) The procedures for issuance of licenses to provide social network services

The Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) will send a written notice to a social network which has the regular number of visitors in 01 (one) month from 10,000 people or more (via by post or by electronic means).

Within 30 working days from the date of receiving the notice, the organization/enterprise must submit an application for a license to provide social networking services to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information). Dossier of application for license shall be sent directly, by post or by electronic means to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information).

Within 07 days from the date of receiving the valid dossier, the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) shall send a document enclosed with the dossier to the Department of Information and Communications of provinces/central cities where the organization/enterprise's head office is located, requesting a physical inspection to satisfy conditions specified at Point a, Clause 1, Article 23g of this Decree at the time of application submission.

Within 15 days from the date of 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 on the results of inspection.

Within 15 days after receiving the written notice from the Department of Information and Communications of the province or central city, the Ministry of Information and Communications shall consider and grant a license according to Form No. 07 in the Appendix issued together with this Decree. In case of refusal, the Ministry of Information and Communications shall reply in writing and clearly state the reasons.

**2. Procedures for issuance of notification certification of providing social network services**

At least 15 working days before providing social network services, organizations and enterprises must send notices on providing social network services according to the Form No. 08 in the Appendix issued with this Decree to the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information). Notifications can be sent in person, by post or electronically.

Within 15 working days after receiving a valid notice, the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) issues a notification certificate of providing social network services using the form No. 10 in the Appendix attached to this Decree".

**27. Article 23h is amended as follows:**

**"Article 23h. Amending, supplementing, extending and re-granting licenses for establishment of general websites and licenses for providing social network services; changing content in notification certification of providing social media service.**

1. Agencies competent to grant licenses and certifications shall consider and decide on the amendment, supplementation, re-issuance and extension of licenses and certifications.

2. Procedures for amending and supplementing licenses and certifications

a) Organizations and enterprises that have a license to set up a general website and a license/certificate of providing social networking services must carry out procedures for amending and supplementing the license in the following cases: Change the name of the organization or enterprise; address of head office, change of server location, change of responsible personnel; change the page name (if any), change or supplement information content, method of providing information (domain name, application distribution system) for the general website; change the name of the social network (if any), the type of service, the scope of service provision (domain name, application distribution system) for the social network;

b) Organizations and enterprises shall send dossiers of request for amending and supplementing licenses/certifications according to Form No. 17 (for websites), Form No. 11 (for licenses to provide social networking services), Form No. 09 (Change notification certification of providing social network services) in the Appendix issued with this Decree and relevant documents to the licensing authority.

c) Within 10 working days since receiving the valid application, the licensing authority shall appraise and grant amendments and supplements to the issued licenses and certifications according to Form No. 16 (for a general website), Form No. 07 (for a license to provide social networking services), Form No. 10 (Certificate of providing social network services) in the Appendix issued together with this Decree after updating the amended and supplemented contents and clearly stating the date of issuance of the license/certification for the first time, the date of issuance of the amendment or supplement. Amended and supplemented licenses take effect from the date of issuing amendments and supplements to the expiry date of the original granted license. In case of refusal, the licensing agency shall reply in writing, clearly state the reason.

3. License renewal

a) At least 30 days before the expiration of the license, the organization or enterprise that wants to renew the granted license shall send a written request for extension according to Form No. 18 (for the general website), Form No. 12 (for social networks) in the Appendix of this Decree.

b) Within 10 working days from the date of receiving a valid written request, the licensing authority shall appraise and grant extension of the granted license according to Form No. 16 (for the general website), Form No. 07 (for the license to provide social network services) in the Appendix of this Decree. The consideration for license renewal is made based on the organization's compliance with the provisions of the license and relevant laws on electronic information management. The renewal license must clearly state the following contents: date of first license issuance and date of renewal license issuance.

In case of refusal, the licensing authority shall reply in writing, clearly state the reason;

c) The license may be renewed no more than once and not more than two years.

4. When licensed general electronic information and social network transfer or change owner, they must carry out the procedures for re-grant of a license according to the provisions of Article 23e, Article 23g of this Decree.

5. Re-issuance of license/certification

a) In case the license/certificate is lost, damaged and no longer usable, the organization or enterprise having the license/certificate shall send a written request for re-issuance of the license/certificate to the competent agency according to Form No. 19 (for general information websites), Form No. 13 (for social networks) in the Appendix issued together with this Decree.

b) Within 10 working days from the date of receipt of the written request, the licensing agency shall consider and re-issue the license according to Form No. 16 (for general website), Form No. 07 (for the license to provide social network services) in the Appendix issued together with this Decree. In case of refusal, the licensing agency shall reply in writing, clearly state the reason.

c) The re-issued license has the same contents as the lost or damaged or unusable license. In the re-issued license, it needs to specify the following information: date of first license issuance, date of re-issuance, number of times of re-issuance.”.

**28. Article 23i is amended as follows:**

**"** **Article 23i. Procedures for suspension and revocation of the license to set up a general website and the license to provide social networking services; suspending the provision of social networking services**

1. The licensing and certification agencies defined in Clause 10, Article 23 of this Decree shall issue decisions to suspend the use of general website licenses, licenses for provision of social network services and suspend the provision of social network services for 03 months when organizing/enterprise violates one of the following cases:

a) Violations specified at Points d, e, e, g, h, Clause 1, Article 5 of this Decree;

b) Failed to satisfy the conditions specified in Clause 6 or Clause 8, Article 23 of this Decree after being requested in writing by the licensing agency.

c) Failed to carry out procedures for requesting a license to provide social network services more than 60 days after receiving the notification from the Ministry of Information and Communications (The Authority of Broadcasting and Electronic Information).

2. The licensing/issuance authority that issues a decision to revoke the license to set up a general website, license or certificate of notification of providing social network services and suspend the provision of social network services in the following cases:

a) When organizations and enterprises violate the provisions of Points a, b and c, Clause 1, Article 5 of this Decree;

b) When the organization or enterprise is suspended from the license but does not remedy the violation as required after the expiration of the license suspension period;

c) When organizations and enterprises do not carry out procedures for granting licenses to provide social network services more than 90 days from the date of receiving the notification of the Ministry of Information and Communications (The Authority of Broadcasting and Electronic Information)

d) When agencies, organizations and enterprises set up general websites or social networks while they receive a written notices of terminating operation or return of licenses/certificates".

dd) When the license to set up a general website, the license/certificate of notification of providing social network services of organizations and enterprises is no longer valid as prescribed in Clause 9 Article 23 of this Decree.

3. Order and procedures for suspension and revocation of licenses for establishment of general websites, licenses or certificates of notification of providing social network services and suspension of social network service provision:

a) When detecting that the organization or enterprise violates the provisions of Point a, Clause 1 of this Article, the licensing/issuance authority shall issue a decision to suspend the license to set up a general website, license or certificate of notification of providing social network services and suspension of social network service provision for 03 months.

b) When detecting that the organization or enterprise violates the provisions of Point b, Clause 1 of this Article, the licensing/granting agency shall recognize the written notice requesting the organization or enterprise to remedy it. After 10 working days from the end of the required time in the written notice that the organization or enterprise does not remedy, the licensing/issuance authority will issue a decision to suspend the license to set up a general website, license or certificate of notification of providing social network services and suspend the provision of social network services for 03 months.

c) When detecting that the organization or enterprise violates the provisions of Clause 2 of this Article, the licensing/issuance authority shall issue a decision to revoke the license to establish a general website, license or certificate of notification of providing social network services and suspension of social network service provision".

4. Competent State management agencies shall use necessary technical measures to prevent the contents of information breaching the provisions of Clause 1, Article 5 of this Decree, in the following cases:

a) Competent State management agencies cannot contact organizations and individuals managing websites;

b/ Organizations and individuals managing websites that do not cooperate to remove information that violates law at the request of competent state management agencies.

**29. Clause 3, Clause 4, Clause 5 Article 24 is amended as follows:**

"3. Develop a process for general information management, promptly update and adjust the contents of the re-introduction when the source contents change;

4. Examine, monitor and remove content that violates Clause 1, Article 5 of this Decree no later than 03 hours when self-censoring or when having a legitimate complaint of the service user, or at the request from Ministry of Information and Communications, Department of Information and Communications in the locality (in writing, by phone, by electronic means);

5. Implement solutions to protect children in the online environment as prescribed in Articles 35, 36, and 37 of Decree No. 56/2017/ND-CP dated May 9, 2017 of the Government detailing regulations of Children's Law.

**30. Article 25 is amended as follows:**

**"Article 25. Rights and obligations of organizations and enterprises providing social network services in Vietnam**

Organizations and enterprises providing social network services have the following rights and obligations:

1. To provide social network services in accordance with the provisions of law and agreements on provision and use of services with users; checking and supervising only legal compliance services provided on the social networking platform.

2. To manage social network activities in accordance with law and agreements on provision and use of services;

3. To ensure the right of users to decide when allowing their personal information to be used for the purpose of promotion, communication and supply to other organizations and individuals;

4. Not actively produce or ask members of social networks to produce content in the form of press works for publication in any form; not allow members to take advantage of social networks for press activities as prescribed in Clause 2 Article 3 of the Press Law.

5. To examine, supervise and remove contents of violations of Clause 1, Article 5 of this Decree, within 03 hours when self-detecting when having the request of the Ministry of Information and Communications, the Department of Information and Communications in the locality (in writing, telephone, electronically);

Notify the person who posted the complained content: the reason for the content being temporarily locked or deleted; set up a mechanism for these person to be able to respond.

6. To prevent, remove and promptly notify competent state agencies if they find that any information on social networks may result in a serious criminal act threatening the lives or safety of others;

7. To supply personal and private information of users related to terrorist, criminal or law-breaking activities at the request of competent state management agencies.

8. Having at least 01 server system located in Vietnam to meet the inspection, examination, storage and provision of information at the request of competent state management agencies and settle customer complaints about the provision of services as prescribed by the Ministry of Information and Communications.

9. To register, store, identify and manage personal information of users, identify user accounts on social networks in accordance with regulations of the Ministry of Information and Communications. Ensuring that only users who have provided sufficient and accurate personal information as prescribed may interact as prescribed in Clause 2, Article 23c of this Decree.

10. To implement solutions to protect children in the network environment as prescribed in Article 35, Article 36 and Article 37 of the Government's Decree No. 56/2017/ND-CP of May 9, 2017, detailing a number of provisions of the Law on Children".

11. To report according to regulations and be subject to inspection and examination by competent state management agencies."

**31. Clause 5 Article 26 is added as follows:**

"5. To comply with specialized laws when providing specialized information and services on social networks; comply with tax regulations when conducting revenue-generating activities on social networks.

**32. Article 27a is added as follows:**

"**Article 27a. Procedures for registration of providing information content services on mobile telecommunications networks**

1. Dossiers of registration for provision of information content services.

Organizations and enterprises send 01 set of dossier for registration of provision of information content services on mobile telecommunications networks directly, or by post, or electronically to the Ministry of Information and Communications (The Authority of Broadcasting and Electronic Information), including the following documents:

a) The declaration for registration of provision of information content services on mobile telecommunication network using the form No. 21 in the Appendix issued with this Decree;

b) Certified copy: Enterprise registration certificate or investment certificate or establishment decision or press operation license, telecommunications license; copies of operation charters (for associations and organizations) with functions, tasks or registration of enterprises providing information content services on mobile telecommunication networks.

c) Decide on the allocation of valid short message service numbers allocated by the Department of Telecommunications (if any);

2. Time limit and process of processing dossiers.

Within 25 (twenty-five) days after receiving a valid dossier, the Ministry of Information and Communications (Department of Radio, Television and Electronic Information) considers and grants the certificate of registration of provision of information content services on mobile telecommunication networks to organizations, enterprises according to Form No. 22 in the Appendix issued with this Decree. In case of refusal, the competent agency has a written reply, clearly stating the reason.

3. Within 10 (ten) days after receiving a valid dossier from the Authority of Broadcasting and Electronic Information transferred to the Authority of Telecommunications, the Authority of Telecommunications may reply on the result of registration of the grant of short message numbers."

4. The certificate of registration of provision of information content services on mobile telecommunications networks for a period of time at the request of organizations and enterprises but must not exceed 05 (years).

5. The certificate of registration of providing information content services on mobile telecommunications networks is no longer valid when the enterprise is dissolved, goes bankrupt or after 12 (twelve) months from the effective date of the certificate but the enterprise does not actually implement the provision of information content services.

In case the certificate of registration of provision of information content services on mobile telecommunication networks is no longer valid or revoked, the re-grant of the license shall comply with the procedures for issuance as prescribed in this Article.

**33. Article 27b is added as follows:**

"**Article 27b. Amendment, supplementation and re-grant of certificates of registration of provision of information content services on mobile telecommunications networks**

1. Organizations and enterprises must follow procedures for amending and supplementing the certificates of registration of provision of information content services which have been granted upon change of the following contents:

a) Name of the organization or enterprise;

b) Address of head office;

c/ The organization's legal representative; enterprises;

d) Content and name of the service;

dd) Short message number.

e) Method of service provision;

g) Syntax of service registration;

2. Organizations and enterprises send 01 (one) set of dossier requesting amendments and supplements to the certificate of registration of provision of information content services on mobile telecommunications networks directly, or by post or electronic means to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information, including the following documents:

a) An application form for amendment or supplementation of the certificate, made according to form No. 23 of the Appendix attached to this Decree;

b/ To describe in detail the contents of the request for amendments and supplements and relevant supporting documents.

3. Within 15 (ten) working days after receiving a valid dossier, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) considers granting certificates of amendments and supplements to the certificate of registration of provision of information content services on mobile telecommunications networks using the form No. 22 in the Appendix issued with the Decree this definition for organizations and enterprises after updating the amendments and supplements and clearly specifying the date of issuance of the first certificate, the date of issuance of the certificate of amendment and supplementation. The amended or supplemented certificate is valid from the date of issuance of amendments and supplements to the expiration date of the originally issued certificate. In case of refusal, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) has a written reply, clearly stating the reason for refusal.

4. Renewal of Certificate

a) At least 30 days before the expiration of the certificate, the organization or enterprise wishing to extend the issued certificate sends an application for extension of the Certificate using the form No. 24 in the Appendix issued with this Decree.

b) Within 10 working days after receiving a valid written request, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) appraises and grants the extension of the certificate using the form No. 22 in the Appendix issued with this Decree. The renewal of certificates shall be based on the enterprise's compliance with the provisions in the certificate of registration of provision of information content services on mobile telecommunication networks and the provisions of law on provision of information content services on mobile telecommunication networks. The renewal certificate clearly states the contents: the date of issuance of the first certificate, the date of issuance of the renewal certificate.

In case of refusal, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) has written reply, clearly stating the reason;

c) The certificate is renewed no more than 01 time and not exceeding 02 years

5. Re-issue the Certificate

a) In case the certificate of registration of provision of information content services on the mobile telecommunication network is lost or damaged, the enterprise sends an application for re-grant of the Certificate using the Form No. 25 in the Appendix issued with this Decree to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information);

b) Within 10 working days after receiving a valid application, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) considers and re-grants the Certificate using the Form No. 22 in the Appendix issued with this Decree. In case of refusal, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) has a written reply, clearly stating the reason for refusal.

c) The re-issued certificate has the same contents as the certificate which has been lost or damaged and is no longer usable. The re-issued certificate clearly states the information: the date of issuance of the first certificate, the date of re-issuance, the number of re-grants.

**34. Article 28 is amended as follows:**

**"Article 28. Rights and obligations of organizations and enterprises providing information content services on mobile telecommunication networks**

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

1. To set up equipment systems at locations where they are legally entitled to use them in accordance with law and rent telecommunications transmission lines to connect to telecommunications businesses;

2. Having at least 01 server system located in Vietnam to meet the inspection, examination, storage and provision of information at the request of competent state management agencies and settle customer complaints about the provision of services as prescribed by the Ministry of Information and Communications;

3. To be allocated telecommunications number storages and Internet resources according to the planning and regulations on management of telecommunications resources;

4. To ensure that only information in compliance with relevant laws is provided to users of services; to prevent or remove information contents in violation of the provisions of Article 5 of this Decree within 03 (three) hours from the request of competent state management agencies.

5. To publicly promulgate agreements on provision and use of content services, guide the settlement of complaints to users before providing services in accordance with relevant laws.

6. To provide services in accordance with the announced quality and service charges to service users;

7. For services provided periodically (day, week, month, quarter, year), the service is provided only after the confirmation of the consent of the service user by SMS and there is a notification of response by SMS with the following information: "You have successfully registered "The name of the service has just registered", codes, service provision numbers, billing cycles, rates, cancellations, support call center to advise service users.

8. To ensure that users have the ability to refuse, cancel or query registered information services in appropriate form without charge (texting to the service number, calling the support call center or accessing the website providing information of the enterprise and other forms).

9. To ensure the provision of services in accordance with the requirements of registered users; do not charge for information content services that users do not receive or receive incomplete and complete information content in accordance with the registered requirements.

10. The advertising contents of the service must include the following information: Service name, service provision code, business name code, registration way, billing cycle, charge rate, way of refusal, support call center to advise service users.

For subscribers who have registered to use the service periodically, organizations and enterprises providing services must send SMS to users notifying about automatic renewal of services in accordance with the following provisions:

a) Notification information: Name of service, code, number of service provision, billing cycle, charge rate, cancellation, customer consultation support call center.

b) Time and periodically send notices: Notify every 07 days from the date of successful registration with services periodically day and week. Notify every 30 days from the date of successful registration with monthly and annual services; Notification time is from 07:00 to 22:00 daily.

In case the subscriber has SMS in the syntax to cancel the service, the organization or enterprise providing the service must have a message notifying about the result of processing this cancellation request."

11. To store at least 180 (one hundred and eighty) days of information provided; store at least 01 (one) year of data on handling registration requests, requests to stop providing services, details of charges, complaint information of users and results of complaint handling from the date of receiving and handling to serve the inspection, check according to regulations."

12. To store at least 90 (ninety) days of information provided; store at least 01 (one) year of data on handling registration requests, requests to stop providing services, details of charges, complaint information of users and results of complaint handling from the date of receiving and handling to serve the inspection, check as prescribed.

13. To prevent or remove information contents in violation of the provisions of Article 5 of this Decree within 03 (three) hours from the request of competent state management agencies.

14. Content service-providing enterprises must have call center to assist and advise service users.

15. To implement the reporting regime as prescribed in Article 29b of this Decree and be subject to inspection and examination by competent state management agencies."

**35. Article 29 is amended as follows:**

**"Article 29: Rights and obligations of mobile telecommunications businesses**

Mobile telecommunications businesses have the following rights and obligations:

1. To perform business cooperation with organizations and enterprises providing information content services on mobile telecommunication networks on the following principles:

a) Through negotiation on the basis of ensuring fairness, reasonableness and conformity with the rights and interests of the parties;

b) Effective use of telecommunications resources and telecommunications infrastructure;

c) Ensuring safe and unified operation of telecommunications networks;

d/ To ensure the legitimate rights and interests of telecommunications service users and relevant organizations and individuals;

dd) Provide connections to organizations and enterprises providing information content services on mobile telecommunication networks at any technically feasible point on telecommunications networks and make timely, reasonable, public and transparent connections;

e) There is no discrimination regarding connection, freight, payment, standards and technical regulations on telecommunications, network quality and telecommunication services.

2. To take responsibility for controlling the processes and service provision systems of enterprises providing content services, ensuring the registration, authentication, refusal, extension, cancellation of services, collection of charges and notification to service users in accordance with relevant laws."

3. To suspend or stop connecting with organizations and enterprises providing information content services on mobile telecommunication networks in the following cases:

a) Telecommunication enterprises themselves detect or receive reports and complaints about the contents of infringing information specified in Article 5 of this Decree, and immediately notify the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) by telephone, in writing or electronic means within 3 (three) hours from the date of discovery of the contents information about violations.

b/ At the request of competent state agencies by telephone, in writing or electronically.

c) When there is a decision to revoke the certificate of registration of provision of information content services on the mobile telecommunication network, the decision on revocation of SMS or the notice of acceptance of return of SMS of the Authority of Telecommunications.

4. Refusing to connect with information content service providers when enterprises do not have certificates of registration of provision of information content services on mobile telecommunications networks and decide to allocate short message service numbers from competent state agencies or certificates of registration of provision of information content services on the network mobile telecommunications expires;

5. Mobile telecommunications businesses shall consistently use codes and numbers in accordance with the planning on digital warehouses for users to query information about information content services being used. The content of information provided to users includes: Service name, code, service number, registration start date, billing cycle, rates, how to cancel the service.

6. Send SMS notification to subscribers when deducting content service fees from telecommunications accounts;

7. To coordinate with organizations and enterprises providing information content services on mobile telecommunication networks to settle complaints and disputes about rates and service quality for users as prescribed in Article 29a of this Decree.

8. To report according to the provisions of Article 29b of this Decree and be subject to inspection and examination by competent state management agencies."

**36. Article 29a is added as follows:**

**"Article 29a: Resolving complaints about the provision of information content services on mobile telecommunications networks**

1. Mobile telecommunications enterprises and organizations providing information content services on mobile telecommunications networks are obliged to organize the receiving of complaints of service users about information content services provided. In case a mobile telecommunications enterprise is the receiving point, it must transfer complaints of service users about content services to enterprises providing information content services within 24 hours from the time of receiving them and have the task of coordinating in the process of settlement.

The lead in receiving complaints about content services of service users shall reply and notify the settlement results to service users. Service users can complain about issues related to the provision of information content services on mobile telecommunication networks through the following forms: Documents, emails, telephone numbers answered online or directly at organizations and enterprises providing services.

2. Organizations and enterprises providing information content services shall take charge of settling complaints. In case of detecting the collection of fees for use of content services in the wrong way, organizations, content service providers and telecommunications businesses shall have to refund the wrongly collected service charges to service users within 03 (three) days from the result of complaint settlement.

3. Time of complaint: No more than 90 (ninety) days after the provision of services is completed.

4. Time limit for complaint settlement: No more than 15 (fifteen) days after receiving the complaint.

5. In case of disagreeing with complaint settlement results of organizations or enterprises providing information content services, service users may initiate civil lawsuits at courts in accordance with the law on civil procedures."

**37. Article 29b is added as follows:**

**"Article 29b: Reporting Mode**

1. Organizations and enterprises providing information content services may make reports once a year and make unexpected reports at the request of competent state management agencies. The contents and forms of sending reports and time for making reports are as follows:

a) Contents of the report made according to form No. 26 in the Appendix issued with this Decree;

b) Reporting period: before December 31 every year;

c) Form of sending reports: send in person, by post or by electronic means to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) and Department of Information and Communications in the locality where the enterprise registers its head office.

2. Organizations and enterprises of mobile telecommunications carry out the regime of reporting once a year and report unexpectedly at the request of competent state management agencies.

The contents and forms of sending reports and time for making reports are as follows:

a) Contents of the report made according to form No. 27 in the Appendix issued with this Decree;

b) Reporting period: before December 31 every year;

c) Form of sending reports: sending directly or using postal services, or electronically to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information, Authority of Telecommunications) and Department of Information and Communications in the locality where the enterprise registers its head office."

**38. Clause 2 and Clause 3 Article 31 are amended as follows:**

"2. Enterprises may provide G1 video game services online when they have a license to release G1 video games online for each G1 video game online;

3. Enterprises may provide G2, G3 and G4 video game services online when having certificates of online G2, G3, G4 video game release for online G2, G3, G4 video games."

**39. Article 2 Article 31a is amended as follows:**

**" Article 31a. Classification of video games by age of players**

1. Video games are classified according to the following ages:

a) Video games for players aged 18 years and over (18+) are games with fighting activities using weapons; no activity, sound, images, language, erotic dialogue;

b) Video games intended for players aged 16 years or older (sign 16+) are games with fighting and fighting activities using weapons; inactivity, images, sounds, language, dialogue, erotic-wearing characters, close-up footage that brings attention to sensitive parts of the human body;

c) Display the results of classifying video games by age of players in the upper left corner of the advertising frame and device screen while the player is using the video game service.

3. When detecting that an enterprise classifies G2, G3, G4 video games on the Internet according to the age of the players not in accordance with the provisions of Clause 1 of this Article, the Ministry of Information and Communications (Department of Radio and Television) and electronic information) has a written request to the enterprise to readjust the classification of the game within 10 working days.

In case the enterprise fails to adjust the results of the game classification according to the age of the players as required, the Ministry of Information and Communications (the Department of Radio, Television and Electronic Information) shall request the enterprise in writing to stop providing the game. provide services for that game and implement solutions to ensure the interests of players. After 10 working days from the date of issuance of the above document, if the enterprise does not stop issuing it at the request, the Ministry of Information and Communications (Department of Radio, Television and Electronic Information) shall withdraw G2, G3, G4 video game release certificate.”

**40. Article 32c is amended as follows:**

**"Article 32c: Issuance of licenses for the release of G1 video games online**

1. An enterprise shall be granted a license to publish G1 video games on the Internet when fully meeting the following conditions:

a) Being an enterprise established in accordance with the law of Vietnam, whose professions are to provide online video game services that have been posted on the enterprise's national business registration portal;

b) Having sufficient financial, organizational, personnel and technical capacity in accordance with the operation scale and corresponding provisions in Article 32d of this Decree;

c) The contents and script of the video game do not violate the provisions of Clause 1, Article 5 of this Decree; no images, sounds, or language that specifically describe the following actions: Terrorism, murder, torture, ill-treatment, abuse, trafficking in women and children; incitement to suicide, violence; obscene, vulgar, contrary to the moral tradition, culture, fine customs and traditions of the nation; distort or destroy historical traditions; violation of sovereignty and territorial integrity; use drugs, drink alcohol, smoke tobacco; gambling and other harmful or prohibited conduct;

d) Online video games with results of game classification by age suitable to game content and scenario as prescribed in Clauses 1 and 2, Article 31a of this Decree.

2. The license to publish G1 video games on the Internet has a term according to the term of the authorization letter allowing the game to be released in Vietnam but must not exceed 5 years. In the event that the game authorization document expires, if the online game provider continues to be authorized to publish the game, it will carry out the procedures for renewing the License or requesting the re-issuance of the License.

3. The license to publish G1 video games on the Internet will expire in case the enterprise is dissolved, bankrupt, revoked or after 12 (twelve) months from the effective date of the License. the business does not actually deploy the game release. The Ministry of Information and Communications will issue a decision to revoke the expired License and notify it on the website www.mic.gov.vn.

4. In case the license to distribute G1 video games online is revoked or expired, the re-issuance of the license shall be carried out in the same way as the procedures for new issuance according to the provisions of Articles 32g and 32h of this Decree.

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

**41. Article 32d is amended as follows:**

"**Article 32d: Conditions on organization, personnel and techniques for the release of G1 video games online**

1. Having a head office with a clear and contactable address and phone number.

2. Having sufficient financial capacity and a team of video game administration personnel appropriate to the scale of operations;

3. Having a system of technical equipment in service of the enterprise's online game publishing and management, ensuring that the following conditions are met:

a) Store and fully update player's personal information including: Full name; date of birth; permanent registered address; identity card/citizen identification card/passport number (issued date, place of issue) or authenticated phone number; email address (if any). In case the player is under 14 years old and does not have an identity card/citizen identification card/passport, the legal guardian of the player decides to register the guardian's personal information to show his consent. and take responsibility before law for such registration;

b) Having a payment connection system with Vietnam's legal payment support service providers, ensuring accurate and complete updating, storage and allowing players to look up information details about your payment account;

c) Manage the playing time of players from 00h00 to 24h00 daily, ensuring that each player aged 18 and over can only play 180 minutes a day for each game; for players under 18 years old, the total playing time of all games of the enterprise must not exceed 180 minutes;

d) Continuously display results of game classification by age for all games provided by enterprises when introducing and advertising games and providing video game services; there is a warning message with the content "Playing more than 180 minutes a day will be bad for health" in a recognizable position in the game's forum and on the player's device screen during the game;

dd) Manage player's account information, ensuring direct and synchronous connection with the player's personal information management system and with the enterprise's payment system;

e) Store fully, continuously and accurately update information about the player's use of the service, including: Account name, time of service use, information related to ownership virtual items, virtual units, player bonus points;

g) Manage game forum content (if any), comply with the provisions of Clause 2, Article 23d of this Decree.

4. Have a plan to ensure service quality and ensure the legitimate interests of players.

5. Have a backup plan for equipment and connections, and a data backup plan to ensure system safety when something goes wrong.

6. Having a plan to ensure information safety and security.

7. Having a .vn domain name and complying with the law;”

**42. Article 32g is amended as follows:**

"**Article 32g. Application for A License to Release G1 Video Games Online**

An application for a license to release G1 video games online includes the following documents:

1. An application form for issuance of a license to issue G1 video games online is made according to form No. 28 in the Appendix issued with this Decree, enclosed with the enterprise's commitment to fully implement the rights and obligations of the enterprise specified in Article 34 of this Decree.

2. Valid copy (including copies issued from original books or certified copies or copies compared with originals) enterprise registration certificates or investment registration certificates, or a valid copy of the Certificate or other valid equivalent license issued before the effective date of the Investment Law No. 67/2014/QH13 and the Law on Enterprises No. 68/2014/QH13 (applicable only to enterprises applying for a license to publish G1 video games online for the first time).

3. Papers of legal copyright certification and consular legalization in the home country in written agreement for enterprises to issue video games online in Vietnam (valid copies include copies issued from original books or certified copies of legal copyright and written agreements for enterprises to be issued video games in Vietnam. Certificates and written agreements in foreign languages must be translated into certified Vietnamese).

4. The plan for online release of G1 video games includes the following contents:

a) The plan for online release of video games in one year, the financial capacity, organization, personnel and techniques for the release of the game must satisfy the conditions specified in Article 32d of this Decree;

b) Specific address of the place where the service-providing equipment system is located and the name of the enterprise providing server reservation leasing services (in case of renting a server reservation);

c) Detailed information about methods and scope of service provision (Internet and telecommunications networks) including: Name of enterprise connected to the Internet, domain name, IP address, capacity of connection channels, game distribution channels; including backup plans;

d) Plan to ensure service quality, ensure the interests of players;

dd) A detailed description of the video game content and scenario includes the following information: Name, origin and origin of the game; details of the game's scenario and content; character system, mission system, map (diagram); virtual items system, virtual unit and conversion rate, services, reward points; interactive activities, performing tasks and fighting activities between characters; form of toll collection, release version; methods and results of classification of video games by age of the enterprise;

f/ To describe in detail the management system of personal information of players who satisfy the requirements in Article 32d of this Decree;

g) Equipment for recording typical images, activities and sounds in the game: Images of some character lines, images of some items and equipment for the character; images and activities of the character on duty mainly in the top 5 levels (if any); characteristic antagonistic activity between characters."

**43. Article 32h is amended as follows:**

**"Article 32h. Procedures for issuance of G1 video game license on the network**

1. Enterprises shall submit 01 original dossier of application for an online G1 video game issuance license to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) in one of the following forms: in person, by post or electronically.

2. Within 25 days after receiving a valid dossier, the Ministry of Information and Communications will appraise the game's contents and scenarios. In case of fully meeting the conditions, the Ministry of Information and Communications considers and grants the license to issue G1 video games online to enterprises using the form No. 29 in the Appendix issued with this Decree. In case of refusal, the Ministry of Information and Communications has a written reply, clearly stating the reason for refusal."

**44. Article 32i is amended as follows:**

**"Article 32i. Modification, supplementation, renewal and re-grant of G1 video game release licenses on the network**

1. Enterprises must carry out procedures for requesting the amendment and supplementation of contents of G1 video game issuance licenses on the network already granted in the following cases:

a) Change of enterprise name;

b) Change the name of the legal representative of the enterprise;

c) Change of name and origin of video games;

d) Results of classification of video games by age of players;

dd) Updating or upgrading new versions to change or supplement game contents and scenarios compared to versions already granted release licenses.

e) Change or supplement the method and scope of provision of G1 video game services on the approved network (domain names for games provided on websites; distribution channels for games provided for mobile devices);

g) Change of address of head office, transaction office;

h) Change the address of the reservation or lease of the server.

2. The enterprise shall submit 01 original dossier requesting the amendment and supplementation of the G1 e-game issuance license online to the Ministry of Information and Communications (Department of Radio, Television and Electronic Information) in one of the following forms: in person, by post or electronically.

3. An application for amendment or supplementation of the G1 video game license on the network includes the following documents:

a) An application form for amendment or supplementation of the license to issue G1 video games online, made according to form No. 30 of the Appendix attached to this Decree;

b) Documents and documents proving the reasons for amendment and supplementation.

4. Within 15 days after receiving a valid dossier, the Ministry of Information and Communications appraises the issuance of amendment and supplementation licenses to enterprises using the form No. 29 in the Appendix issued with this Decree after updating the amendments, supplementing and specifying the date of the first license issuance, the date of license amendments and supplements. The amended or supplemented license is valid from the date of issuance of amendments and supplements to the expiration date of the originally granted license. In case of refusal, the Ministry of Information and Communications has a written reply, clearly stating the reason for refusal."

5. License Renewal

a) At least 30 days before the expiration of the license, the enterprise wishes to extend the issued license, send an application form for extension using the form No. 31 in the Appendix issued with this Decree.

b) Within 10 working days after receiving a valid written request, the licensing agency will appraise and grant the license extension using the form No. 29 in the Appendix issued with this Decree. The renewal of the license is based on the enterprise's compliance with the provisions of the license to release G1 video games online and the provisions of the law on the provision of video game services online. The renewal license clearly states the content: the date of issuance of the license for the first time, the date of issuance of the renewal license.

In case of refusal, the licensing authority has a written reply, clearly stating the reason;

c) The license may be renewed no more than once and must not exceed 02 years.

6. Re-issue the License

a) In case the license to release G1 video games online is lost or damaged and can no longer be used, the enterprise will send an application for re-grant of the license using the form No. 32 in the Appendix issued with this Decree to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) clearly stating the number and date of issuance of the issued license and the reason for requesting the re-grant;

b) Within 10 working days after receiving a valid application, the Ministry of Information and Communications will consider and re-grant the license. In case of refusal, the Ministry of Information and Communications has a written reply, clearly stating the reason for refusal.

c) The re-granted license has the same contents as the one that has been lost or damaged and is no longer usable. The re-issued license clearly states the information: the date of first issuance of the license, the date of re-issuance, the number of re-grants.”

**45. Article 32k is amended as follows:**

**"Article 32k. Order and procedures for suspending and revoking G1 video game licenses online**

1. The Ministry of Information and Communications issues a decision to suspend the use of the G1 online game publishing license for a period of 03 months when the enterprise violates one of the following cases:

a) Violations specified at Points d, dd, e, g, h, Clause 1, Article 5 of this Decree;

b) Failure to fully satisfy one of the corresponding conditions specified in Article 32d of this Decree after being requested in writing by the Ministry of Information and Communications to remedy.

2. The Ministry of Information and Communications revokes the license to publish G1 video games online when:

a) The enterprise violates the provisions at Points a, b, c, Clause 1, Article 5 of this Decree;

b) The enterprise has its license suspended as prescribed in Clause 1 of this Article but fails to remedy the violation as required after the suspension period expires.

c) Cases in which the license expires as prescribed in Clause 3, Article 32c of this Decree.

3. Order and procedures for suspension and revocation of the G1 online game publishing license

a) When detecting that an enterprise violates the provisions of Point a, Clause 1 of this Article, the Ministry of Information and Communications shall issue a decision to suspend the license for publishing G1 video games on the network of the enterprise within 3 months.

b) When detecting that an enterprise violates the provisions of Point b, Clause 1 of this Article, the Ministry of Information and Communications shall issue a written notice requesting the organization or enterprise to remedy it. After 10 working days after the expiration of the required time limit in the written notice, if the enterprise fails to remedy it, the Ministry of Information and Communications shall issue a decision to suspend the G1 online game publishing license of the enterprise. business within 3 months.

c) When detecting that the enterprise violates the provisions of Clause 2 of this Article, the Ministry of Information and Communications shall issue a decision to revoke the license to publish G1 video games on the network of the enterprise.”

**46. Article 33 is amended as follows:**

**"Article 33. Issuance of G2, G3, G4 game release certificates online**

1. An enterprise shall be granted a G2, G3, G4 online game release certificate when it meets the following conditions:

a) Being an enterprise established in accordance with the law of Vietnam, whose professions are to provide online video game services that have been posted on the enterprise's national business registration portal;

b) Having a head office with a clear and contactable address and phone number;

c) Having at least 01 electronic game administrator;

d) Having sufficient financial capacity to provide video game services suitable to the scale of operation.

dd) Having a technical system to ensure:

- Store and update players' personal information, including: Full name; date of birth; permanent registered address; identity card/citizen identification card/passport number (issued date, place of issue) or authenticated phone number; email address (if any). In case the player is under 14 years old and does not have an identity card/citizen identification card/passport, the legal guardian of the player decides to register the guardian's personal information to show his consent. and take responsibility before law for such registration;

- Having a payment connection system with Vietnam's legal payment support service providers, ensuring accurate and complete updating, storage and allowing players to look up information details of your payment account;

- Manage the playing time of players from 00h00 to 24h00 daily, ensuring each player aged 18 and over can only play 180 minutes a day for each game; for players under 18 years old, the total playing time of all games of the enterprise must not exceed 180 minutes;

- Have a plan to ensure the quality of services and the interests of players;

 - Take measures to ensure information safety and information security.

e) The contents and script of the video game do not violate the provisions of Clause 1, Article 5 of this Decree; There are no images or sounds that specifically describe the act of murder, torture, incitement to violence, bestiality, eroticism, vulgarity, contrary to the moral traditions, culture, fine customs and traditions of the country. ethnicity, distorting, destroying historical traditions, violating sovereignty and territorial integrity, inciting suicide, using drugs, drinking, smoking, gambling, terrorism, mistreatment, invasion harm, trafficking, women, children and other harmful or prohibited acts;

g) The video game has results of game classification by age suitable to the game content and scenario as prescribed in Clauses 1 and 2, Article 31a of this Decree;

h) Having a .vn domain name and complying with the law;

2. The G2, G3, G4 online game release certificate has a term at the request of the enterprise, but must not exceed 05 years.

3. The online G2, G3, G4 game release certificate is no longer valid in case the enterprise is dissolved, bankrupt, revoked or after 12 (twelve) months from the date of Certificate take effect that the enterprise does not actually deploy the game release. The Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information) will issue a decision to revoke the G2, G3, G4 game release certificate and post a notice on the website www. abei.gov.vn.

4. In case the G2, G3, G4 online game release certificate is revoked or is no longer valid, the re-issuance of the license shall be carried out in the same way as the new issuance procedure as prescribed in Article 33a and 33b of this Decree.”

**47. Article 33a is amended as follows:**

**"Article 33a. Dossier of application for issuance of G2, G3, G4 online game release certificate**

An application for a certificate of issuance of G2, G3 and G4 video games online includes the following documents:

1. An application form for issuance of certificates of issuance of online G2, G3 and G4 video games according to form No. 33 in the Appendix issued with this Decree.

2. Valid copy (including copies issued from original books or certified copies or copies compared with originals) enterprise registration certificates or investment registration certificates, or a valid copy of the Certificate or other valid equivalent license issued before the effective date of the Investment Law No. 67/2014/QH13 and the Enterprise Law No. 68/2014/QH13 (applicable only to enterprises applying for the G2, G3, G4 video game issuance certificate online for the first time).

3. Papers of legal copyright certificate with consular legalization in the locality and written agreement for enterprises to issue video games in Vietnam (valid copies include copies issued from original books or certified copies of legal copyright and written agreements for enterprises to be issued games electronics in Vietnam. Certificates and written agreements in foreign languages must be translated into certified Vietnamese).

4. The plan for online release of G2, G3 and G4 video games includes the following contents:

a) The plan for online video game release in one year, financial capacity, organization, personnel and techniques for game release must meet the conditions specified in Clause 1, Article 33 of this Decree;

b) Specific address of the place where the service-providing equipment system is located and the name of the enterprise providing server reservation leasing services (in case of renting a server reservation);

c) Detailed information about the method and scope of service provision (Internet and telecommunications networks) including: Name of the enterprise connected to the Internet, domain name, IP address, capacity of connection channels, game distribution channels; including backup plans;

d) Plan to ensure service quality, ensure the interests of players;

dd) Describe in detail the management system of personal information of players who meet the requirements in Article 32d of this Decree."

5. A copy of some images describing the content, scenario and gameplay of the game is expected to be issued with the G2, G3, G4 video game release certificate online.

**48. Article 33b is amended as follows:**

**"Article 33b. Procedures for issuance of G2, G3, G4 video game issuance certificates online**

1. Enterprises shall submit 01 original dossier requesting the issuance of certificates of issuance of G2, G3 and G4 video games online to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) in one of the following forms: in person, by post or electronically.

2. Within 20 days after receiving a valid dossier, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) considers and grants the certificate of video game issuance to the enterprise according to form No. 34 in the Appendix attached to this Decree. In case of refusal to issue a certificate, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) has a written reply, clearly stating the reason for refusal."

**49. Article 33c is amended as follows:**

**"Article 33c. Amendment, supplementation, renewal and re-issuance of G2, G3, G4 video game issuance certificates online**

1. Enterprises must carry out procedures for requesting the amendment and supplementation of certificates of issuance of online G2, G3 and G4 video games issued in the following cases:

a) Change of enterprise name;

b) Change the name of the legal representative of the enterprise.

c) Change of name and origin of video games;

d) Results of classification of video games by age of players;

dd) Types of video games in supply (G2, G3, G4);

e) Change or supplement the approved method and scope of provision of G1 video game services (domain names for games provided on websites and distribution channels for games provided for mobile devices);

g) Change of address of head office, transaction office;

h) Change the address of the server or lease.

2. The enterprise shall submit 01 original dossier requesting the amendment and supplementation of the certificate of issuance of video games G2, G3, G4 online to the Ministry of Information and Communications (Department of Radio, Television and Electronic Information) in one of the following forms: direct submission, by mail or electronically.

3. An application for amendment or supplementation of the G2, G3 and G4 video game issuance certificate online includes the following documents:

a) An application form for amendment or supplementation of the online G2, G3 and G4 video game issuance certificates, made according to form No. 35 of the Appendix attached to this Decree;

b) Documents and documents proving the reasons for amendment and supplementation.

4. Within 10 working days after receiving a valid dossier, the Ministry of Information and Communications (Department of Radio, Television and Electronic Information) considers granting the Certificate of amendment and supplementation to the enterprise using the Form No. 34 in the Appendix issued with this Decree after updating the amendments, supplement and specify the date of issuance of the first certificate, the date of issuance of the amended and supplemented certificate. The amended or supplemented certificate is valid from the date of issuance of amendments and supplements to the expiration date of the originally issued certificate.  In case of refusal, the Ministry of Information and Communications (Department of Radio, Television and Electronic Information) has a written reply stating the reason for refusal.

6. To re-issue certificates of online release of G2, G3 and G4 video games in cases where they are lost or damaged and can no longer be used.

a) If the certificate of issuance of video games G2, G3, G4 on the network is lost or damaged, the enterprise sends an application for re-issuance of the certificate to the Ministry of Information and Communications (Department of Radio, Television and Electronic Information) using the Form No. 37 in the Appendix issued with this Decree;

b) Within 10 working days after receiving a valid application, the Ministry of Information and Communications (Department of Radio, Television and Electronic Information) considers and re-grants the Certificate to the enterprise. In case of refusal, the Ministry of Information and Communications (Department of Radio, Television and Electronic Information) has a written reply, clearly stating the reason for refusal.

c) The re-issued certificate has the same contents as the certificate which has been lost or damaged and is no longer usable. The re-issued license clearly states the date of issuance of the first certificate, the date of re-issuance, the number of re-grants. ”

7. Renewal of Certificate

a) At least 15 days before the expiration of the certificate, the organization or enterprise wishes to extend the issued certificate and send an application form for extension of the certificate using the form No. 36 in the Appendix issued with this Decree.

b) Within 10 working days after receiving a valid written request, the licensing agency will appraise and grant the extension of the certificate using the form No. 34 in the Appendix issued with this Decree. The renewal of the certificate is based on the enterprise's compliance with the provisions of the G2, G3, G4 video game issuance certificate online and the provisions of the law on the provision of video game services online. The certificate upon extension clearly states the contents: date of issuance of the first certificate, date of issuance of extension.

In case of refusal, the licensing authority has a written reply, clearly stating the reason;

c/ The certificate is renewed no more than once and must not exceed 02 years.

**50. Article 33d is amended as follows:**

**"Article 33d. Suspension and revocation of G2, G3, G4 game release certificates on the network**

1. The Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) issued a decision to suspend the use of the Certificate of issuance of E-games G2, G3 and G4 online within 03 months when the organization or enterprise violates one of the following cases:

a) Violations specified at Points d, e, e, g, h, Clause 1, Article 5 of this Decree;

b) Not fully meeting one of the corresponding conditions specified in Clause 1, Article 33 of this Decree after being requested in writing by the Ministry of Information and Communications.

2. The Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) shall revoke the certificate of issuance of G2, G3 and G4 video games online when organizations and enterprises violate the provisions of Points a, b and c, Clause 1, Article 5 of this Decree or have their certificates suspended as prescribed in Clause 1 of this Article but have not remedied the violations upon request after the suspension period expires.

3. Order and procedures for suspension and revocation of registration certificates of provision of video game services G2, G3, G4

a) When detecting that the organization or enterprise violates the provisions of Point a, Clause 1 of this Article, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) shall issue a decision to suspend the certificate of issuance of E-games G2, G3 and G4 online of the organization, enterprises within 03 months.

b) When detecting that the organization or enterprise violates the provisions of Point b, Clause 1 of this Article, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) shall issue a written notice requesting the organization or enterprise to remedy it. After 10 working days after the expiration of the time limit required in the written notice that the organization or enterprise does not remedy, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) issued the Decision to suspend the G2 video game issuance certificate, G3, G4 on the network of organizations and enterprises within 03 months.

c) When detecting that the organization or enterprise violates the provisions of Clause 2 of this Article, the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) shall issue a decision to revoke the certificate of issuance of G2, G3 and G4 video games on the network of organizations and enterprises.”

**51. Clause 4 Article 34 is amended as follows:**

“4. Apply player protection measures, including:

a) Contents of advertisements and introductions about games (on advertising programs, websites or online applications of enterprises) must match the content, game scripts, images in the game. has been licensed for release, complies with advertising regulations, and must include the following information: game name; categorize games by age; warnings about possible physical and mental undesirable effects on players;

b) Register personal information of players and apply measures to limit playtime for children and people under 18 years old as prescribed at Points a and c, Clause 3, Article 32d; Points dd and g, Clause 1, Article 33 of this Decree."

**52. Clause 6 Article 34 is amended as follows:**

"6. Comply with the regulations on virtual items (graphic images of an object, a character according to certain rules established by the manufacturer of that video game), bonus points (the form of reward equivalent to the way the player receives during the participation in video games online) , virtual units (which are digital tools initiated by enterprises providing video game services and conventions used to exchange and trade virtual items, reward points, skills in games issued by enterprises) as prescribed in Article 34c of this Decree."

**53. Clause 8, Clause 9, Clause 10 Article 34 is amended as follows:**

"8. To implement professional technical measures to manage the contents of conversations between players as prescribed in Clause 6, Article 25 of this Decree.

9. Not to advertise video games online without a license to release G1 games online or not to issue certificates of release for G2, G3 and G4 games online on forums, websites of organizations, enterprises and other mass media;

10. Pay the G1 video game appraisal fee online"

**54. Clause 13 and Clause 14 Article 34 are added as follows:**

13. Personnel responsible for managing video games must participate in management training classes organized by the Ministry of Information and Communications.

14. Comply with regulations on online video game copyright in accordance with relevant copyright laws."

**55. Article 34a is added as follows:**

"**Article 34a. The G1 Online Game Appraisal Advisory Council and the Working Group of the Appraisal Advisory Council**

1. The online G1 video game appraisal advisory council consists of representatives of a number of relevant agencies and organizations with appropriate professional qualifications.

2. The online G1 video game appraisal advisory council shall provide consultancy in the process of appraising content and scenarios for online release of G1 video games and other special cases at the request of the Ministry of Information and Communications, ensuring the consultancy work for rigorous appraisal objective.

3. The Minister of Information and Communications shall issue decisions on establishment and operation regulations of the G1 video game appraisal advisory council online.

4. The online G1 video game appraisal advisory council is established to assist the Council in appraising G1 video games online. The maid team was established by the Ministry of Information and Communications (the Authority of Broadcasting and Electronic Information).

**56. To add the following Article 34b:**

**"Article 34b. Player Personal Information**

1. When creating an account to use G1 online games, players must provide the following personal information:

a) Full name;

b) Date of birth;

c) The registered address of permanent residence;

d) ID card number/citizen identification card/passport number, date of issue, place of issue or mobile phone number verified as prescribed.

dd) Phone number, email address (if any).

In case a player is under 14 (fourteen) years old and does not have an ID card/citizen identification card/passport number, the player's legal guardian decides to register his/her personal information in order to express their consent and take responsibility before the law for such registration.

2. Enterprises that publish G1 video games on the Internet must keep personal information of players during the time when the player uses the service and for 06 (six) months after the player stops using the service; Enterprises providing G1 video games on the network must deploy a system of professional technical equipment ready to connect to the identity card database or the national personal identification number system at the request of the authorized agency to authenticate player information.”

**57. Article 34c is added as follows:**

**"Article 34c. Regulations on virtual items, virtual units, reward points**

1. Enterprises that publish video games online may only create virtual items, virtual units, reward points in video games in accordance with the contents and scenarios reported by the enterprise in the dossier of being granted the G1 video game issuance license online, Certificate of release of G2, G3, G4 video games online and in the periodical and unexpected report of the enterprise.

2. Players may use bonus points or virtual units in their video game accounts in exchange for virtual items created by the enterprise that plays video games online.

3. Enterprises that publish video games online are obliged to manage virtual items, virtual units, reward points in video games in accordance with the published game rules and in accordance with the approved and licensed game content and scenarios. No bonus promotions can be attached directly to video game content and scripts.

4. Virtual items, virtual units and reward points may only be used within video games and for the purposes reported by enterprises. Virtual items, virtual units, reward points are not assets, have no reverse conversion value into money, payment cards, vouchers or artifacts of transaction value outside video games.

5. Do not buy or sell virtual items, virtual units, reward points between players."

**58. To add the following Article 34d:**

**"Article 34d. Rights and obligations of enterprises providing server leasing services, leasing server reservations; telecommunications businesses, Internet service providers**

1. Proactively refuse, suspend or discontinue connection with enterprises that issue video games online without a license to release G1 video games online, certificates of release of video games G2, G3, G4 online.

2. To implement the request of competent state management agencies to suspend or stop connecting with enterprises that do not have g1 video game issuance licenses on the network, certificates of issuance of G2, G3 and G4 video games online.

3. To coordinate with competent state management agencies in ensuring information safety and security and investigating and preventing law-breaking acts in the provision and use of video game services.

4. To proactively report to competent state management agencies when detecting violations in ensuring information safety and security in order to promptly prevent law-breaking acts in the provision and use of video game services."

**59. Article 34dd is added as follows:**

**"Article 34dd. Rights and obligations of payment support enterprises**

1. Proactively refuse, suspend or discontinue connection with enterprises that issue video games online without a license to release G1 video games online, certificates of release of video games G2, G3, G4 online.

2. To do so at the request of competent state management agencies to suspend or discontinue connection with enterprises that issue video games online without being granted G1 video game release licenses, G2 video game release certificates, G3, G4 online.

3. To coordinate with competent state management agencies in ensuring information safety and security and investigating and preventing law-breaking acts related to payment services in the provision and use of video game services."

**60. Article 34e is added as follows:**

**"Article 34e. Regulations on information provision and reporting regime**

1. Provide information:

a) The Ministry of Information and Communications publishes the list of G1 online businesses and electronic games that have been granted release licenses; a list of businesses and online G2, G3, G4 video games that have been granted release certificates; list of discontinued games; a list of suspended, revoked and invalid licenses and certificates on the website of the Ministry of Information and Communications at www.mic.gov.vn;

b) The Departments of Information and Communications of the provinces and centrally-run cities update the list of G1 online businesses and electronic games that have been granted release licenses; a list of businesses and online G2, G3, G4 video games that have been granted the Certificate of Release Registration; list of discontinued games; a list of suspended, revoked, and invalid licenses and certificates on the website of the Department of Information and Communications and notify public video game service providers locality.

2. Reporting mode:

a) Enterprises providing online video game services shall make periodic reports every 6 (six) months (on June 30 and December 31 of each year) according to Form No. 38 in Appendix promulgated together with this Decree and sent directly, by post or by electronic means to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) and the local Department of Information and Communications where the enterprise registers its head office and makes irregular reports at the request of the competent state management agency.

b) The Department of Information and Communications sends reports directly, by post or by electronic means to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) once a year (on December 31 of each year) on the management, provision and use of video game services in the locality according to Form No. 39 in the Appendix issued together with this Decree.

**61. Article 35 is amended as follows:**

"1. Organizations and individuals may only establish points of provision of public video game services when having certificates of eligibility for public video game service provision.

2. Organizations and individuals that are granted certificates of eligibility to operate points of provision of public video game services when they satisfy the following conditions:

a/ Having registered business points of provision of public video game services;

b) The location where the shortest road-length public video game service is provided from the main or secondary door of the public video game service point to the main or secondary gate of the primary, middle or high school gates, high schools with many levels of education, centers of regular education, boarding general education schools, semi-boarding general education schools of 200 m or more;

c) There is a sign "Point of provision of public video game services" clearly specifying the name, address, contact phone number, business registration number. In case the point of provision of public video game services is also the Internet agent, the content "Internet Agent" is added. In case the point of provision of public video game services is also the public Internet access point of the enterprise, the content "Public Internet Access Point" is added;

d) Ensure sufficient light and even lighting in the machine room;

dd) Have fire prevention and fighting equipment and regulations in accordance with regulations on fire prevention and fighting and explosion of the Ministry of Public Security;

3. The certificate-issuing agency is the Department of Information and Communications or the district-level People's Committee assigned by the People's Committee of the province or centrally run city to assume the prime responsibility for granting, amending, supplementing and extending the certificate, re-issuance and revocation of the certificate of eligibility to operate public electronic game service points.

4. People's Committees of provinces and centrally run cities

a) Appraisal of dossiers, fact-checking and granting, amending, supplementing, extending, re-granting and withdrawing certificates of eligibility to operate public electronic game service points applied on locality;

b) Assign the Department of Information and Communications or the People's Committee of the district to perform the function of the Certificate-issuing agency;

c) Direct the Department of Information and Communications to publish on the Department's website a list of public electronic game service providers that have been granted and revoked certificates of eligibility for providing local public video game service, a list of G1 games that have been issued with a release license and a list of G1 games that have had their license revoked; notify public video game service providers in the locality of the list of G1 games that have been issued with a release license and the list of G1 games whose licenses have been revoked; assume the prime responsibility for, and coordinate with the district-level People's Committees in, disseminating laws, managing, inspecting, examining and handling violations of operation of public Internet access points and game service public points in the area; before December 31 of each year, report to the Ministry of Information and Communications the contents according to Form No. 43 in the Appendix issued together with this Decree.

**62 Amendments to Article 35a are as follows:**

**"Article 35a. Certificate of eligibility for public video game service point of operation**

1. The certificate of eligibility for operation of points of provision of public video game services is valid for 03 years.

2. The form of certificate of eligibility for operation of points of provision of public video game services is provided according to Form No. 44a or Form No. 44b in the Appendix issued with this Decree."

**63. To supplement Clause 1, Article 35dd as follows:**

"d) The certificate of eligibility for operation of the point of provision of public video game services expires;"

**64. Chapter V is amended as follows:**

"Chapter V: Ensuring information safety and security on telecommunications networks and internet"

**65. Article 44 is amended as follows:**

**"Article 44. Competence and cases of application of measures to ensure network information security**

1. 1. Cases of application:

a) When there is a situation of taking advantage of telecommunications networks and the Internet to attack information systems in important fields, priority is given to ensuring network information security, information systems serving Party agencies; Government;

b) When there is a situation of taking advantage of the telecommunications network or the Internet to spread fake news or information that violates the law;

c) Carry out the work of ensuring network information security according to the provisions of law.

2. Competence to apply:

a) The Minister of Information and Communications decides to apply the measure nationwide or many provinces;

b) The Director of the Authority of Information Security, the Ministry of Information and Communications decides to apply measures for other cases.

3. Measures to be applied

a) Suspend the provision of telecommunications and Internet services upon the occurrence of a serious cyber-attack on information systems in important fields that need to be prioritized to ensure network information security, information systems to recover Party and State agencies;

b) Blocking, filtering, removing information, suspending telecommunications services, Internet services, preventing the distribution of malicious software, network information security incidents, fake news, information that violates the law;

c) The Ministry of Information and Communications shall assume the prime responsibility for, direct and coordinate the implementation of technical measures to monitor compliance and ensure that network operators block, filter, remove information, and suspend telecommunications services. timely and synchronous communication and Internet services."

**66. Article 44a is amended as follows:**

**"Article 44a. Responsibilities of organizations and enterprises for implementing solutions to ensure network information security**

1. Implement measures to ensure network information security to meet safety requirements as prescribed by law and standards and regulations on assurance of information system safety.

2. Monitor network information security in accordance with law; connect and share information with the technical system of the Ministry of Information and Communications according to regulations.

3. Implement technical measures to detect, filter, suspend telecommunications services, Internet services, prevent the distribution of malicious software, network information security incidents, fake news and micro information breaking the law from Internet resources under its management; connect, receive coordination orders, share information and data with the technical system of the Ministry of Information and Communications; warn, guide and assist in handling malicious software and network information security incidents for users; take other handling measures at the request of the Ministry of Information and Communications.

4. Arrange the premises, connection ports, set up system configuration and necessary technical conditions to perform the task of ensuring network information security at the request of the Ministry of Information and Communications.

5. Internet agents, public Internet access points and public electronic game service providers of enterprises shall take measures to ensure network information security in accordance with law; deploying solutions to authenticate user’s information, store information of user devices and have the ability to connect and share information with technical systems of the Ministry of Information and Communications according to regulations.

6. Telecommunications enterprises and Internet service providers shall have to comply with the provisions of Clauses 1, 2, 3 and 4 of this Article.”

**67. Article 44b is amended as follows:**

**"Article 44b: Monitoring and handling cybersecurity on telecommunications networks and the Internet**

1. The Ministry of Information and Communications (Authority of Information Security) develops and operates systems to supervise activities on the Internet in order to supervise, collect, assess, identify, report and handle fake news and harmful information to children, activities and information in violation of law and implement measures to ensure information security on the network.

2. Ministries, branches and localities to supervise, detect, warn and propose the handling of information in violation of law related to the field, localities and cybersecurity assurance measures under their competence;

The Ministry of Information and Communications assumes the lead in directing and coordinating with ministries, branches and localities in preventing, handling and suspending telecommunications services and internet services, removing fake news, information harmful to children and information in violation of law.

3. Telecommunications and Internet enterprises shall implement centrally-focused network information monitoring and administration (SOC) systems in order to automatically collect, analyze and warn of potential insecurity and cybersecurity on technical and application infrastructures of enterprises; have the responsibility to coordinate, connect technically, provide sufficient information, data, prevent, handle, suspend telecommunications services, internet services, digital services, remove fake news, information on child abuse, information activities in violation of law at the request of the Ministry of Information and Communications (Authority of Information Security).

4. Social networks, electronic newspapers, electronic magazines, general websites, websites using .vn domain names, online applications must comply with the provisions of law on cybersecurity, personal information protection and provide necessary technical conditions for specialized information security units to perform their tasks according to the guidance of the Ministry of Information and Communications (Authority of Information Security).

5. Telecommunications and Internet enterprises shall implement solutions to identify subscribers at the request of the Ministry of Information and Communications (Authority of Information Security).

6. Telecommunications and Internet enterprises shall implement technical solutions to scan, analyze and store information in cyberspace to serve the monitoring and handling of malicious information and information in violation of law on the network.

7. The Ministry of Information and Communications (Authority of Information Security) shall set up and operate a technical system to maintain an online information channel in service of receiving petitions and reflections from organizations and individuals related to information security, information that violates the law on the network, cyber-attacks, security vulnerabilities.

8. The Ministry of Information and Communications (Authority of Information Security) shall assess and publicize the level of cyber credibility for websites and applications on the network."

**68. Article 44c is amended as follows:**

"**Article 44c. Responsibility to ensure information safety** **and security of enterprises when entering into contracts for provision and use of Internet services and data center services with organizations and individuals**

When entering into contracts for the provision and use of telecommunications services, Internet services, data center services, telecommunications enterprises, Internet service providers, and data center service providers is responsible for requesting organizations and individuals entering into contracts to commit to complying with the provisions of law on assurance of network information safety and security in the process of using the service according to contents and commitment in the contract; stop providing services to organizations and individuals that violate regulations on ensuring network information safety and security.”

**69. Article 44d is amended as follows:**

**"Article 44d: Responsibilities of agencies and organizations participating in child protection on telecommunications networks and the Internet**

1. Agencies, organizations and child training and care establishments take technical measures to block access to information harmful to children in the network environment.

2. Domestic or foreign social networks providing cross-border access to Vietnam with a number of regular visitors of 1,000,000 (one million) or more people in Vietnam:

a) Displaying warnings of inappropriate content for children;

b/ Having the feature of notifying harmful contents to children, acts of child abuse on their platforms and publicity of handling procedures; share data on total reflections and processing results with the Ministry of Information and Communications (the Authority of Information Security) according to quarterly.

c) Blocking and filtering harmful contents to children, accounts/users who commit acts of child abuse on their platforms.

d/ To make age registration in case of registration of user accounts and take measures to assist parents and child caregivers in supervising the activities of users being children."

**70. Chapter VI is added as follows: "Chapter VI. Data center services"**

**71. Article 44d, Article 44dd, Article 44e, Article 44g, Article 44h and Article 44i are amended as follows:**

" **Article 44d. Conditions for trading data center services**

1. To register data center services on the Website of the Ministry of Information and Communications (address: [http://www.mic.gov.vn).](http://www.mic.gov.vn/)

The order and procedures for registration comply with Article 44dd of this Decree.

2. To comply with regulations on technical standards and regulations in the process of designing, building and operating and exploiting data centers.

3. Having tools (software, applications, information systems) to manage and store customer information records.

4. There is a process of verifying information records and protecting customer data.

**Article 44dd. Registration dossiers and order and procedures for registration of data center services**

1. Application documents

a) Form of registration of data center service business using the Form No. 41 enclosed here decree.

b) Documents proving the contents specified in Article 44d of this Decree.

c) Other relevant documents (if any).

2. Order and procedures for registration of data center services

a) Traders shall submit 01 set of dossier as prescribed in Clause 1 of this Article directly or by post to the Ministry of Information and Communications or through the online public service portal of state agencies.

In case traders provide incomplete and improper dossiers, within 03 working days, the Ministry of Information and Communications shall notify the request for amendment and supplementation of dossiers.

b) Within 05 working days after receiving a complete and proper dossier, the Ministry of Information and Communications shall consider and notify traders eligible for data center services in writing and published on the website of the Ministry of Information [and Communications](http://www.mic.gov.vn/)(address: http://www.mic.gov.vn).

**Article 44e. Contents of the data center service provision contract**

Traders who sign contracts or service provision agreements must ensure at least the following contents:

1. To provide complete information on rights and responsibilities of related parties.

2. To provide sufficient information on prohibited or law-breaking activities.

3. Information on the commitment of terms of service level and standards of services and standards on data centers that enterprises meet.

4. Identifying information about customers who rent or use data center services.

5. Contract duration and product information.

**Article 44g. Cross-border data center services**

1. Traders providing cross-border data center services must notify the Ministry of Information and Communications.

2. The contents of the notice include: name of the representative; contact information (phone, email); types of data center services.

3. Form of notification: Send notices directly in writing or on the website of the Ministry of Information and Communications using the Form No. 42 issued with this Decree.

**Article 44h. Rights and obligations of traders providing data center services**

1. Develop and implement technical plans and solutions in order to promptly detect and prevent illegal activities, and at the same time report immediately to competent authorities when detecting signs of law violation.

2. Terminate, stop allowing customers to use data center services in case they themselves detect illegal activities or are requested by competent state agencies.

3. Coordinate and notify authorities when detecting illegal activities in the data center service business.

4. It is not allowed to access, use, disclose customer's data or without the customer's consent.

5. It is not allowed to transfer customer's data out of the territory of Vietnam and ensure that all measures are taken to protect customer's data from unauthorized access.

6. Store customer information records for at least 05 years since the customer cancels or stops using the service.

**Article 44i. Rights and obligations of data center service users**

1. To use the services in accordance with the quality according to the public announcement of service providers.

2. To take responsibility before law for the contents and purposes of hiring data center services.

3. To proactively notify the functional agencies when detecting law violations on their own."

**Article 2: Transitional Terms:**

1. Within 06 (six) months from the effective date of this Decree, organizations and enterprises that have been granted licenses to provide social network services must coordinate with the Ministry of Information and Communications in reviewing, making statistics, confirming and reporting the average number of regular visitors within the last 06 (six) months on their social networks. administer.

Within 20 working days after confirming the data as prescribed in Clause 1 of this Article, organizations and individuals shall carry out procedures for issuance of licenses for provision of social network services or notices of provision of social network services depending on the confirmed data and report to the Ministry of Information and Communications. This change in actual metrics during this 20-business working day does not affect the classification of social networks.

2. The issued social network service license shall expire according to the time limit already granted or from the date the license to provide social network services or the Certificate of notification of providing social network services takes effect, whichever comes first.

3. The duration of the license to set up a licensed general website is based on decree No. 72/2013/ND-CP and Decree No. 27/2013/ND-CP effective on the time limit specified in the issued license.

The general website has been licensed based on Decree No. 72/2013/ND-CP and Decree No. 27/2013/ND-CP if there is a link with the press agency as prescribed at Point d, Clause 5, Article 23 of this Decree must submit additional documents of the cooperation agreement with the content specified at Point dd, Clause 1, Article 23 of this Decree.

4. The license to release G1 video games online and certificates of release of G2, G3 and G4 video games online are no longer valid after this Decree takes effect.

5. Within 180 days from the effective date of this Decree, enterprises have been granted decisions approving contents, G1 video game scenarios online and issued with confirmation of announcements of G2, G3 and G4 video games online as prescribed in Decree No. 72/2013/ND-CP, Decree No. 27/2018/ND-CP reviewing and statistically reviewing the games being released and sending notices to the Ministry of Information and Communications (Authority of Broadcasting and Electronic Information). The Ministry of Information and Communications (Authority of Broadcasting and Electronic Information) will review and re-issue the G1 Video Game Release License online and the Certificate of Registration for providing online G2, G3, G4 video game services to enterprises.

6. For online video games which have been granted decisions approving online game content and scenarios as prescribed in Joint Circular No. 60/2006/TTLB-BVHTT-BBCVT-BCA of June 1, 2006 of the Ministry of Culture and Information, The Ministry of Post and Telecommunications (now called Ministry of Information and Communications) and the Ministry of Public Security on online game management, enterprises carry out the process and procedures for re-issuance license of G1 video game online as prescribed in Article 32g of this Decree.

7. Enterprises that have been granted certificates of registration of provision of information content services on mobile telecommunications networks as prescribed in Decree No. 72/2013/ND-CP, Decree No. 27/2018/ND-CP implements procedures for requesting the re-grant of certificates of registration of provision of information content services on mobile telecommunications networks as prescribed in Article 27a of this Decree, within 180 days from the effective date of this Decree.

**Article 3. Terms of execution**

1. This Decree takes effect on …… 2021.

2. To abolish the following provisions:

a) To abolish Article 32, 38, 39, 40, 40, 41, 42 and 43 of the Government's Decree No. 72/2013/ND-CP of July 15, 2013, on management, provision and use of Internet services and information online.

b) To abolish Article 32a and Article 32b of the Government's Decree No. 27/2018/ND-CP of March 1, 2018, amending and supplementing some articles of the Government's Decree No. [72/2013/ND-CP](https://thuvienphapluat.vn/van-ban/cong-nghe-thong-tin/nghi-dinh-72-2013-nd-cp-quan-ly-cung-cap-su-dung-dich-vu-internet-va-thong-tin-tren-mang-201110.aspx) of July 15, 2013, on management, provision and use of Internet services and information on the network.

c) To abolish Article 2 of the Government's Decree No. 150/2018/ND-CP of November 7, 2018, amending some Decrees related to business investment conditions and administrative procedures in the field of information and communications.

d) To abolish the Circular No. 24/2014/TT-BTTTT of December 29, 2014 of the Minister of Information and Communications detailing the management, provision and use of video game services online.

dd) To abolish circular No. 17/2016/TT-BTTTT of June 28, 2016 of the Minister of Information and Communications detailing the process and procedures for registration of provision of information content services on mobile telecommunications networks.

e) Repeal circular No. 08/2017/TT-BTTTT of June 23, 2017 of the Minister of Information and Communications amending and to supplement a number of provisions of the Circular No. 17/2016/TT-BTTTT of June 28, 2016 of the Minister of Information and Communications detailing the process and procedures for registration of provision of information content services on mobile telecommunications networks.

g) To abolish the Circular No. 09/2014/TT-BTTTT of August 19, 2014 of the Minister of Information and Communications detailing the management, provision and use of information on websites and social networks.

3. The Minister of Information and Communications shall guide and examine the enforcement of this Decree.

4. Ministers, heads of minister-level agencies, heads of government-run agencies and Presidents of People's Committees at all levels shall comply with this Decree./.