

NATIONAL ASSEMBLY

Law No.: 103/2016/QH13

SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

Hanoi, 05 April 2016

PRESS LAW

Pursuant to the Constitution of the Socialist Republic of Vietnam;

The National Assembly issues the Press Law.

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This law provides for freedom of press, freedom of speech in the press of the citizens; organization and operation of the press; rights and obligations of agencies, organizations and individuals that participate in and are related to press activities; State management over the press.

Article 2. Subjects of application

This Law applies to the agencies, organizations and individuals that participate in and are related to press activities in the Socialist Republic of Vietnam.

Article 3. Interpretation of terms

In this Law, the terms below are construed as follows:

1. *Press* is the information product on the events and problems in social life that are expressed in words, images, sounds, are created and periodically published, released and transmitted to the general public through the type of the printed newspaper, talking newspaper, photo newspaper and online newspaper.
2. *Press activities* are the creation of journalistic works, journalistic products, information products information with journalistic characteristics; provide information and feedback to the press; correct information in the press; publish, print and release the printed newspapers, communicate the online newspapers and communicate and broadcast the talking newspapers and photo newspapers;
3. *Printed newspaper* is the type of press using the text, pictures and photos that are printed to release to the readers, including the printed newspapers and magazines.
4. *Talking newspaper* is the type of press using voice and sound transmitted and broadcast on technical infrastructure with different technological application.
5. *Photo newspaper* is the type of press using photos mainly in combination with voice, sound and text transmitted and broadcast on technical infrastructure with different technological application.
6. *Online newspaper* is the type of press using text, photos and sound transmitted on network environment, including the online newspapers and online magazines.
7. *Journalistic work* is the smallest constituent unit of the journalistic products with independent contents and complete structure, including news and articles expressed in text, sounds or photos.

8. *Journalistic products* are the printed newspapers and supplements of printed newspapers; complete contents of online newspaper; newsletters; radio channels, television channels; special column of online newspapers.

9. *Newsletter* is the journalistic products periodically published of the state news agency expressed in text, voice, sound and photos to convey the daily news in the country and in the world, or information of special subjects.

10. *Broadcasting program and television program* are the collection of news and articles in talking newspapers and photo newspapers for a subject in a certain amount of time with recognizable signs of opening and ending.

11. *Radio channel and television channel* are the journalistic products, including the broadcasting programs and television programs that are arranged stably and continuously and broadcast in a certain time frame with recognizable signs.

12. *Supplement* is extra pages in addition to the specified pages and are released with the main edition of the printed newspapers.

13. *Home page* is the information page firstly displayed of the online newspaper having the address of domain name specified in the operation license of the online newspaper.

14. *Special column of online newspaper* is the information page on a certain subject in accordance with the principles and purposes of the online newspaper having the subdomain name of the domain name specified in the operation license of the online newspaper.

15. *Electronic magazine* is the journalistic product periodically published with news and articles of specialized nature and is transmitted on the network environment.

16. *Scientific magazine* is the journalistic product periodically published to announce the results of scientific research and information on the specialized scientific activities.

17. *Journalistic information products* are the information products expressed in categories of press posted in newsletters, special issue or website of the agencies, organizations and businesses.

18. *Newsletter* is the information product with journalistic characteristics periodically published, which uses the news category to provide information on internal activities, professional instructions, results of research and application, result of seminars and conferences of the agencies, organizations and businesses.

19. *Special issue* is the information product with journalistic characteristics irregularly published based on event or subject.

20. *Website* is the information product with journalistic characteristics of the agencies, organizations and businesses, which provides general information on the basis of posting the link to access the journalistic information sources or provide verbatim and accurate quotation of journalistic information sources in accordance with regulations of law on intellectual property.

Article 4. Functions, duties and power of press

1. The press in the Socialist Republic of Vietnam is the essential media for social life; is the mouthpiece of the Party and State agencies, the social – political organizations, the social –

political – occupation, the social organizations, the social – occupational organizations and is the people's forum.

2. The press has the following duties and power:

a) Provides the truthful information about the situation of the country and the world in line with the interests of the country and people;

b) Propagandizes, disseminates and contributes to the building and protection of guidelines of the Party and the policy and law of the State, achievement of the country and the world according to principles and purposes of press agencies; contributes to the political stability, social – economic development, raises the cultural standards and meets the needs of a healthy culture of people; protects and promotes the fine traditions of the nation, builds and promotes the socialist democracy; strengthens the bloc of great national unity and build and protect the Socialist Vietnam Fatherland;

c) Reflects and guides the social opinions and is the forum to exercise the people's right to freedom of speech;

d) Detects and sets examples of good people and good deeds, new factors, advanced models; struggle, prevent and fight against the law violation and the negative phenomena in society;

dd) Contributes to maintaining the purity and development of Vietnamese language and languages of ethnic minorities of Vietnam;

e) Expands the mutual understanding between the countries and the peoples, participates in the career of the world people for peace, national independence, friendship, cooperation, sustainable development.

Article 5. State policies on press development

1. Have strategies and planning for development and management of journalistic system.

2. Make investment with focus and priority in the areas of training and re-training of personnel of professional skills and management of press activities, scientific research and application of modern technology for the press agencies.

3. Make order to the press in service of politics, security, national defense and foreign information and in service of youth and children, the deaf, the blind, people of ethnic minority areas, areas with extremely difficult socio - economic conditions, deep-lying and remote areas, mountainous areas, border areas and island and other critical tasks in line with each stage as decided by the Prime Minister.

4. Provide assistance to the freight of newspaper transport in service of duties, subjects and areas specified in Clause 3 of this Article.

Article 6. Contents of state management over the press

1. Develop, direct and implement the strategies, planning and plan for press development.

2. Issue and follow the legal normative documents on press; develop the regime and policies on press.

3. Provide information for the press and manage the information of the press;

4. Provide the training and re-training to improve the political and professional level, occupational ethics for the contingent of journalist of press agencies and officials in charge of press management.
5. Manage the scientific and technological activities in the area of press.
6. Issue and revoke the types of permit in press activities and press card.
7. Manage the international press cooperation, the activities of Vietnamese press agencies pertaining to foreign countries and the activities of foreign press in Vietnam.
8. Inspect the legal deposit of press and manage the system of national legal deposit of press.
9. Direct and implement the regime of information, report, statistics, commendation and discipline in press activities.
10. Inspect and handle the violation of law on press.

Article 7. State management agency of press

1. The Government performs the uniform state management over the press.
2. The Ministry of Information and Communications takes responsibility before the Government for performing the state management over the press.
3. The Ministries and ministerial agencies within their duties and power shall cooperate with the Ministry of Information and Communications to perform the state management over the press.
4. The provincial People's Committee within their duties and power shall perform the state management over the press at their localities.

Article 8. Vietnam Journalists Association

1. The Vietnam Journalists Association is a social - political – professional organization which is established and operating under the regulations of law on association.
2. The Vietnam Journalists Association has the following duties and power:
 - a) Protects the legitimate rights and interests of its members;
 - b) Issues and implements the regulations on journalist's occupational ethics.
 - c) Contributes opinions to develop the strategies, planning, plans and policies on development of press and legal normative documents of press;
 - d) Participates in appraisal of journalistic products upon the requirement of competent state agencies.
 - dd) Provides the occupational ethics and journalistic profession for its members;
 - e) Coordinates with the state management agency to propagandize and disseminate the law on press;
 - g) Participates in monitoring the compliance with law on press; perform the international cooperation in accordance with regulations of law;
 - h) Organizes the press contest to honor the authors and group of authors having the journalistic products with high quality and positive social effect.

Article 9. Prohibited behaviours

1. Posting and release of information against the Socialist Republic of Vietnam with the contents:

- a) Distort, defame and deny the people's government;
- b) Fabricate and cause panic among people;
- c) Cause the psychological warfar.

2. Post and and release information with the content which:

- a) Causes division among classes of people, among the people with the people's government, the people's armed forces, political organizations, political - social organizations;
- b) Causes hatred, discrimination, divisions, ethnic separatism, infringement of equal rights of ethnic communities in Vietnam;
- c) Causes the division between religious people and non-religious people, between the followers of different religions, division of religious believers with the people's government, political organizations, political – social organizations and insults the religious beliefs;
- d) Undermines the implementation of policies on international solidarity.

3. Posts and and releases information inciting war against the independence, sovereignty and territorial integrity of the Socialist Republic of Vietnam.

4. Distorts history; denies the revolutionary achievements; offends the nation and national heroes.

5. Discloses information included in the list of state secrets, privacy and confidentiality of individuals as prescribed by law.

6. Provides information advocating the bad practices, superstition; provide information about the mysteries causing puzzle in society, adversely affecting the order and social safety and health of the community.

7. Incites violence; propagandizes the depraved lifestyle; meticulously describes lewd acts, criminal behaviour; provides information which does not match the habits and customs of Vietnam.

8. Provides false information, distorts, slanders or hurts the prestige of organizations, agencies, honor and dignity of individuals; attributes guilt upon no judgement from the Court;

9. Provides information which affects the normal physical and spiritual development of children.

10. Prints, releases, transmits and broadcasts the journalistic products, works or contents of information in the journalistic works suspended from release, revocation, confiscation, banned from circulation, removed, destroyed or the contents of information which the press agency has corrected.

11. Obstructs the printing, distribution, transmission and broadcasting of journalistic products, information products with legal journalistic characteristics to the public.

12. Threatens or intimidates life, hurts the honor and dignity of journalists, reporters; destroys, seizes vehicles, documents and obstructs journalists, reporter from professional activities in accordance with regulations of law.

13. Posts on the products the information with journalistic characteristics specified in Clauses 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of this Article.

Chapter II

CITIZENS' FREEDOM OF THE PRESS, SPEECH FREEDOM ON PRESS

Article 10. Freedom of the press of citizens

1. Create journalistic works.
2. Provide information for press.
3. Provide feedback of information on press.
4. Access the press information.
5. Be associated with the press agencies to create the journalistic products.
6. Print and release the printed newspapers.

Article 11. Citizens' freedom of speech on press

1. Express opinions about the situation of the country and the world.
2. Contribute opinions to develop and follow the guidelines and policies of the Party and law of the State.
3. Contribute opinions, comments, recommendations, complaints and denunciation in the press to the organizations of the Party, state agencies, political – social organizations, political – social – occupational organizations, social organizations, social- occupational organizations and other organizations and individuals.

Article 12. Responsibility of press agency for the citizens' freedom of the press and freedom of speech in the press of citizens

1. Post the recommendations, comments, news, articles, photos and other journalistic works of the citizens in line with the principles and purposes without the contents specified in Clauses , 2, 3, 4, 5, 6, 7, 8, 9 and 10, Article 9 of this Law; in case of posting failure, the reply and indication of reasons are required.
2. Reply or require the organizations and competent persons to reply in writing or on press about the citizens' recommendations, complaints or denunciation.

Article 13. Responsibility of the State for the citizens' freedom of the press and freedom of speech in the press

1. The state creates favorable conditions for the citizens to exercise their freedom of the press and freedom of speech in the press and allows the press to properly promote its role.
2. The press and journalists must operate within the framework of the law and are protected by the State. No one is allowed to abuse the freedom of the press, freedom of speech in the press to infringe upon the interests of the State, the legitimate rights and interests of organizations and citizens.

3. The press is not censored before print, transmission and broadcasting.

Chapter III

PRESS ORGANIZATION

Section 1. PRESS LINE AGENCY

Article 14. Subjects permitted to establish the press agency

1. The Party agencies, state agencies, social – political organizations, the social – political – occupation, the social organizations, the social – occupational organizations, religious organizations from provincial level or the equivalent or higher level operating legally in accordance with the regulations of Vietnam are permitted to establish the press agencies.
2. The university education organizations in line with regulations of the Law on university education, the scientific research and technological development organizations organized in the form of academy or institute in accordance with the provisions of the Law on science and technology; provincial-level hospitals or the equivalent or higher level are permitted to establish the scientific magazines.

Article 15. Power and duties of press line agency

1. The press line agency is the agency or organization specified in Article 14 of this Law shall request the issue of press operation permit, establish and directly manage the press agencies.
2. The press line agency has the following powers:
 - a) Determines the type of press, principles, purposes, subjects to be served, expression language of each type, journalistic product, duties and operational orientation of the press agencies;
 - b) Appoints the head of press agency after there is a written agreement from the Ministry of Information and Communications;
 - c) Removes, dismisses the head of the press agency and sends a written notice of this removal or dismissal to the Ministry of Information and Communications;
 - d) Inspects and examines the activities of the press agencies; apply the commendation and discipline in accordance with regulations of law.
3. The press line agency has the following duties:
 - a) Directs the press agencies to follow the principles, purposes, duties, operational orientation, personnel organization and takes responsibility for the activities of the press agencies;
 - b) Guarantees the initial funding source and necessary conditions for the activities of the press agencies;
 - c) Deals with the complaints and denunciation to the press agencies and individuals under the management authority in accordance with regulations of law.
4. The heads of the press line agencies must not hold the position of the head of press concurrently and shall take responsibility before law within the duties and powers to the violations of the subordinate press agencies.

Section 2. PRESS AGENCY

Article 16. Press agency

The press agency is the mouthpiece of the agencies and organizations specified in Article 14 of this Law, performs one or some types of press, has one some journalistic products in accordance with the provisions of this Law.

Article 17. Conditions for issue of press operation permit

1. Determining the line agency; subjects to be served, program, time, amount of time, mode of transmission or broadcasting (for talking newspaper and photo newspaper); domain name, place of server and connection service provider (for electronic newspaper).
2. Having the plan for organization and personnel to ensure the activities of the press agency; have the qualified personnel specified in Clause 2, Article 23 of this Law to assume the position of head of press agency.
3. Having the name and form of presentation of name of press agency, name and form of presentation of name of journalistic publications; name and symbol of radio channel and television channel; name and form of form of presentation of special column of online newspapers.
4. Having the head office and conditions of material facilities, financial plan, technical solutions to guarantee the safety and security of information. For the online newspapers, there must be at least one registered domain name “vn” in line with the name of newspaper and use of server system placed in Vietnam. For talking newspapers and photo newspapers, there must be plans to lease or use the transmission and broadcasting infrastructure.
5. Being consistent with the plan for development and management of press nationwide approved by the Prime Minister.

Article 18. Press operation permit

1. The organizations and individuals specified in Article 14 of this Law, meeting the conditions specified in Article 17 of this Law, if wishing to establish the press agency, should send dossier directly or by post to request the Ministry of Information and Communications to issue the press operation permit.

The dossier and procedures for issue of press operation permit are stipulated by the Minister of Information and Communications.

2. Within 90 days after fully receiving the valid dossier, the Ministry of Information and Communications shall issue the press operation permit or shall inform in writing and indicate the reasons in case of refusal.
3. After being issued with the press operation permit, the press line agency shall issue the decision to establish the press agency and announce on the mass medium.
4. After 03 months for the printed newspapers and online newspapers and 09 months for the talking newspapers and photo newspapers, from the effective date of the press operation permit, if the press agency is not established or does not have its journalistic products, the permit shall be invalidated. The Ministry of Information and Communications shall revoke this permit.
5. Within 30 days before the estimated end date of operation, the press agency must inform in writing the Ministry of Information and Communications to revoke the press operation permit and make an announcement on the mass media.

6. Where the operation permit has been revoked in accordance with the provisions in Clause 4 and 5 of this Article, if wishing the re-issue of permit, the press line agency shall request in writing the Ministry of Information and Communications to re-issue the permit. In case of change of contents compared with the issued permit, the line agency shall send dossier to request the Ministry of Information and Communications to issue the permit as stipulated in Clause 1 of this Article.

Article 19. Change of the line agency of the press agency

In case of change of the line agency of the press agency, the line agency specified in the permit shall inform in writing to terminate its press activities and send it to the Ministry of Information and Communications; the agency or organization shall receive the procedures for issue of permit as stipulated in Article 18 of this Law.

Article 20. Change of contents specified in the press operation permit

1. Within 05 days after the change of location of head office, telephone, fax, email, time of release, internet service provider, the press agency must inform the state management agency of the press.

2. In case of change of name of press line agency, name of press agency, principles, purposes, name of journalistic publications, supplement, special column of online newspapers, radio channels and television channels, broadcasting location, location of head office of the network operation center; mode of transmission and broadcasting; amount of time of radio channels and television channels, domain name of special column and online newspaper, the line agency must send dossier to the Ministry of Information and Communications for modification or addition of the permit.

The dossier and procedures for modification or addition of the press operation permit shall be stipulated by the Minister of Information and Communications.

3. In case of change of form of presentation and location of name of publication, supplement, symbol of radio channels and television channels, publishing period, number of pages, size and the change of contents not specified in Clause 1 and 2 of this Article, the press line agency shall request in writing the Ministry of Information and Communications. The change is only made after there is a written approval from the Ministry of Information and Communications.

Article 21. Type of operation and revenues of press agency.

1. The press agencies operate under the type of non-business units with revenues.

The scientific magazines operate in line with the type of line agency.

2. The revenues of the line agency are:

a) The revenues allocated by the press line agency;

b) The revenues from selling newspapers and right to see the journalistic products, advertisements, exchange and sale of copyright of contents;

c) The revenues from business activities and services of the press agencies and their subordinate units;

d) The revenues from the legal assistance of domestic and foreign organizations and individuals.

Article 22. Representative office and resident reporter of press agency

1. Conditions for representative office:

a) Having office to works as representative office;

b) The head of the representative office must have the press card issued by the press agency having its representative office and must not be disciplined from the form of reprimand or heavier as stipulated by the law on public servants and officials and the law on labor within 01 year by the time of opening of the head office.

2. The resident reporter independently operating must have the press card issued by the press agency which sends its resident reporter and must not be disciplined from the form of reprimand or heavier as stipulated by the law on public servants and officials and the law on labor within 01 year by the time of resident reporter appointment.

3. 15 days before operation, the press agency meeting the conditions and wishing to open its representative office in the province and centrally-run city shall send its dossier directly or by post to the provincial People's Committee where the press agency has its representative office. The dossier includes:

a) The document sent to the provincial People's Committee concerning the opening of representative office must have the approval from the press line agency.

b) The copy of press operation permit has the certification of the press agency or the copy enclosed with the original for comparison;

c) Documents evidencing the satisfaction of conditions specified under Point a, Clause 1 of this Article;

d) List of personnel of representative office;

dd) Résumé, copy of press card of the head of representative office, résumé of resident reporter of the representative office with the certification of the press agency or the copy enclosed with the original for comparison;

e) Documents defining the duties, powers and responsibilities of the representative office.

4. The provincial People's Committee shall inspect the operational conditions of the representative office; in case of failing to meet the conditions, the provincial People's Committee shall require the press agency to terminate the operation of its representative office and deal with it in accordance with regulation of law.

5. The press agency which has no representative office wishes to send its resident reporter to independently operate in the province and centrally-run city shall send directly or by post a set of dossier to inform the activities of the resident reporter to the provincial People's Committee where the resident reporter operates. The dossier includes:

a) The Document of resident reporter appointment of the press agency;

b) The copy of press operation permit with certification of the press agency or the copy enclosed with the original for comparison;

c) The résumé and the copy of press card of the resident reporter with certification of the press agency or the copy enclosed with the original for comparison;

6. Within 05 days before the change of location, the head of representative office, resident reporter or suspension or termination of representative office, resident reporter, the press agency

shall inform in writing the provincial People's Committee where the representative office is located or where the resident reporter is operating.

7. The activities of the representative office and the resident reporter must be consistent with the principles and purposes of the press agency; proper duties, powers and responsibilities assigned by the press agency and in compliance with the regulations of law on press and other relevant laws.

8. The representative office and the resident reporter shall stop operating right after the press operation permit of the press agency having its representative office and resident reporter is revoked or the independent resident reporter whose press card is revoked as decided by the Ministry of Information and Communications.

Section 3. HEAD OF PRESS AGENCY

Article 23. Head of press agency

1. The head of press agency is the editor-in-chief (for the printed newspaper and the online newspaper) or the General Director or Director (for the talking newspaper and photo newspaper).

2. Standards for appointment of head of press agency are:

a) Is the Vietnamese citizen with permanent address in Vietnam;

b) Graduated from university or higher education. For the head of press agency of religious organization, this standard does not apply;

c) Has a valid press card. For the head of press agency of religious organization or scientific organization, this standard does not apply;

d) Has good moral quality and is not under the exercise of discipline from the form of reprimand or heavier in accordance with the regulations of law on public servants and officials and labor law.

Article 24. Duties and powers of the head of press agency

1. Takes responsibility before the press line agency and before law for all activities of the press agencies within its duties and powers.

2. Develops and implements the activity plan of the press agency.

3. Approves the structure of contents of publications, channels, broadcasting and television programs, newspapers and special column of online newspaper.

4. Directs the compliance with the principles, purposes and provisions specified in the permit.

5. Manages the personnel, provides training and retraining for journalists, reporters, employees; manages the assets and material facilities of the press agency.

6. Must not assume the position of head or deputy head of other press agencies.

Section 4. JOURNALISTS

Article 25. Journalist's rights and obligations

1. The journalist the person who carries out the press activities and is issued with the press card.

2. The journalists have the following rights:

- a) Carry out the press activities in the territory of the Socialist Republic of Vietnam or in foreign countries in accordance with the laws and is protected by law in occupational activities;
- b) Have the right to exploit, provide and use information in press activities as stipulated by law;
- c) Have the right to come to the organizations and agencies for journalistic professional activities. When coming there to work, the journalists only present their press card. The agencies and organizations shall provide the journalists with documents not under the state secrets or individual privacy and other secrets as prescribed by law.
- d) Have the right to carry out the journalistic professional activities in the public trials; are arranged the separate area for operation; make direct contact with the persons conducting the proceedings and persons involving in the proceedings to obtain information and make interview as stipulated by law;
- dd) Are provided with training and retraining to improve the political level and journalistic professional skills;
- e) Refuse to take part in developing or creating the journalistic works in contradiction with regulations of law.

3. The journalists have the following obligations:

- a) Provide truthful information on reality of the country and the world in line with the interests of the country and people; reflect the legitimate opinions and aspiration of people;
- b) Protect the viewpoint, policies, guidelines and law of the Party and the State; detect, propagandize and protect the active factors; struggle to prevent and fight against the wrong thoughts and acts.
- c) Must not abuse the name of journalist to harass and commit the law.
- d) Must correct and make apology in case of providing false information, distorting, slandering or hurt the prestige of organizations and agencies, honor and dignity of individuals;
- dd) Take responsibility before law and before the head of press agency for the contents of their journalistic products and acts of law violation;
- e) Comply with regulations on journalists' occupational ethics.

Article 26. Subjects to be considered for issue of press card

1. The general director, deputy general director, director, deputy director, editor-in-chief and deputy chief editor of press agencies and news agencies.
2. Head of department, deputy head of department of press operation of press agencies and news agencies.
3. Reporters and editors of press agencies and news agencies.
4. Cameraman, director of broadcasting and television programs, (excluding movies) of units issued with the press operation permit in the field of broadcasting and television and documentary production of the State.
5. Reporter, editor and person in charge of activities of reporter, editor at the broadcasting station and television station at district level or the equivalent.

6. Persons who have been issued with the press card but transferred to perform another job but still make journalistic products that are used or are certified by the press agency shall be considered for issue of press card in the following cases:

- a) Are mobilized to work at the units which do not carry out the direct press activities of the press agency;
- b) Are transferred to carry out the teaching of specialized press at the university education establishments in accordance with the provisions of the Law on university education;
- c) Are transferred to work as full-time officials at the journalist association at all levels or directly carry out the state management over the press.

Article 27. Conditions and standards to be considered for issue of press card

1. The persons working at the press agencies specified in Clauses , 2, 3 and 4, Article 26 of this Law are considered for issue of press card must meet the following conditions and standards as follows:

- a) Are the Vietnamese citizens and are permanently residing in Vietnam;
- b) Having graduated from university; in case of being the ethnic minority people who are carrying out the publications of printed newspapers, broadcasting and television programs, special column of online newspaper in the language of ethnic minority language, such persons must graduate from college or have higher education.
- c) In case of issue of card for the first time, there must be the working time for 02 consecutive years or more at the press agency requesting the issue of card by the time of consideration for issue of card, except for the editor-in-chief of scientific magazine and other cases as stipulated by law;
- d) Are recommended for issue of card by the press agency or the current agency.

2. The cases specified in Clause 5, Article 26 of this Law are issued with the press card must meet the conditions and standards specified under Points a, b and d, Clause 1 of this Article and must meet the conditions and standards as follows:

- a) Are the permanent collaborator of the broadcasting and television station of province and centrally-run city;
- b) Have at least twelve journalistic products which have been broadcast on the broadcasting station and television station of province and centrally-run city in 01 year by the time of consideration for issue of card.
- c) In case of issue of card for the first time, there must be the working time for 02 consecutive years or more at the broadcasting station and television stations or the equivalent by the time of consideration for issue of card.
- d) Are recommended for issue of card by the broadcasting station and television station of province and centrally-run city.

3. The following cases are not considered for issue of press card:

- a) Are not the subjects specified in Article 26 of this Law;
- b) Have committed the provisions on journalist's occupational ethics;

- c) Have been disciplined from the form of reprimand or heavier in accordance with the regulations of law on public servants and officials and the law on labor but the duration of 12 months is not yet expired by the time of consideration for issue of card;
- d) Are the persons concerned in the cases without the conclusion from the competent state agencies.
- dd) Have been convicted by a judgment which has taken legal effect of the Court and their criminal records have not yet been removed;
- e) Their press cards are revoked due to violation of legal regulations but the time of card revocation is not over 12 months from the date of decision issue by the time of consideration for issue of card.

Article 28. Issue, renewal and revocation of press card

1. The press card is issued to the persons who meet the conditions and standards as stipulated in Article 27 of this Law for press activities.
2. The duration for issue of press card is 05 years. The expiry date of press card is specified on the card. In special cases, the renewal of expiry date of press card is decided by the Minister of Information and Communications.

When the duration of the press card is over, the Ministry of Information and Communications shall consider for issue or change of press card as per the new duration.

3. The persons who have been issued with the press card and transferred to another agency or unit but still are the subjects issued with the press card as stipulated in Article 26 of this Law shall have to go through the procedures for change of press card upon working at the new agency.
4. Where the press card is lost or damaged, the person issued with the press card must go through the procedures for the re-issue of press card.

The application for re-issue of press card must have the certification of loss from the press agency, current agency, public security of commune, ward or town where the card was lost; in case of damage of card, the old card must be sent with the application.

5. The person issued with the press card must return it in the following cases:
 - a) The person who was issued with the press card but transferred to perform other duties and does not belong to the subjects issued with the press card specified in Article 26 of this Law; the person who was issued with the press card has retired; the person whose term of labor contract is expired but is not permitted to sign new labor contract or does not continue working at the press agency;
 - b) The person who has been issued with the press card has worked at the press agency whose press operation permit is revoked by the decision of the Minister of Information and Communications.
 - c) Within 15 days after the decision on the contents specified under Point a and b of this Clause, the head of the current agency of the person issued with the press card shall inform in writing of the cases specified under Point a of this Clause and revoke the press card and hand it over to the Ministry of Information and Communications.

Where the person issued with the press card does not return it, the press agency shall make announcement on its journalistic products, except that the person who must return the card has lost it. In this case, the press agency shall report in writing to the Ministry of Information and Communications.

d) The person who must return his card specified under Point a and b of this Clause, within 06 months after returning the press card, if being recruited by a press agency under the contract regime from 01 year or more, shall be considered for change of his press card as stipulated in Clause 3 of this Article.

6. The person issued with the press card which shall be revoked in the following cases:

a) Violating the regulations on journalist's occupational ethics, journalistic professional activities, information in newspapers or improper use of press card causing serious outcome;

b) Being prosecuted by the proceeding conducting agency. Where the competent agency decides to suspend the investigation or the case to that journalist or from the day the effective judgement declares that journalist is not guilty or free from criminal liability, the state management agency over the press shall return the press card to this person.

c) Being disciplined from the form of caution or heavier or two times of reprimand in 02 consecutive years in accordance with the law on public servants and officials and the law on labor;

d) Leaving from job without returning his press card.

7. The Ministry of Information and Communications is the agency which issues, re-issues and revokes the press card.

8. The dossier and procedures for issue, re-issue and revocation of press card shall be stipulated by the Minister of Information and Communications.

Chapter IV

PRESS ACTIVITIES

Section 1. CARRYING OUT ADDITIONAL JOURNALISTIC TYPES AND PRODUCTS; ASSOCIATION IN PRESS ACTIVITIES

Article 29. Carrying out additional journalistic types

1. If the press agency which meets the conditions specified in Article 17 of this Law wishes to carry out other additional journalistic types, the press line agency shall send the dossier directly or by post to the Ministry of Information and Communications to request the issue of permit.

The dossier and procedures for issue of permit to carry out the additional journalistic types comply with the provisions in Article 18 of this Law.

2. After 03 months for the printed newspapers and online newspapers and 09 months for the talking newspapers and photo newspapers from the effective date of the press operation permit, if the press agency does not have its journalistic products, the permit shall be invalidated. The Ministry of Information and Communications shall revoke this permit.

3. Within 30 days before the suspension date of journalistic type, the press agency must inform in writing the Ministry of Information and Communications and make an announcement on the mass media.

Where the suspension of journalistic type exceeds the time specified in Clause 2 of this Article, the Ministry of Information and Communications shall issue a decision to revoke the permit.

4. Within 30 days before the end date of implementation of journalistic type, the press agency shall inform in writing the Ministry of Information and Communications to revoke the permit and make an announcement on the mass media.

5. Where the permit has been revoked as stipulated in Clauses 2, 3 and 4 of this Article, if wishing to be re-issued with the permit, the press agency shall send a written request to the Ministry of Information and Communications for re-issue of permit. In case of change of contents compared with the issued permit, the line agency shall send dossier to the Ministry of Information and Communications for issue of permit in accordance with the provisions in Clause 1 of this Article.

Article 30. Conditions for publishing additional journalistic publications and supplement; production of additional radio channel or television channel; setup of special column of online newspaper

1. Having the principles and purposes in line with the principles and purposes of the press agency, subjects to be served, place for server and connection service provider (for the special column of online newspaper) in line with the content of operation permit of the press agency.

2. Having plan for organization and personnel to ensure the activities of journalistic publications and supplement; production of radio channel or television channel and special column of online newspaper.

3. Having name and form of presentation of name of journalistic publications and supplement; name and symbol of radio channel or television channel, name and interface of homepage of special column of online newspaper.

4. Having material and technical facilities, financial plan and technical solutions to ensure the information safety and security; having the subdomain name in line with the registered domain name of the special column of the online newspaper; having plan for leasing or use of transmission and broadcasting infrastructure of the radio channel and television channel.

Article 31. Issue of permit to publish the additional journalistic publications, supplements, produce additional radio channel and television channel and set up special column of online newspaper

1. The press agencies which meet the conditions specified in Article 30 of this Law and wish to publish the additional journalistic publications, supplements, produce additional radio channel and television channel and set up special column of online newspaper, the press line agency shall send the dossier directly or by post to the Ministry of Information and Communications for issue of permit.

The dossier and procedures for issue of permit to publish the additional journalistic publications, supplements, produce additional radio channel and television channel and set up special column of online newspaper are stipulated by the Ministry of Information and Communications.

2. Within 30 days after fully receiving valid dossier, the Ministry of Information and Communications shall issue the permit to publish the additional journalistic publications, supplements, produce additional radio channel and television channel and set up special column

of online newspaper. In case of refusal, the Ministry of Information and Communications shall notify in writing and indicate the reasons.

3. After 02 months after the issue of permit to publish the additional journalistic publications, supplements, set up special column of the online newspaper and 06 months from the effective date of permit to produce additional radio channel and television channel, if the press agency does not have any journalistic product, the permit shall be invalidated. The Ministry of Information and Communications shall decide to revoke the permit.

4. Within 30 days before the suspension of publishing the journalistic publications, supplements, production of radio channel and television channel, special column of online newspaper, the press agency must inform in writing the Ministry of Information and Communications and on the mass media.

In case of suspension of over 03 months for the journalistic publications, supplements and special column of online newspaper and 06 months for the production of radio channel and television channel, the Ministry of Information and Communications shall decide to revoke the permit

5. Within 30 days before the end of journalistic publications, supplements, production of radio channel and television channel, special column of online newspaper, the press agency shall inform in writing the Ministry of Information and Communications to revoke the permit and make an announcement on the mass media.

6. Where the permit has been revoked as stipulated in Clause 3, 4 and 5 of this Article, if having the needs for re-issue of permit, the press line agency shall request in writing the Ministry of Information and Communications to re-issue the permit. In case of change of contents compared with the issued permit, the press line agency shall request in writing the Ministry of Information and Communications to issue the permit in accordance with the provisions in Clause 1 of this Article.

Article 32. Publication of newsletter

The state news agency wishing to publish the newsletters shall inform in writing the Ministry of Information and Communications.

Article 33. Editing the foreign program channels on the paid broadcasting and television services

1. The issue of permit to edit the foreign program channels on the paid broadcasting and television services is done with each program channel and in line with the nationwide development plan and press management.

2. The conditions for issue of permit:

a) Being a press agency and having the permit of broadcasting and television operation operation.

b) Having a written request for issue of editing permit from the press agency. In case of being the press agency of the ministries, sectors, provinces and centrally-run cities, there must be a written approval from the press line agency;

c) Having personnel to meet the requirements on journalistic professional level, valid press card and foreign language background in line with the foreign program channels requested for issue of editing permit.

d) Having technical capability to meet the editing requirements, including the slowing device system, storage system and technical utility to receive and transmit the signals in line with the editing of program channels guaranteeing the work of editing and translation done in Vietnam.

dd) Having the estimate of cost of editing and translation within 01 year and documents evidencing the legal financial source to guarantee the work of editing and translation under this estimate.

e) Having the copyright or a written permission of use of foreign program channels in Vietnam as stipulated by law.

3. Order and procedures for issue of editing permit of foreign program channels on the paid broadcasting and television service are done in the following regulation:

a) The press agency has a need for editing the foreign program channels on the paid broadcasting and television service shall send dossier directly or by post to the Ministry of Information and Communications for issue of permit.

The Government provides for the dossier and procedures for issue of permit.

b) Within 30 days after fully receiving the valid dossier, to the Ministry of Information and Communications shall issue the permit for editing the foreign program channels on the paid broadcasting and television service or inform in writing and indicate the reasons in case of refusal.

4. The validity of this permit is specified in each permit.

5. After 03 months after the effective date of the permit, if the press agency does not carry out the editing of foreign program channels, the permit shall be invalidated. The Ministry of Information and Communications shall decide to revoke the permit.

6. Within 30 days before the suspension of editing of foreign program channels on the paid broadcasting and television service, the press agency shall have to give a written notice to the Ministry of Information and Communications; in case of suspension over 03 months, the Ministry of Information and Communications shall decide to revoke the permit.

7. Within 30 days before the end date of editing the foreign program channels on the paid broadcasting and television service, the press agency shall have to give a written notice to the Ministry of Information and Communications for revocation of permit.

8. Where the permit has been revoked as stipulated in Clause 5, 6 and 7 of this Article, if having the needs for resuming the editing activities, the press agency shall request in writing the Ministry of Information and Communications to re-issue the permit. In case of change of contents compared with the issued permit, the press agency shall request in writing the Ministry of Information and Communications to issue the permit in accordance with the provisions in Clause 3 of this Article.

Article 34. Newsletter release

1. The newsletter must ensure the following provisions:

- a) The maximum size of news is 19cm x 27cm. The maximum pages is 64. No advertisement is allowed in the newsletter;
- b) The upper part of page of a newsletter must be written with the word “NEWSLETTER”. The name of the newsletter after or under the word “NEWSLETTER”, the name of the publishing organization or agency and date of publication under the name of the newsletter;
- c) The last part of page of a newsletter is written with the date of the publication permit, place of printing, number, publishing period and person in charge of publication.

2. Conditions for issue of newsletter publication permit:

- a) Having the individual in charge of newsletter publication;
- b) Organizing the operational apparatus properly to ensure the newsletter publication;
- c) Specifying the name of newsletter, purposes of publication, content of information, subjects to be served, range of publication, language, publishing period, size, number of pages, amount and printing place;
- d) Having the official working location and the necessary conditions to ensure the newsletter publication.

3. The order and procedures for issue of newsletter publication permit shall follow the following provisions:

- a) The agency or organization from the central government, foreign agency or organization in Vietnam has a need for newsletter publication should send dossier directly or by post for issue of permit to the Ministry of Information and Communication.

The agency or organization in province or centrally-run city has a need for newsletter publication should send dossier directly or by post for issue of permit to the provincial People’s Committee.

The dossier and procedures for issue of newsletter publication permit shall be stipulated by the Ministry of Information and Communication.

- b) Within 30 days after fully receiving the valid dossier, the Ministry of Information and Communication or the provincial People’s Committee shall issue the newsletter publication permit or inform in writing and indicate the reasons in case of refusal.

4. The validity of the the newsletter publication permit is specified in each permit but shall not exceed 01 year from the date of issue.

Where the organization does not publish the newsletter upon the deadline of publication indicated in the permit, the permit shall be invalidated and the Ministry of Information and Communication or the provincial People’s Committee shall decide the revocation of permit. If having a need for newsletter publication, the organization or agency shall go through the procedures for re-issue of permit.

5. Within 15 days before the suspension or end date of newsletter publication, the agency or organization issued with the newsletter publication permit must give a written notice to the Ministry of Information and Communication or the provincial People’s Committee. In case of end of newsletter publication, the Ministry of Information and Communication or the provincial People’s Committee shall decide the revocation of permit.

6. The organization or agency needs to change one of the contents written in the newsletter publication permit shall have to request in writing the Ministry of Information and Communication or the provincial People's Committee.

Article 35. Special issue publication

1. The conditions for issue of special issue publication permit are:

- a) Having individual with journalistic skills in charge of special issue publication;
- b) Organizing the operational apparatus properly to ensure the special issue publication;
- c) Specifying the name of special issue, purposes of publication, content of information, subjects to be served, range of publication, language, size, number of pages, amount, printing place and time of publication;
- d) The agency or organization must have the official working location.

2. The order and procedures for issue of special issue publication permit are as follows:

- a) The agency or organization has a need for publishing the special issue shall send dossier directly or by post to the Ministry of Information and Communications for issue of permit;

The dossier and procedures for issuing the special issue publication permit shall be stipulated by the Ministry of Information and Communication.

- b) Within 30 days after fully receiving valid dossier, the Ministry of Information and Communications shall issue the special issue publication permit. In case of refusal, the Ministry of Information and Communications shall notify in writing and indicate the reasons.

3. The validity of the special issue publication permit is specified in each permit but shall not exceed 01 year from the date of issue.

Where the organization does not publish the special issue upon the deadline of publication indicated in the permit, the permit shall be invalidated and revoked. If having a need for special issue publication, the organization or agency shall go through the procedures for re-issue of permit.

4. Within 15 days before the suspension or end date of special issue publication, the agency or organization must give a written notice to the Ministry of Information. In case of end of special issue publication, the Ministry of Information and Communication shall decide the revocation of permit.

5. The organization or agency needs to change one of the contents written in the newsletter publication permit shall have to request in writing the Ministry of Information and Communication.

Article 36. Website

1. The website must quote verbatim and accurately the journalistic news source and indicate the name of author, name of press agency, time of posting or broadcasting that information.

2. The content of information on the website must not breach the provisions specified in Clause 13, Article 9 of this Law and other provisions of relevant law.

3. The organizations or agencies establishing their website must develop the procedure for information management, inspect, monitor and actively remove the information with the contents

specified in Clause 13, Article 9 of this Law or upon the requirement of the competent state management agency.

4. The organizations or agencies establishing their websites must remove immediately the summarized contents of information when the quoted source of information removes that contents of information.

5. The establishment of website of the organizations, agencies and businesses shall comply with the regulations of the Government.

Article 37. Association in press activities

1. The press agencies are permitted for association in press activities with other press agencies, legal entities and individuals with registration made in line with the associated fields as prescribed by law.

The head of press agency shall take full responsibility for the associated activities in the field of press as prescribed by law.

2. The press agencies are allowed for association in the following fields:

a) Design, presentation, printing, advertising, newspaper release and the contents of information specified under the Point b, c, d and dd of this Clause;

b) Exploitation or sale of manchette copyright, contents of journalistic publications in the field of science, technology, sports, entertainment, advertising, and economic information of foreign newspaper for publication in Vietnam;

c) The foreign organizations or individuals are allowed to make association to exploit or buy the entire manchette copyright and the contents of legal journalistic publications of Vietnam for publication in foreign country;

d) Production of programs, radio channels and television channels in the field of science, technology, economy, culture, sports, entertainment, advertising and social welfare;

dd) Production of printed newspapers, online newspapers in the field of science, technology, economy, culture, sports, entertainment, advertising and social welfare;

3. The associated programs on the radio channels and television channels in service of essential duties of politics, information and propaganda as provided for by the Ministry of Information and Communications and the general news-politics channel must not exceed thirty percent of the total amount of time of first broadcasting program of this channel.

4. The association of radio channels and television channels of entertainment, game shows, reality television with their copyrights and foreign program scenario must be Vietnamize in accordance with the habits and customs of Vietnam.

5. Where the agency of talking newspaper or photo newspaper are associated to produce all radio channels and television channels, a number of associated channels must not exceed 30% of the total radio channels and television channels licensed for production.

6. The contents of the associated programs must be consistent with the regulations and law of Vietnam.

Section 2. PRESS INFORMATION

Article 38. Provision of press information

1. Within the powers and duties, the organizations, agencies and responsible persons have the right and obligation to provide information for the press and shall take responsibility before law for the contents of information provided. The provision of information to the press can be made in writing, on the website, press conference, interview and other forms. The press agency must use contents of information provided correctly and must indicate the information origin.

2. The competent authorities, organizations and individuals have the right to refuse the provision of information to the press in the following cases:

a) The information included in the list of state secrets, the secrets under the principles and regulations of the Party, individual privacy and other secrets as prescribed by law;

b) The information about the cases under investigation or not yet judged, except for cases the state administrative agencies or the investigation agencies need the press information about the issues in favor of investigative activities and the prevention and fight against crime;

c) The information about the cases under inspection pending the inspection conclusion or the cases whose complaints or denunciation is under the settlement; the disputes and conflicts between the state agencies are under the settlement pending the official conclusion from the competent persons not permitted for announcement as provided for by law.

d) d) The documents of policies and schemes which are under development and are not announced by the competent level in accordance with regulations of law.

3. For the cases which are under investigation and prosecution and pending trial, the negative cases or the cases with signs of law violation pending the conclusion from the competent state agency, the press has the right to provide information based on its own documentary sources and shall take responsibility before law for the contents of information.

4. The press agencies and the journalists have the right and obligation not to disclose the information provider, except for the case with a written request from the Head of the People's Procuratorate, President of provincial People's Court and the equivalent or higher level necessary for the investigation, prosecution and judgement of very serious or particularly serious crimes.

The Head of the People's Procuratorate and the President of provincial People's Court and the equivalent or higher level shall plan to protect the information provider; the law enforcement agencies shall have to coordinate with the Head of the People's Procuratorate and the President of provincial People's Court and the equivalent or higher level to protect the information provider.

5. The state administrative agencies shall appoint the spokesman to speak and provide information for the press on periodic and unexpected basis.

The government details the speaking and provision of information to the press of the state administrative agencies.

Article 39. Reply in the press

1. The head of press agency has the right to request the competent authorities, organizations or individuals to reply to the issues expressed by the citizens in the newspapers. Within 30 days

after receiving the request from the head of the press agency, the relevant agencies, organizations or individuals shall make reply in the newspaper.

2. Within 30 days after receiving the opinions, recommendations, comments or complaints from the organizations, citizens and citizens' denunciation transferred from the press agency, the head of organization or agency shall inform the press agency of the measures of settlement.

If the time limit mentioned above is over without receiving the notice from the organization or agency, the press agency has the right to transfer the opinions, recommendations, comments, complaints or denunciation of the organizations or citizens to the agency of higher level having the authority to settle or bring such issues in the press.

3. Within 10 days for the printed newspaper daily released and the talking newspaper and online newspaper and 15 days for weekly newspaper, in the latest issue for the printed magazine after receiving the written reply from the agency or organization having the authority to settle the complaints, denunciation or the written reply for the recommendations and complaints of the agencies, organizations or individuals concerning the issues the press has mentioned or received, the press agency must inform the organizations, agencies or citizens that have recommendations, comments complaints or denunciation or post the reply on their newspapers.

4. The agencies, organizations and citizens have the right to request the press agencies to reply to the issues which they have provided information. The press agency shall have to make reply within 15 days after receiving the request from the agencies, organizations and citizens.

Article 40. Reply to interview in the press

1. The interviewer shall have to give a prior notice to the interviewee of the purpose, requirement and questions for the interview. In case of direct interview without prior notice, it must get the approval from the interviewee.

2. After the interview, based on the information and documents provided by the interviewee, the interviewer has the right to make expression by the appropriate forms. The interviewee must express the interviewee's replied contents in a correct and truthful manner.

The interviewee has the right to require the review of replied contents before posting or broadcasting. The press agency and the interviewer have to meet this requirement.

3. The journalist must not use the opinions expressed at the conferences, seminars, meeting, discussion etc with the presence of journalist to convert them into an interview without the consent of the speaker.

4. The press agency, the interviewer and the interviewee must take responsibility for the contents of information posted in the newspaper.

Article 41. Press conference

1. The agencies, organizations and citizens have the right to hold a press conference to announce, declare, explain or answer the contents pertaining to their duties, powers or interests.

The press conference of the foreign representative agency or organization in Vietnam shall comply with the provisions in Clause 10, Article 56 of this Law.

2. The spokesman or the person in charge of providing information of the political organizations, National Assembly, Government, President of State; the agencies of political organizations,

social – political organizations of the central government and provincial level; ministries, sectors, ministerial agencies, provincial People’s Council, People’s Committee based on their functions and duties, shall hold the periodical or irregular press conference to provide information for the press agencies.

3. The agencies and organizations not subject to the provisions in Clause 2 of this Article and the citizens have the right to hold a press conference to provide information for the press. The agencies, organizations and citizens that hold a press conference must give a notice 24 hours in advance by the estimated time of press conference to the press state management agency as follows:

a) The agencies or organizations directly under the central government shall give a notice to the Ministry of Information and Communications.

b) The agencies and organizations not specified under Point a of this Clause and the citizen shall give a notice to the provincial People’s Committee where the press conference is held.

4. The contents of the notice are the following information:

a) Venue of press conference;

b) Time of press conference;

c) Contents of press conference;

d) Person in charge of press conference;

5. The state management agency over the press shall reply to the organizations, agencies and citizens concerning the press conference during the time specified in Clause 3 of this Article; in case of no written reply, the organizations or citizens shall conduct the press conference.

The contents of the press conference must be consistent with the contents approved by the state management agency over the press; in case of no written reply, the contents must be in line with the contents notified to the state management agency over the press.

6. The state management agency over the press has the right to suspend the press conference if it detects any sign of law violation or the contents of the press conference with the information specified in Clauses 1, 2, 3, 4, 5, 6, 7, 8 and 9, Article 9 of this Law.

Article 42. Correction in press

1. The press agencies which provide false information, distorts, slanders or hurts the prestige of agencies, organizations, honor or dignity of individuals must post or broadcast the correction or apology and notify such agencies, organizations or individuals.

For the online newspaper, in addition to posting or broadcasting the correction or apology, the false information posted or broadcast must be removed but the contents of information must be kept in the server for the inspection and examination as stipulated under Point d, Clause 1, Article 52 of this Law.

2. When there is a written conclusion from the competent state agency that the case which the press has posted or broadcast is false and distorts, slanders or hurt the prestige of agencies, organizations, honor or dignity of individuals, that press agency must post or broadcast the contents of that conclusion and the contents of correction or apology from that press agency or from the author of journalistic works.

The apology from the press agency or the author of journalistic works shall be posted or broadcast after the content of correction.

3. The posting or broadcasting of correction information or apology from the press agency or from the author of journalistic works must comply with the following provisions:

a) Posting or broadcasting in the second page of the printed newspaper and the last page of the printed magazine, separate column in the homepage of the online newspaper with the same font and font size the newspaper has used to post or broadcast information.

b) Posting or broadcasting the correct column, time of broadcasting and times of broadcasting for the talking newspaper and photo newspaper which has posted or broadcast information.

4. When posting or broadcasting the correction information or apology, the press agency must express all contents as follows:

a) Subject: "Correction information or apology";

b) Name of journalistic work, name of column, newspaper number, date of posting or broadcasting to be corrected;

c) The false information, distortion, slander or hurt to the prestige of agencies, organizations, honor or dignity of individuals have been posted or broadcasting in the journalistic works and the corrected content of information.

5. Time of posting or broadcasting of correction information or apology is provided for as follows:

a) The posting or broadcasting of correction information or apology of the online newspaper is done right after receiving the written conclusion or self detection of violation; the correction information or apology must be retained in the newspaper in at least 07 days after posting the correction information or apology;

b) The posting or broadcasting of correction information or apology in the printed newspaper, taking newspaper or photo newspaper must be done within 02 days for the daily newspaper, taking newspaper or photo newspaper; in the latest issue of weekly newspaper, magazine from the date the press agency receives the written conclusion or self of violation; for the magazines published over 30 days/time, there must be a written reply sent immediately to the organization, agency or individual and it must be posted in the latest issue.

c) The press agency or the website which has posted or broadcast the information of the other press agencies with the contents which must be corrected or apologized also has to post the contents of correction or apology of the violating press agency.

The press agency which has posted or broadcast the content of violating information, after making correction or apology, must give a notice to the press agencies and the website having agreed on using the news or articles of its newspaper to post the correction or apology again.

Article 43. Information feedback

1. When agencies, organizations or individuals have the grounds that the press agency provided false information, distortion, slander or hurt to their prestige, honor or dignity, they have the right to send the written feedback to that press agency, its press line agency or state management agency over the press or initiate a lawsuit at the Court.

2. The press agency must post or broadcast the feedback opinions from the agencies, organizations or individuals. The time to post or broadcast shall comply with the provisions on posting or broadcasting of correction specified in Clause 5, Article 42 of this Law.

In case of disagreement with the feedback opinions from the agencies, organizations or individuals, the press agency still has to post or broadcast those feedback opinions and has the right to provide more information to clarify its viewpoint.

After three times of posting or broadcasting the feedback opinions from the agencies, organizations or individuals and the press agency without the agreement between the two parties, the press agency has the right to stop the broadcasting or posting; the state management agency has the right to require the press agency to stop the broadcasting or posting of information of the relevant parties.

3. The press agency has the right not to post or broadcast the feedback opinions from the agencies, organizations or individuals if such opinions violate the law or hurt the prestige of the press agency, honor and dignity of author of journalistic work at the same time gives a written notice and indicates the reasons for the agencies, organizations or individuals to know.

4. When posting or broadcasting the feedback information, the press agency must express all contents as follows:

a) Name of agencies, organizations or individuals giving information feedback;

b) Name of journalistic work, name of column, newspaper number, date of posting or broadcasting with information feedback.

Article 44. Advertising in press

The press may post or broadcast the advertising. The posting or broadcasting of advertisement must comply with the provisions of this Law and the regulations of law on advertising.

Article 45. Copyright in the field of press

The press agency must comply with the regulations of law on the copyright and relevant law upon posting or broadcasting of journalistic works.

Article 46. Information to be specified or indicated in press

The press agency must specify or indicate all of the following information:

1. On the first page, cover one of printed newspaper, the home page and the pages of online newspaper, there must be the following contents:

a) Name of journalistic product;

b) Name of press agency, name of press line agency (to be written under the name of newspaper); domain name of online newspaper;

c) Ordinal number of press release of printed newspaper;

d) Date of press release.

2. At the foot of the last page and last cover of printed newspaper, the home page of online newspaper, there must be the following contents:

a) Permit number, date of issue and agency issuing the press operation permit;

b) Address of the press agency, telephone number, fax, email and full name of the head of the press agency;

c) Place of printing, size, number of pages, publishing period and selling price of the printed newspaper.

3. The talking newspaper and photo newspaper must express the symbol and theme song.

Article 47. Protecting the contents of broadcasting programs and television programs and the contents of online newspaper

The talking newspaper, photo newspaper and online newspaper have the right to use the technical measures to protect the contents of broadcasting programs and television programs and the contents of online newspaper.

Section 3. PRINTING, RELEASE, TRANSMISSION AND BROADCASTING

Article 48. Press printing

The printing establishments having the printing permit of newspapers and magazines as prescribed by law on publication are responsible for performing the contracts signed with the press agencies and ensure the time of press release.

Article 49. Newspaper release

1. The press agency shall release newspapers in accordance with the provisions specified in the press operation permit.

The press agency may release or authorize the organizations or individuals to release the newspapers.

2. The information and communications sector is responsible for releasing the types of public newspaper via the public postal network under the provisions of the Government and releasing other types of newspapers under the contract signed with the press agency.

3. The press line agency, the press agency, organization and individual involved in release of newspapers, organization permitted to import or export newspapers must follow the decision on revocation of journalistic publications by the competent state agency. The Department of Information and Communications and the provincial police agency shall inspect the compliance.

The press agency and the newspaper releasing organization having the revoked publications must bear all costs of revocation.

4. The Ministry of Information and Communications provides for the maximum price of public newspaper releasing services via the public postal network.

Article 50. Registration for provision of foreign program channels of the paid broadcasting and television services

1. The foreign television companies which provide the foreign program channels into Vietnam with copyright charges of contents must go through their authorized agents in Vietnam to register the provision of program channels and fulfill the financial obligations with the State of Vietnam.

2. The foreign television companies must define the range of authorization to each agent while simultaneously authorizing two or more agents.

3. For the foreign program channels without copyright charge of the contents, the foreign television companies only carry out the prescribed translation and editing procedures and shall not have to go through their authorized agents in Vietnam.

4. The authorized agents are the Vietnamese businesses and are authorized by the foreign television companies to be the agents to provide the foreign program channels of the paid broadcasting and television services in Vietnam.

5. The authorized agents shall register the provision of foreign program channels of the paid broadcasting and television services in Vietnam with the Ministry of Information and Communications.

The Government shall provide for the dossier and procedures for issue of registration certificate.

Article 51. Provision of transmission and broadcasting services

1. The provider of transmission and broadcasting services must guarantee the transmission and broadcasting of intact contents of information of the press agency.

2. The provider of transmission and broadcasting of promotion radio and television services must guarantee the time, amount of time, range of broadcasting, quality of transmission and broadcasting of radio channels and television channels in service of essential duties of politics, information and propaganda of the nation and localities and must ensure the following principles:

a) Universalizing the promotion radio and television broadcasting services with the focus on the areas of ethnic group minorities, areas with difficult social-economic conditions, remote and deep-lying areas, mountainous areas, border areas and islands.

b) Being consistent with the state planning on press, transmission, radio and television broadcasting and development of radio and television services;

c) Being consistent with the regulations on management of internet resources and radio frequency in accordance with the regulations of law on telecommunications and radio frequency;

d) The contents of services are consistent with the regulations on management of information contents in accordance with regulations on press;

dd) Being consistent with the state technical regulations on the quality of equipment and the radio and television services.

3. The conditions for issuing the permit for paid radio and television services are:

a) Being Vietnamese businesses. The businesses with foreign investment capital must be approved in principle by the Prime Minister.

b) Having the service provision plan in line with the development planning of radio and television services, transmission, radio and television broadcasting planning and other types of planning in the field of radio and television broadcasting and electronic information.

c) Having license to set up the telecommunications network or agreement upon leasing and use of telecommunications network to meet the requirements for service transmission techniques to the prescribers connected to that telecommunications network, terrestrial television services, cable television services, satellite television services, mobile television services ; having

confirmation of domain name “.vn” or the internet address determined to provide the services for the prescribers of the radio and television services on internet.

d) Having the plan for human resource arrangement, investment in technical equipment, forecasting and analysis of service market; business plan and services price, estimate of investment costs and operation costs for at least for the first 02 years; documents evidencing the charter capital or documents of equivalent value meeting the requirements for implementation of services provision under the estimate.

dd) Having plan for establishment of receipt and transmission center of all domestic radio and television channels and foreign program channels concentrated in one place, except for the channels included in the list of radio and television channels in service of essential duties of politics, information and propaganda of the nation and localities including the technical design of system of signal equipment and equipment connected to the transmission network, equipment of services, prescriber and content protection management.

e) Having the plan for application of modern techniques and technologies in accordance with the regulations of state on the technical regulation and standard to guarantee the services quality and information safety and security ; promptly dealing with the technical breakdowns to ensure the continuity of services and the rights of subscribers;

g) Expecting the list of domestic radio and television channels (except for the channels used for essential duties of politics, information and propaganda), foreign program channels, on-demand contents, value-added contents that shall be provided on the paid broadcasting and television services enclosed with the written approval from the content providers.

4. The businesses having demand for providing the paid broadcasting and television services should send dossier to the Ministry of Information and Communications for issue of permit.

The Government provides for the dossier and procedures for issue of permit.

5. The validity of the permit for providing the paid radio and television services is specified in each permit.

6. The units providing the paid transmission, radio and television broadcasting services may apply the technical measures to protect the contents of radio and television programs in order to collect and pay the fees of service provision right in accordance with regulations of law.

Section 4. LEGAL DEPOSIT OF PRESS

Article 52. Regulation on legal deposit of press and submission of journalistic publications

1. The press agency must comply with the regulation on legal deposit of press as follows:

a) For the central newspapers and newspapers printed in Hanoi, the press agency must submit 05 copies to the state management agency over the press in the central government no later than 08 :00 AM of the release day.

b) For the newspapers printed in localities, the press agency must submit two copies to the state management agency over the press in localities no later than 08 :00 AM of the release day while submitting five copies to the state management agency over the press in the central government by post.

c) The agencies of talking newspaper and photo newspaper must retain all programs transmitted, broadcast or informed to the signal source used to relay the central radio – television waves within 30 days after the transmission or broadcasting ; provide the transmission or broadcasting signals as required by the competent authorities for the electronic legal deposit of press.

d) The agencies of online newspaper must comply with the regulation on storage of intact contents of information posted or broadcast within 03 months after the posting or broadcasting for the inspection of the state management agency.

2. When submitting the printed newspapers for legal deposit, the press agency must indicate the newspapers legally deposited, number of release, date and hour of legal deposit and the signature of the head of press agency or the authorized person.

The printed newspapers that are re-printed must be legally deposited as printed for the first time.

The printed newspapers legally deposited by the post have the priority of fastest transfer to the deposit agency. The time of legal deposit submission is based on the postal stamp of the transferring place.

3. The agencies of printed newspapers must submit 05 copies of printed newspaper for deposited at the National Library of Vietnam.

4. The Ministry of Information and Communications shall implement the electronic deposit for the talking newspapers, photo newspapers and online newspapers independently from the press agencies and implement the verification and announcement of data pertaining to the press activities.

Article 53. Inspection of legally deposited press

1. The Ministry of Information and Communications shall inspect the legally deposited press and the provincial People’s Committee shall inspect it at localities.

In case of detecting the press violates the law, the Ministry of Information and Communications or the provincial People’s Committee shall takes measures to deal with it in accordance with the provisions in Article 59 of this Law.

2. The Ministry of Finance provides for the remuneration for the reading, listening or watching to check the legally deposited press.

Section 5. INTERNATIONAL COOPERATION IN PRESS ACTIVITIES

Article 54. Import and export of printed newspapers

1. The printed newspapers legally published in Vietnam are permitted to export to foreign countries.

2. The import of printed newspapers is done through the printed newspaper import and export establishment licensed by the Ministry of Information and Communications.

3. The printed newspaper import and export establishments must register the list of imported newspapers with the Ministry of Information and Communications before import.

4. The heads of printed newspaper import establishments must inspect the contents of imported newspapers before release and take responsibility before law for the contents of printed newspapers they shall import.

Article 55. Cooperation activities of Vietnamese press agencies with foreign countries

1. The Vietnamese press agencies have the following rights :

- a) Release, transmit or broadcast the journalistic products to the foreign countries; authorize the organizations or individuals to re-print, transmit or broadcast the Vietnamese journalistic products to the foreign countries;
- b) Hire foreign experts and collaborators;
- c) Send journalist to foreign countries for press activities;
- d) Establish the representative office in foreign countries;
- dd) Cooperate with foreign countries.

2. The press agencies exercising the rights specified in Clause 1 of this Article must guarantee the following regulations :

- a) The journalistic products released, transmitted or broadcast to the foreign countries specified under Point a, Clause 1 of this Article must have the same contents with the products domestically released, transmitted or broadcast without the information specified in Clauses 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Article 9 of this Law;
- b) The press agencies establishing their representative offices in foreign countries specified under Point d, Clause 1 of this Article must give a written notice to the Ministry of Information and Communications of the establishment of representative office, list of personnel of representative office within 15 days before establishing their representative offices in foreign countries.
- c) The press agencies cooperating with foreign countries must comply with the laws pertaining to the cooperation activities.

Article 56. Press activities of foreign press, foreign missions and foreign organizations in Vietnam

1. All press activities and activities pertaining to the press of foreign news agencies, radio, television, printed newspapers, online newspapers agencies (collectively referred to as foreign press); pertaining to the press of diplomatic missions, consular missions, representative offices of intergovernmental international organizations and other foreign missions that are authorized to exercise the consular functions in Vietnam (collectively referred to as foreign missions) and representative offices of non-governmental organizations and other foreign organizations in Vietnam (collectively referred to as foreign organizations) are only allowed to carried out after obtaining the approval of the competent authorities specified in this law and must comply with the law of Vietnam.

2. The foreign reporters wish to carry out the press activities in Vietnam shall have to send a dossier for approval directly or by post, fax or email to the Ministry of Foreign Affairs, diplomatic missions, consular missions or other missions authorized to carry out the consular functions of Vietnam abroad (collectively referred to as Vietnamese diplomatic missions abroad)

When performing the press activities in Vietnam, the foreign non-resident reporters must bring the press operation permit issued by the Ministry of Foreign Affairs and the passport; must carry

out activities in line with the purposes and programs specified in the permit and instructions of the reporter guiding agency.

3. Where the foreign reporters go with the foreign delegations, the following regulations shall apply:

a) For foreign reporters who go with foreign delegations to visit Vietnam at the invitation of the Party and State leadership or the Ministry of Foreign Affairs to report on the visit, the Vietnamese line agency shall go through the necessary immigration procedures and inform the Ministry of Foreign Affairs for coordination. The foreign reporters are allowed to report the activities based on the official program of foreign delegations.

b) For foreign reporters who go with foreign delegations to visit Vietnam at the invitation of other Vietnamese agencies to report on the visit, the Vietnamese line agency shall go through the procedures with the Ministry of Foreign Affairs as for the non-resident reporters and carry out the activities under the instructions of the Ministry of Foreign Affairs or a diplomatic agency approved by the Ministry of Foreign Affairs.

4. The foreign press agencies wishing to establish their resident offices in Vietnam should send their dossier directly or by post to the Ministry of Foreign Affairs or the Vietnamese missions abroad.

The representative office may be located in Hanoi or in a province or centrally-run city after the Ministry of Foreign Affairs has agreed in writing as well as the provincial People's Committee where the resident office is expected to be located.

The resident office may appoint the resident reporter from other localities different from the place of resident office after getting the approval from the Ministry of Foreign Affairs and the provincial People's Committee where the resident office requests to appoint the resident reporter. The resident office shall take responsibility for the activities of its resident reporters at the locality.

5. The foreign press agency wishing to appoint its resident reporter should send a dossier directly or by post to the Ministry of Foreign Affairs or the Vietnamese mission abroad.

The resident reporter may work as a resident reporter for the resident office of one foreign press agency in Vietnam. The foreign press agency may appoint its resident reporter in another country to work as a resident reporter in Vietnam.

6. The resident reporter shall be issued with foreign press card by the Ministry of Foreign Affairs with its validity under 12 months in line with the reporter's visa period.

The resident reporters should send a dossier directly or by post to the Ministry of Foreign Affairs to request the issue, re-issue or renewal of their foreign press cards.

7. The information and press activities of the resident reporter must comply with the following regulations :

a) For the request to interview the senior leadership of Vietnam, the resident office should send a dossier directly, by post or fax to the Ministry of Foreign Affairs for approval.

b) For the request to contact or interview the leadership of the ministries or sectors of Vietnam, the resident office should send a dossier directly, by post or fax to the relevant ministries or sectors for approval while informing the Ministry of Foreign Affairs;

c) For the information and press activities at localities of Vietnam, the resident office should send a dossier directly, by post or fax to the provincial People's Committee for approval while informing the Ministry of Foreign Affairs;

8. The resident office may hire the press assistant or collaborator to help the resident office or resident reporter's activities.

When wishing to hire the press assistant or collaborator, the resident office should send a dossier to the Ministry of Foreign Affairs for approval.

9. The import and export of means and equipment of the foreign press must comply with the following regulations :

a) The foreign press may temporarily import and re-export with tax exemption and with term for the necessary means in service of information and press activities in Vietnam such as camera, camcorder, recorder and other devices in accordance with regulations of Vietnamese law.

b) The foreign press may import, export, install or use the devices to receive, transmit the news or images live via satellite or transmit the images internationally via the national telecommunications network in accordance with the laws of Vietnam.

10. The press conference shall comply with the following regulations :

a) When wishing to hold a press conference in Hanoi, the foreign mission or foreign organization must send a written request to the Ministry of Information and Communications 02 working days prior to the press conference. For the foreign mission, the written request shall be simultaneously sent to the Ministry of Foreign Affairs for information.

b) When wishing to hold the press conference at other localities of Vietnam, the foreign mission or foreign organization must send a written request to the provincial People's Committee 02 working days prior to the press conference.

c) The press conference of the foreign delegation visiting Vietnam at the invitation of the Party or State leadership or the Ministry of Foreign Affairs.

d) For the press conference of the foreign delegation visiting Vietnam at the invitation of the ministries, sectors, localities and other state agencies of Vietnam, the line agency meeting the delegation must send a written request to the Ministry of Information and Communications or the provincial People's Committee 02 working days before the press conference ;

dd) The procedures permitting the press conference must comply with the regulations of the Ministry of Information and Communications.

e) The Ministry of Information and Communications and the provincial People's Committee has the right not to approve or suspend the press conference if there is any sign of violation of laws of Vietnam.

g) In case of urgent press conference, after receiving the request from the foreign missions or foreign organizations, the competent authorities of Vietnam shall consider each specific case.

11. The publication of newsletter or special issue of the foreign missions or foreign organizations must comply with the provisions in Article 34 and 35 of this Law.

12. The dossier, order or procedures specified in Clauses 2, 4, 5, 6, 7 and 8 shall be provided for by the Government.

Chapter V

COMMENDATION, INSPECTION AND HANDLING OF VIOLATION IN PRESS ACTIVITIES

Article 57. Commendation in press activities

The press agencies, journalists, organizations and citizens with achievements and contributions shall be commended in accordance with regulations of law on emulation and commendation.

Article 58. Inspection of press

The inspection of press must follow the regulations of law on inspection.

Article 59. Handling of violation in the field of press

1. Where the press agencies or organizations involved in the press activities violate the provisions of this Law, depending on the nature and seriousness of the violation, they shall be cautioned, fined or applied with the measures of revocation, confiscation of publication, video and audio recording taps; suspended publication or permit revocation in the press activities in accordance with the provisions in Clause 2 of this Article.

The press agencies whose press operation permit, permit for publishing additional journalistic publications, supplements, production of additional radio channels and television channels, setup of special column of online newspapers and the agencies or organizations whose publishing permit of special issue or newsletter upon posting or broadcasting of information with the contents specified in Clauses 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Article 9 of this Law causing very serious effect or particularly serious effect.

3. Where the head of press line agency, general director, deputy general director, director, deputy director, editor-in-chief, deputy editor-in-chief of press agency, journalist, author of journalistic work and other individuals have the violation of provisions of this Law, depending on the nature and seriousness of the violation, they shall be disciplined, sanctioned for administrative violation, prosecuted for criminal liability or their press cards shall be revoked.

4. Organizations and individuals that infringe the intellectual property rights in the field of press shall be sanctioned under the regulations of law on intellectual property

5. Where the press agencies, journalists, organizations and individuals involved in the press activities cause damages to the legitimate rights and interests of the other agencies, organizations and individuals, in addition to the sanction specified in Clauses 1, 2, 3 and 4 of this Article, they shall have to make public correction or apology in newspapers and make compensation for the damages as prescribed by law.

Chapter VI

IMPLEMENTATION PROVISION

Article 60. Effect

1. This Law takes effect from 01/01/2017.

2. The Press Law dated 28/12/1989 which has been modified and added some articles based on the Law No. 12/1999/QH10 shall be invalidated from the effective date of this Law.

Article 61. Detailed provision

The Government and the competent authorities shall detail the articles and clauses assigned in this Law

This Law was passed by the XIIIth National Assembly of the Socialist Republic of Vietnam, 11th session on 05/04/2016.

CHAIRMAN OF NATIONAL ASSEMBLY

Nguyen Thi Kim Ngan