

THE GOVERNMENT

No. 195/2013/ND-CP

THE SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom – Happiness

Hanoi, November 21, 2013

DECREE

DETAILING A NUMBER OF ARTICLES OF, AND MEASURES FOR IMPLEMENTING,
THE PUBLICATION LAW (*)

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the November 20, 2012 Publication Law;

At the proposal of the Minister of Information and Communications,

The Government promulgates the Decree detailing a number of articles of, and measures for implementing, the Publication Law.

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation and subjects of application

1. This Decree details a number of articles of, and measures for implementing, the Publication Law regarding the responsibilities to perform the state management of, and to implement state policies on, publication activities; organization of and operation in the publishing, printing and distribution of publications and publishing and distribution of e-publications.

2. This Decree applies to domestic agencies, organizations and individuals, foreign organizations operating in the Vietnamese territory and foreign residents in Vietnam that are involved in publication activities.

Article 2. Tasks and powers of the Ministry of Information and Communications in performing the state management of publication activities

1. To assume the prime responsibility for, and coordinate with others in, formulating and promulgating according to its competence, or submitting to competent agencies for promulgation, legal documents, strategies, master plans, plans and state policies on publication activities, copyright and related rights in publication activities, and measures for preventing and combating illegal printing, printing of fake books, or printing in excess of registered quantities of publications.

2. To conduct scientific research and technological application in publication activities; to provide professional and skills training and retraining in publication activities.
3. To manage and organize international cooperation in publication activities.
4. To assume the prime responsibility for, and coordinate with related agencies in, specifying, or proposing competent agencies to specify, the policies prescribed at Points b and c, Clause 2; Points b and c, Clause 4; and Point b, Clause 5, Article 7 of the Publication Law.
4. To grant, renew, re-grant, extend and revoke licenses, certificates, practice certificates and registration certifications used in publication activities in accordance with the Publication Law and this Decree.
5. To receive, manage, read and examine deposited publications and handle violating publications in accordance with the Publication Law, this Decree and other relevant laws.
6. To guide and implement the information, reporting and statistical regimes and issue forms for use in publication activities.
7. To implement emulation and commendation work in publication activities; to select and award national prizes for publications of high value.
8. To request organizations and individuals to suspend the publishing, printing or distribution of publications in accordance with law when detecting signs of violation.
9. To examine, inspect, settle complaints and denunciations and handle law violations in publication activities according to its competence.

Article 3. Responsibilities of ministries and ministerial-level agencies in performing the state management of publication activities

1. The Ministry of Public Security shall assume the prime responsibility for, and coordinate with the Ministry of Information and Communications in, providing according to its competence, or proposing competent agencies to provide and guide, the implementation of measures to ensure security and order and prevent and combat crimes in publication activities.
2. The Ministry of Industry and Trade shall assume the prime responsibility for, and coordinate with the Ministry of Information and Communications in, providing according to its competence, or proposing competent agencies to provide and guide, market management work in publication activities.
3. The Ministry of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with the Ministry of Information and Communications in, detailing according to its competence, or proposing competent agencies to detail, the environmental sanitation conditions prescribed at Point c, Clause 1; and Point e, Clause 2, Article 32 of the Publication Law.

4. The Ministry of Planning and Investment shall assume the prime responsibility for, and coordinate with the Ministry of Information and Communications, the Ministry of Finance and related agencies in, specifying, or proposing competent agencies to specify, the policies prescribed at Point a, Clause 2; Point a, Clause 3; and Point a, Clause 5, Article 7 of the Publication Law.

5. The Ministry of Finance shall assume the prime responsibility for, and coordinate with the Ministry of Information and Communications and related agencies in, providing according to their competence, or proposing competent agencies to provide, charges, fees, preferential policies on loan interests, taxes and other amounts payable to the state budget, and allocation of funds in accordance with law for implementation of the policies prescribed in Articles 7, 25, 39 and 41 of the Publication Law.

6. Ministries and ministerial-level agencies shall, within the ambit of their tasks and powers, coordinate with the Ministry of Information and Communications in performing the state management of publication activities.

Article 4. Tasks and powers of provincial-level People's Committees in performing the state management of publication activities

1. To promulgate according to their competence master plans and plans on development of publication activities in their localities; to promulgate, and guide the implementation of, the State's laws and policies on publication activities in their localities.
2. To grant, re-grant, renew and revoke licenses and registration certifications in accordance with the Publication Law and this Decree.
3. To receive, manage, read and examine deposited publications and handle violating publications in accordance with the Publishing Law, this Decree and other relevant laws with regard to publications for which they have granted publication permits.
4. To implement the information, reporting and statistical regimes and emulation and commendation work in publication activities in accordance with law.
5. To examine, inspect, settle complaints and denunciations and handle law violations in publication activities according to their competence.

Article 5. Information and reporting regimes in publication activities

1. Agencies managing publishing houses and organizations and individuals involved in publishing, printing or distribution of publications shall make periodical and irregular reports according to regulations.
2. Provincial-level People's Committees shall make periodical and irregular reports on publication activities and the state management of publication activities in their localities to the Ministry of Information and Communications.

3. Ministries, ministerial-level agencies and government-attached agencies shall, within the ambit of their functions, tasks and powers, coordinate in one another in exchanging and providing information serving the state management of publication activities.

4. The Minister of Information and Communications shall specify in detail the order, procedures and methods for reporting and forms of reports on publication activities.

Article 6. Conditions for establishment and contents of operation of Vietnam-based representative offices of foreign publishing houses and foreign publication distribution organizations

1. Conditions for establishment:

a/ The publishing house or publication distribution organization is operating lawfully in a foreign country;

b/ The person expected to be appointed as head of the representative office permanently resides in Vietnam, has full civil act capacity in accordance with law, possesses a university or higher degree and is neither being examined for penal liability nor serving a legally effective court judgment;

c/ Having a location for establishing the representative office.

2. Operation contents:

A representative office must fully observe the Publication Law, this Decree and other regulations of Vietnam on representative offices and may conduct the following activities:

a/ Introducing, displaying, organizing exhibitions on, advertising, or otherwise disseminating information in accordance with Vietnamese law about, the organization and publications of the publishing house or publication distribution organization it represents;

b/ Supporting trade promotion, cooperation, exchange of copyright, publishing, printing and distribution of publications for the publishing house or publication distribution organization it represents.

Article 7. Grant, re-grant and extension of licenses for establishment of Vietnam- based representative offices of foreign publishing houses and foreign publication distribution organizations

1. The grant of a representative office establishment license is as follows:

a/ A dossier of application for a representative office establishment license (in Vietnamese, enclosed with the notarized English translation) addressed to the Ministry of Information and Communications comprises: an application for the license; a written certification of the lawful operation of the concerned publishing house or publication distribution organization in the

country where it is headquartered, issued by a competent foreign authority; papers proving the availability of office space for the representative office or the office space lease contract for the representative office; certified copies of the university or higher degree, judicial report and civil status book of the head of the representative office or papers proving that he/she is permitted to permanently reside in Vietnam, issued by a competent Vietnamese agency;

b/ Within 30 days after receiving a complete dossier, the Ministry of Information and Communications shall grant a representative office establishment license; in case of refusal to grant a license, it shall issue a reply clearly stating the reason.

A representative office establishment license is valid for 5 years from the date of grant and may be extended with each extension not exceeding 5 years.

2. The re-grant or extension of a representative office establishment license is as follows:

a/ Within 5 days after its representative office establishment license is lost or damaged, a foreign publishing house or publication distribution organization shall submit a dossier of application for re-grant of the license. A dossier addressed to the Ministry of Information and Communications comprises an application for re-grant of the license and a copy of the license (if available) or the damaged license;

b/ At least 30 days before its representative office establishment license expires, a foreign publishing house or publication distribution organization may apply for extension of the license. A dossier addressed to the Ministry of Information and Communications comprises an application for extension of the license and the granted license;

c/ Within 15 days after receiving a complete dossier, the Ministry of Information and Communications shall re-grant or extend the license; in case of refusal, it shall issue a written reply clearly stating the reason.

3. The Minister of Information and Communications shall specify the forms of applications for grant, re-grant or extension of representative office establishment licenses and the form of representative office establishment license provided in Clauses 1 and 2 of this Article.

Chapter II

PUBLISHING

Article 8. Conditions for establishment and assurance of operations of publishing houses

1. In addition to the conditions prescribed in Clauses 1, 2 and 4, Article 13 of the Publication Law, a publishing house may be established when the following conditions are fully met:

a/ Having a head office of at least 200 square meters (m²) for use;

b/ Having at least VND 5 (five) billion for publication activities;

c/ Having sufficient equipment for publication activities.

2. Managing agencies of publishing houses shall maintain the conditions prescribed in Clause 1 of this Article throughout the operation of their publishing houses.

3. A publishing house and its managing agency shall arrange an annual fund of at least VND 5 (five) billion for the publishing house to perform its publication tasks according to its operation guidelines and objectives.

Article 9. Approval of the appointment, dismissal and relief from duty of general directors (directors) and editors-in-chief of publishing houses

1. The approval of the appointment, dismissal or relief from duty of general directors (directors) and editors-in-chief of publishing houses is as follows:

a/ Before appointing the general director (director) or editor-in-chief of a publishing house, the managing agency shall send a dossier to the Ministry of Information and Communications. The dossier comprises: A written request for approval of the appointment; the resume of the to-be-appointed person; and a certified copy of the university or a higher degree of the person to be appointed as general director (director) or a copy of the editing practice certificate of the person to be appointed as editor-in-chief;

b/ Before dismissing or relieving from duty the general director (director) or editor-in-chief of a publishing house, the managing agency shall send to the Ministry of Information and Communications a written request for approval of the dismissal or relief from duty;

c/ Within 20 days after receiving a complete dossier from the managing agency, the Ministry of Information and Communications shall issue a written approval or disapproval of the appointment, dismissal or relief from duty of the general director (director) or editor-in-chief of the publishing house.

2. The Ministry of Information and Communications shall request managing agencies of publishing houses to consider dismissing or relieving from duty general directors (directors) or editors-in-chief of publishing houses who commit serious violations of the law on publication activities.

Article 10. Publication registration and certification of publication registration

1. The publication registration by publishing houses must comply with Clause 1, Article 22 of the Publishing Law, regardless of quantity of works, documents and publications registered each time, and publishing houses shall take responsibility before law for the contents of publication registration.

2. A publication registration dossier comprises:

a/ A written registration with a summary of subject matters, topics and contents of each work or document registered for publishing, publications registered for re-publishing and other information, made according to the form provided by the Minister of Information and Communications;

b/ The written content appraisals for works or documents subject to content appraisal.

3. Within 7 working days after receiving a complete publication registration dossier from a publishing house, the Ministry of Information and Communications shall certify the publication registration in writing and grant publication registration certification numbers for each work, document or publication registered for re-publishing, and international standard book numbers (ISBNs); in case of refusal to certify publication registration, it shall issue a written reply clearly stating the reason.

4. In the course of registration certification, the Ministry of Information and Communications may request publishing houses to seek appraisal for or give explanations about works or documents registered for publishing or publications registered for re-publishing to serve the publication registration.

5. The written publication registration certification serves as a basis for a publishing house to issue publication decisions for each work, document or to-be-re-published publication. The deadline for issuing publication decisions is December 31 of the year of registration certification; if failing to publish a work or document or re-publish a publication, the publishing house shall report such to the Ministry of Information and Communications before March 31 of the year following the year of registration certification, and the granted publication registration number and ISBN will be no longer valid.

6. The Minister of Information and Communications shall specify the management, position and size of, technical requirements for, and method of inscribing publication registration numbers and ISBNs, and the method of conducting online publication registration.

7. The Ministry of Information and Communications shall refuse to certify publication registration in the following cases:

a/ The publication registration contents do not conform with the operation guidelines, objectives, functions and tasks of the concerned publishing house;

b/ Works and documents registered for publishing for publications registered for re-publishing are involved in disputes over copyright and related rights;

c/ Works, documents and publications have been previously rejected for publication registration, banned from circulation, confiscated or destroyed by the Ministry of Information and Communications, or have been withdrawn or destroyed by the publishing house;

d/ Works, documents or publications are to be published or re-published under joint publication plans with a partner that has been sanctioned for administrative violations in publication

activities twice (2) or more times within 12 months counting from the date of being sanctioned for the first time, or a partner that does not satisfy the conditions prescribed for joint publication or fails to observe requirements of state management agencies of publication activities;

dd/ The publishing house fails to comply with management measures applied by state management agencies of publication activities in accordance with law;

e/ Other cases decided by the Ministry of Information and Communications.

Article 11. Joint publication activities

In addition to complying with Article 23 of the Publication Law, publishing houses and their partners must meet the following requirements:

1. For publishing houses:

To sign printing contracts directly with printing establishments having publication printing permits and sign publication distribution decisions.

2. For partners:

a/ To have certified copies of identity cards or passports which remain valid in accordance with law, for the individuals prescribed at Point a, Clause 1, Article 23 of the Publication Law, or certified copies of the papers proving the legal person status, for the organizations prescribed at Point c, Clause 1, Article 23 of the Publication Law;

b/ To have papers proving that it has a staff of at least 3 (three) editors possessing editing practice certificates, in case of joint publication in the form of preliminary editing of manuscripts;

c/ To comply with publication decisions of the general director (director) of the publishing house; to correct, suspend the distribution, withdraw or destroy publications under decisions of the general director (director) of the publishing house.

Article 12. Licensing of publication of non-commercial documents

1. Non-commercial documents to be licensed for publication under Article 25 of the Publication Law include:

a/ Public information documents serving political tasks, major anniversaries and important events of the country;

b/ Documents guiding the study and implementation of the Party's lines and policies and the State's laws;

c/ Documents guiding measures for natural disaster and epidemic prevention and control and environmental protection;

d/ Records of conferences and seminars and development records of Vietnamese agencies and organizations;

dd/ Brochures on operations of foreign agencies and organizations lawfully operating in Vietnam;

e/ Documents on the history of the Party and local administrations; documents serving political tasks of localities, with opinions of superior-level Party organizations or agencies.

2. The competence to license publication of non-commercial documents is prescribed in Clause 1, Article 25 of the Publication Law.

For documents of units under the people's army or people's police, state management agencies of publication activities shall grant publication permits after obtaining opinions of the Ministry of National Defense or the Ministry of Public Security or agencies authorized by the Ministry of National Defense or the Ministry of Public Security.

3. The Minister of Information and Communications shall specify the dossier and procedures for applying for publication permits for non-commercial documents prescribed in Clause 1 of this Article.

Chapter III

PRINTING AND DISTRIBUTION OF PUBLICATIONS

Article 13. Conditions and dossiers for grant of publication printing permits and cases of revocation of publication printing permits

1. To be granted a publication printing permit (covering the stages of layout, printing and post-printing processing of publications), a printing establishment must fully meet the following conditions:

a/ It complies with Clause 1, Article 32 of the Publication Law;

b/ Its owner is a Vietnamese organization or individual.

2. Papers and documents proving the satisfaction of the conditions on heads of printing establishments and production space and equipment in the dossier of application for a publication printing permit specified in Clause 2, Article 32 of the Publication Law are specified as follows:

a/ Regarding the head of the publication printing establishment: He/she must be the at-law representative indicated in the business registration certificate, enterprise registration certificate,

investment certificate, or establishment decision issued by a competent agency; his/her diploma granted by a professional printing training institution must be a certified copy of a college or higher degree in printing or a certificate of training in publication printing management granted by the Ministry of Information and Communications;

b/ Regarding documents on production space: These documents must be originals or certified copies of land use rights certificates or contracts or other papers proving the allocation or rent of land or rent of production space or workshops;

c/ Regarding documents on equipment: These documents must be copies of papers on ownership or lease-purchase of equipment. In case equipment is unavailable, a list of to-be-invested equipment is required.

Within 6 months after being granted a publication printing permit, the printing establishment shall complete the purchase or lease-purchase equipment according to the list of to-be-invested equipment and send copies of purchase or lease-purchase documents to the licensing agency.

3. In addition to the provisions in Clause 8, Article 32 of the Publication Law, a publication printing establishment shall have its operation license revoked when:

a/ It no longer satisfies the conditions prescribed at Point b, Clause 1 of this Article;

b/ Past the 6-month time limit from the date of being granted a publication printing permit, it still fails to complete the investment in equipment under Point c, Clause 2 of this Article.

Article 14. Grant, re-grant and revocation of publication import business licenses

1. To be granted a publication import business license by the Ministry of Information and Communications, a publication import business (below referred to as publication importer) must fully meet the following conditions:

a/ It satisfies the requirements stated at Points a and b, Clause 3, Article 38 of the Publication Law, in which the diploma granted by a professional training institution to the head of the publication importer must be a university or higher degree in publication distribution.

In case the head of the publication importer possesses a university or higher degree in a major other than publication distribution, he/she must possess a certificate of training in publication distribution granted by the Ministry of Information and Communications.

b/ In case of importing books, in addition to the conditions prescribed at Point a of this Clause, the publication importer must have at least 5 (five) staff members qualified for book content appraisal. Specifically, these persons must have been engaged in publication activities in Vietnam for at least 5 years, possess a university or higher degree in foreign languages or a university degree in another major but obtain foreign-language qualifications suitable to the requirements on appraisal of imported book contents and possess a certificate of training in publication distribution granted by the Ministry of Information and Communications.

2. The dossier and time limit for grant of a publication import business license are as follows:

a/ The dossier of application for a publication import business license is prescribed in Clause 4, Article 38 of the Publication Law, and shall be made according to the form provided by the Minister of Information and Communications;

b/ Within 30 days after receiving a complete complete dossier, the Ministry of Information and Communications shall grant a publication import business license; in case of refusal, it shall issue a written reply clearly stating the reason.

3. A publication import business license may be re-granted if it is lost or damaged. The re-grant of a license is as follows:

a/ The publication importer sends an application for re-grant of the license to the Ministry of Information and Communication, enclosed with a copy of the granted license (if available);

b/ Within 15 days after receiving a dossier, the Ministry of Information and Communications shall re-grant the publication import business license; in case of refusal, it shall issue a written reply clearly stating the reason.

4. In the course of operation, publication importers that fail to maintain the conditions prescribed in Clause 1 of this Article shall have their publication import business licenses revoked.

Article 15. Refusal to certify the registration of import of publications for commercial purposes

The Ministry of Information and Communications shall refuse to certify the registration of a publication importer for import of publications for commercial purposes in the following cases:

1. The publications show signs of violation of law.

2. The imported publications are subject to content appraisal but the publication importer fails to report appraisal results.

3. The publication importer fails to comply with management measures applied by state management agencies of publication activities in accordance with law.

4. Other cases decided by the Ministry of Information and Communications.

Article 16. Responsibility of publication importers to appraise contents of imported publications

1. Within 30 days after being granted a publication import business license, the publication importer shall issue an internal regulation on content appraisal of imported publications, send such regulation to the Ministry of Information and Communications and comply with such regulation throughout its operation.

2. Before distributing imported publications, the head of the publication importer shall appraise their contents as follows:

a/ To establish an appraisal board comprising a leader of the publication importer as its chairperson, experts in the fields related to the contents of to-be-appraised publications as its members and a staff member in charge of publication content appraisal as its secretary. The invitation of experts to join the appraisal board shall be decided by the head of the publication importer;

b/ The appraisal shall be conducted for each imported publication. Appraisal results shall be recorded in minutes to be reported to the Ministry of Information and Communications once every 3 months;

c/ In the course of appraisal, if detecting that the contents of an imported publication violate Clause 1, Article 10 of the Publication Law, the publication importer may not distribute the publication and shall promptly report such to the Ministry of Information and Communications.

3. When receiving the Ministry of Information and Communications' requests for content appraisal of imported publications, heads of publication importers shall organize the appraisal and report appraisal results in writing.

Imported publications may be distributed only after obtaining written approval of the Ministry of Information and Communications.

Chapter IV

PUBLISHING AND DISTRIBUTION OF E-PUBLICATIONS

Article 17. Conditions for publishing and distribution of e-publications

1. The conditions on equipment and technologies for publishing and distribution of e-publications are prescribed at Point a, Clause 1, and Point b, Clause 2, Article 45 of the Publication Law, specifically as follows:

a/ Having a server located in Vietnam, computers and other equipment serving the publishing and distribution of e-publications on the internet;

b/ Having equipment and software serving the design, layout, and recording of data on electronic devices;

c/ Having equipment for transmitting digitalized e-publications after they are edited, formatted and stored on electronic devices;

d/ Having a lawfully registered internet connection line for publishing and distribution of e-publications on the internet;

dd/ Having technical solutions to control the publishing and distribution of e-publications, including distribution, removal or restoration of e-publications for distribution;

e/ Having technical equipment and solutions to make statistics of and manage the number of e-publications already published and distributed;

g/ Having an storage system meeting technical requirements to store e-publications already published and distributed; stored e-publications must ensure the requirements on accuracy, integrity, information safety and accessibility as soon as they are created;

h/ Having a lawful digital certificate in accordance with the law on e-transactions and complying with standards and technical regulations on e-publications.

2. Criteria for technical personnel who operate and manage the process of publishing and distributing e-publications are prescribed at Point a, Clause 1 and Point a, Clause 2, Article 45 of the Publication Law, specifically as follows:

a/ Being trained in information technology and having worked in the information technology sector for at least 1 year; possessing good political and ethical qualities;

b/ Being qualified for operating and managing the technical equipment and solutions prescribed in Clauses 1 and 3 of this Article to serve the publishing and distribution of e-publications.

3. The technical measures prescribed at Point b, Clause 1, and Point b, Clause 2, Article 45 of the Publication Law are specified as follows:

a/ Having technical equipment and solutions to prevent and control computer viruses;

b/ Having technical equipment and solutions to prevent unauthorized access via the internet;

c/ Having a professional process for responding to information safety and security incidents;

d/ Having a professional process for identifying interferences that change the contents of e-publications;

dd/ Having technical solutions as prescribed by the Minister of Information and Communications to control the digital copyright of content providers and content distribution channels.

4. The Vietnam's domain name prescribed at Point c, Clause 1, and Point c, Clause 2, Article 45 of the Publication Law must be a “.vn” domain name.

5. The Minister of Information and Communications shall specify appropriate conditions for publishing and distribution of e-publications prescribed in this Article in each period of technology development.

Article 18. Appraisal of e-publication publishing or distribution schemes and registration of the publishing and distribution of e-publications

1. The appraisal of e-publication publishing or distribution schemes is as follows:

a/ Publishing houses shall send e-publication publishing schemes and organizations and individuals shall send e-publication distribution schemes to the Ministry of Information and Communications;

b/ E-publication publishing or distribution schemes must explicitly express the satisfaction of the conditions prescribed in Article 17 of this Decree;

c/ Within 15 days after receiving a scheme, the Ministry of Information and Communications shall consider and give its written appraisal opinions.

2. The registration of the publishing and distribution of e-publications prescribed at Point d, Clause 1, and Point d, Clause 2, Article 45 of the Publication Law is as follows:

a/ Within 60 days after receiving the written approval of the Ministry of Information and Communications, the publishing house or organization or individual shall implement its/his/her scheme according to the appraisal opinions of the Ministry of Information and Communications and send a dossier of registration for e-publication publishing or distribution to the Ministry of Information and Communications. A dossier comprises a written registration for e-publication publishing or distribution and a copy of the Ministry of Information and Communications' written approval of the scheme;

b/ Within 20 days after receiving a dossier of registration for e-publication publishing or distribution, the Ministry of Information and Communications shall examine the implementation of the scheme and grant a written registration of e-publication publishing or distribution; in case of refusal to grant the written registration, it shall issue a written reply clearly stating the reason;

c/ Publishing houses may publish e-publications and organizations and individuals may distribute e-publications only after obtaining the Ministry of Information and Communications' registration certification.

3. The Minister of Information and Communications shall provide forms of the e-publication publishing and distribution scheme, written registration application and registration certification prescribed in Clauses 1 and 2 of this Article.

Article 19. Classification of e-publications and requirements on the contents and technical conditions of e-publications

1. E-publications are divided into 2 (two) categories:

a/ Those converted into the electronic form from publications lawfully published in other forms;

b/ Those created in the electronic form under publication decisions issued by general directors (directors) of publishing houses or permits for publishing non-commercial documents issued by state management agencies of publication activities, and not yet published in any other forms.

2. Requirements on the contents and technical conditions of e-publications prescribed at Point a, Clause 1 of this Article:

a/ The contents do not violate the provisions of Clause 1, Article 10 of the Publication Law or the publications are neither suspended nor banned from circulation nor withdrawn and destroyed;

b/ The contents are exactly the same as those of the original publications lawfully published in Vietnam;

c/ Having a digital format in accordance with the Minister of Information and Communications' regulations on formats of text message, sound and image files;

d/ Having a lawful digital signature of the head of the organization or the individual conducting the distribution.

3. Requirements on the contents and technical conditions of e-publications prescribed at Point b, Clause 1 of this Article:

a/ The contents do not violate the provisions in Clause 1, Article 10 of the Publication Law;

b/ Meeting the requirements prescribed at Point c, Clause 2 of this Article and having the lawful digital signature of the general director (director) of the publishing house or the head of the agency or organization that is granted a permit for publishing non-commercial documents.

Article 20. Import of e-publications for commercial purposes

1. Distribution establishments having a publication import business license prescribed in Article 14 of this Decree may import e-publications for commercial purposes.

2. The import of e-publications for commercial purposes must comply with the following regulations:

a/ Before importing e-publications in data storage devices, publication importers shall register the import according to Article 39 of the Publication Law; in case of importing via the internet, they shall make and register with the Ministry of Information and Communications a list of imported publications at least 10 days before distributing such publications, enclosed with copies of import contracts or payment documents;

b/ E-publication importers shall appraise the contents of imported e-publications before distribution according to Article 16 of this Decree.

Article 21. Deposit of e-publications

1. When depositing e-publications at state management agencies of publication activities according to Article 48 of the Publication Law, publishing houses or agencies or organizations that are granted publication permits shall submit a copy of each e-publication recorded in a data storage device or submit via the internet e-publications in the digital format according to the Minister of Information and Communications' regulations on the formats of text message, sound or image files, enclosed with 2 (two) deposit declarations made according to a set form.

2. The Minister of Information and Communications shall specify technical requirements on and methods of depositing e-publications.

Article 22. Responsibilities of publishing houses and agencies, organizations and individuals engaged in the publishing or distribution of e-publications

1. In addition to the responsibilities prescribed in Article 50 of the Publication Law, publishing houses, organizations and individuals engaged in the publishing, distribution or import of e-publications have the following responsibilities:

a/ To ensure that techniques and technologies used for publishing and distributing e-publications conform with this Decree and other laws on information technology and telecommunications;

b/ To ensure the integrity of contents and forms of e-publications;

c/ To comply with competent state management agencies' requests for suspension of the publishing or distribution of e-publications or removal, or prevention of users from accessing, part or the whole of contents of publications showing signs of violation of law;

d/ Not to publish or distribute e-publications together with technical or technological applications causing information unsafety or insecurity to electronic devices;

dd/ Not to add information that falsifies the contents of e-publications or add information not required by e-publication users, except those prescribed by law or permitted by state management agencies in charge of publication activities;

e/ Not to illegally intervene so as to falsify the contents and forms of e-publications or commit illegal acts;

g/ To report and explain about the publishing, distribution or import of e-publications and contents of e-publications at the request of competent agencies;

h/ To take responsibility before law the publishing, distribution and import of e-publications and contents of e-publication.

2. E-publication users may not intervene in any forms to falsify the contents of e-publications.

Article 23. Cases subject to suspension or termination of the publishing or distribution of e-publications

1. The Ministry of Information and Communications shall request publishing houses, organizations and individuals to suspend the publishing or distribution of e-publications to rectify or remedy violations in the following cases:

a/ Failure to fully maintain the conditions prescribed in Article 17 of this Decree in the course of operation;

b/ Failure to comply with Article 22 of this Decree;

c/ Failure to abide by management measures applied by state management agencies of publication activities.

2. In case publishing houses, organizations or individuals that distribute e-publications fail to remedy the violations specified in Clause 1 of this Article, they shall terminate their operation under the Minister of Information and Communications' decisions.

Chapter V

IMPLEMENTATION PROVISIONS

Article 24. Effect

1. This Decree takes effect on March 1, 2014.

2. The following documents cease to be effective on the effective date of this Decree:

a/ The Government's Decree No. 111/2005/ND-CP of August 26, 2005, detailing and guiding a number of articles of the Publication Law;

b/ The Government's Decree No. 11/2009/ND-CP of February 10, 2009, amending and supplementing the Government's Decree No. 111/2005/ND-CP of August 26, 2005, detailing and guiding a number of articles of the Publication Law;

c/ The Government's Decree No. 110/2010/ND-CP of November 9, 2010, amending and supplementing a number of articles of the Government's Decree No. 111/2005/ND-CP of August 26, 2005, detailing and guiding a number of articles of the Publication Law, which was amended and supplemented under the Government's Decree No. 11/2009/

d/ Article 1 of the Government's Decree No. 72/2011/ND-CP of August 23, 2011, amending and supplementing a number of articles of the Government's Decree No. 111/2005/ND-CP of August 26, 2005, detailing and guiding the implementation of a number of articles of the Publication Law, which was amended and supplemented under the Government's Decree No. 11/2009/ND-CP of February 10, 2009, and Decree No. 105/2007/ND-CP of June 21, 2007, on printing of products other than publications.

Article 25. Renewal of licenses for publication activities and registration of distribution of publications

1. Within 18 months after the effective date of this Decree, managing agencies of publishing houses shall carry out procedures to apply for renewal of publishing house establishment licenses.
2. Within 12 months after the effective date of this Decree, publication printing establishments, publication importers, Vietnam-based representative offices of foreign publishing houses or foreign publication distribution organizations shall carry out procedures to apply for renewal of their operation licenses or establishment licenses.
3. Within 12 months after the effective date of this Decree, publication distribution establishments and organizations and individuals engaged in the distribution of e-publications shall carry out operation registration procedures.
4. The renewal of establishment licenses, operation licenses and operation registration must comply with the Publication Law, this Decree and relevant laws.

Certificates of training in printing management already granted to heads of printing establishments before the effective date of this Decree may be used to carry out procedures for renewal of publication printing permits.

Article 26. Implementation responsibility

Ministers, heads of ministerial-level agencies, heads of government-attached agencies, chairpersons of provincial-level People's Committees and related agencies and organizations shall implement this Decree.-

**ON BEHALF OF THE GOVERNMENT
PRIME MINISTER**

Nguyen Tan Dung