

<http://mic.gov.vn/layyknd/Trang/DuthaoLuatBaochi.aspx>

NATIONAL ASSEMBLY

SOCIALIST REPUBLIC OF VIETNAM

Independence – Liberty - Happiness

Law No.:

/2016/QH1

NATIONAL ASSEMBLY

SOCIALIST REPUBLIC OF VIETNAM

Session XIII, Meeting No.

(From Day Month to Day Month 2016)

LAW ON JOURNALISM

Pursuant to the 2013 Constitution of the Socialist Republic of Vietnam, the National Assembly hereby promulgates this Law on Journalism.

Section I

GENERAL PROVISIONS

Article 1. Scope

This Law covers the news media's organization and operation; the rights and missions of agencies, organizations, and individuals engaged in journalism; and the government's oversight of the news media.

Article 2. Regulated entities

This Law applies to agencies, organizations, and individuals engaged in journalism; and agencies, organizations and individuals involved with journalism.

Article 3. Forms of the news media

For this Law's purpose, the news media include the following formats: print, audio, images, and electronic media.

Article 4. Glossary

For this Law's purpose, the following definitions apply:

1. "Print media" use a combination of words, drawings and photos, that are printed and distributed to readers. This category includes newspapers, magazines, and news pieces.
2. "Audio journalism" uses voices and sounds that are broadcast or transmitted using various technologies.
3. "Television/video journalism" is primarily visual, but includes the use of voices, sounds, and words that are broadcast or transmitted using various technologies.
4. "Electronic media" use the written word as the primary communication tool, but also uses images and sounds; rely on Internet distribution; and include electronic newspapers and magazines.
5. "Periodicals" (printed or electronic) are published on a recurring schedule, carry articles, news, and pictures with a focus on certain specialized areas; are assembled into magazines, and printed (in the case of printed periodicals) or transmitted via the Internet.

6. "News bulletins" are issued on a recurring schedule, carry domestic or international news, or information on specific topics issued by the government's information agency.

7. "Radio program, television program": this category consists of a logical arrangement of news pieces, articles, documentaries, images, and sounds that would last a pre-determined time period, with theme music and/or a theme image at the start, and ending with the host/hostess saying something equivalent to 'see you next time' or "goodbye", or the words "The End" on the screen.

8. "Show" is a planned sequence of programs that are periodically broadcast, e.g., weekly or monthly, and have the same identifying symbol.

9. "Newscast" features news covering recent events in the realms of politics, the economy, and society, that are of interest to a large audience.

10. "Supplemental page" is one that is extra compared to the typical number of pages of a periodical; it is published together with the periodical.

11. "Special edition" is a publication that has the content of a news periodical, but is published irregularly and whose theme or major focus changes.

12. "Newsletter" is published on a fixed, recurring schedule, under a news format; is used to disseminate information on internal activities, work-related guidance, research findings, new applications, and outcomes of workshops and conferences involving agencies, organizations, and other entities with a legal personality.

13. "Home page" is the first web page of an electronic periodical whose domain name is listed in the operating license of the electronic periodical.

14. "Content page" is a page presenting information of a specific nature, consistent with the organization's charter and mission, and whose pathname is in the subtier of the domain name that is specified in the license issued to the organization.

15. "Journalistic output" refers to all types of periodicals that are published or broadcast.

16. "Journalistic products" refers to published articles, radio and TV shows, contents of published pages, web periodicals, and content pages.

17. "Press conference" refers to an organization or an individual's act of providing information to assembled news media representatives with the intent to make public, declare, explain, or respond. The content of the press conference relates to the mission or interest of the organization or individual.

18. "Distribution of printed journalistic products" is the act of getting journalistic products that are printed to readers using various means.

19. "Transmit, broadcast" is bringing radio and TV programs and electronic media to consumers, using various technologies.

20. "Mandatory submission" is submitting journalistic products to the government agency tasked with archiving and monitoring such material.

21. "Partnership for journalistic activities" is a form of cooperation between the journalistic organization and a collaborating party for creating a part of, or the entire product, or for publishing, transmitting or broadcasting the product.

22. "Partnership program" is the collaboration between a radio station or TV station and a collaborating party for producing the program.

Article 5. Function, mission and rights of the news media

1. The news media in the Socialist Republic of Vietnam is an essential vehicle for bringing information to the people and an enabler of social activities, and serves as the people's forum.

2. The news media's mission and rights include:

a) Disseminate truthful information on the nation and the world that is compatible with the interests of the nation and the people.

b) Propagandize, disseminate, contribute to, implement, and defend the Party's approach and strategy, the government's policy and laws, the nation's and the world's achievements as defined by the journalistic organization's charter and goal; contribute to political stability, economic and social development, increase the people's knowledge and awareness, meet the people's cultural needs that meet decency standards, preserve and spread the people's good traditions, build and promote socialist democracy, raise the level of national solidarity, and develop and protect the Fatherland and socialism.

c) Reflect and guide social discourse; serve as a forum for the people's exercise of freedom of speech;

d) Extoll examples of good citizenship, laudable acts, new human factors, exemplary progressive thinking, modern attitude and thinking, prevent and fight illegal activities and undesirable social phenomena;

đ) Contribute to the preservation of the purity of the language of Vietnam's dominant ethnic group and ethnic minorities;

e) Increase mutual understanding among various national governments and people, participate in international endeavors aimed at achieving peace, liberty, democracy, and social progress.

Article 6. The government's policy of developing the news media

1. The government has a strategy and plan to develop all aspects of Vietnam's news media to meet the people's increasing need for information, to accelerate economic and social development, and contribute to the development and defense of the Fatherland and socialism.

2. The government has a policy of prioritized investments in the following areas: scientific research and application of state-of-the-art technology in journalism; providing training and other support to nurture journalistic expertise, professionalism, and management skills; and help the news media have access to up-to-date technology.

3. The government has a policy of subsidizing the costs of mailing and publishing, and other forms of assistance when the journalistic organization serves youths, children, ethnic minorities, and residents of economically depressed regions or regions with particularly acute socio-economic problems; so that the media can fulfill its essential political and social mission and disseminating information to other countries, conforming to each phase specified in the Prime Minister's Decision.

4. The government offers incentives with respect to taxes and fees based on an organization's function, mission, target customers, and mode of operation.

Article 7. Fund for News Media Assistance and Development

1. The Fund for News Media Assistance and Development is a public, not-for-profit fund under the purview of the Information and Communications Ministry (MIC).

This tax-exempt fund is for assisting media organizations and activities supporting the development of a domestic press. Its management and use must be within the law and conform to its objective.

2. The Fund for News Media Assistance and Development draws from contributions by the central government, agencies, organizations, individuals, and other lawful sources.

3. The government will prescribe the procedures for establishing, managing, and using the Fund for News Media Assistance and Development.

Article 8. Synopsis of the government's oversight of the news media

1. Devise and lead the implementation of strategy, plans, and approach for developing the news media. Promulgate and enable the application of journalistic laws, and establish the policy and framework for the news media.

3. Organize information for the news media; manage the news media's information services.

4. Train news media workers and nurture their political awareness, journalism expertise, and professionalism.

5. Organize and manage science and technology activities addressing the news media's needs.

6. Issue, extend, modify, supplement, suspend, revoke journalism licenses and permits for print media, audio journalism, television/video journalism, electronic media; issue and revoke journalist's cards; revoke and confiscate printed news material; suspend, terminate radio and TV programs; remove content from electronic media websites.

7. Manage international journalistic collaboration, Vietnamese news media's activities related to other countries, and foreign news media's activities in Vietnam.

8. Read, review government-archived journalistic products; manage the national journalistic archives.

9. Direct, implement the news media's work, reporting, statistical data collection, and rewards.

10. Guide, inspect, review the implementation of journalism policy, plans, for development of the news media and enforcement of journalism laws; implement measures against unauthorized journalistic activities; resolve complaints, respond to reports of infractions, and address infractions in journalism.

Article 9. The government's oversight of the news media

1. The government maintains oversight of the news media.

2. MIC is responsible for the government's oversight of the news media and is accountable to the government in this regard.

3. Other ministries and departments equivalent to ministries with respect to their duties and authority have the responsibility for implementing the government's oversight of the news media.

4. People's committees at the province level and in cities within the central government's administration are responsible for implementing the government's oversight of the news media at the local level.

5. Other ministries and departments equivalent to ministries, people's committees at the province level and in cities within the central government's administration are responsible for coordinating with MIC in implementing the government's oversight of the news media.

Article 10. Association of Vietnamese Journalists

The Association of Vietnamese Journalists protects journalists' legal rights and interests; maintains their professionalism and expertise; monitors compliance with the law; sets journalists' ethical standards; participates in the development of, and organization of the implementation of the policy of communications and news media; and participates in international collaborative activities as authorized by law.

Article 11. Prohibited journalistic content and activities

1. The government strictly prohibits the following contents:

a) Propagandizing to incite opposition to the Socialist Republic of Vietnam; harming national security, social order and safety; sowing division and harming national solidarity.
b) Propagandizing to incite wars of aggression, terrorism, hatred, and conflict among people, ethnic groups, religions, and other nationalities; inciting violence; spreading reactionary thoughts, pornography, debauchery, criminal behavior, social vices, superstition, and material that goes against Vietnamese tradition.

c) Reveal secret material of the Party, the government, the military, and secret information related to security, the economy, foreign policy, private citizens, and other secret information defined under Vietnamese law.

d) Distorting the truth and historical facts; denying revolutionary achievements; dishonoring the people, national heroes; tặc; information incompatible with the interest of the nation and people; libel and dishonoring agencies, organizations, or individuals.

2. The government strictly prohibits the following activities:

a) Unauthorized journalistic operation; non-compliance with the license's provisions
b) Using or creating fake permits, licenses, journalists ID cards; altering, transferring, leasing, lending those documents.

c) Continuing to print and publish journalistic products that the government has suspended, revoked, confiscated, forbidden to disseminate, destroyed; broadcast contents of radio or TV programs that the government has suspended, forbidden from circulation; publicize or distribute content that the government has removed from websites.

d) Importing journalistic products whose content has been banned under the law.

đ) Other prohibited activities as prescribed by law.

3. The government will issue detailed regulations under Item 1 of this article

Section II

FREEDOM OF THE PRESS,

FREEDOM OF EXPRESSION IN NEWS MEDIA

Article 12. Freedom of the press

1. The news media and journalists may operate within the law and enjoy the government's protection.

2. No organization or individual may restrict or impede a news organization or journalist from operating as prescribed by law.

3. No one may abuse freedom of the press or freedom of expression to harm the government's interest, and legal rights and interests of an organization or individual.

4. The government does not censor journalistic products before they are published or broadcast.

Article 13. Citizens' freedom of expression through the news media

1. May receive through the news media information on all aspects of developments affecting the nation and the world.

2. Contact, provide information to news organizations and journalists; send news, articles, pictures, and other products to the news media without having to submit to the control of any organization or individual; and bear responsibility under the law for the content of such information.

3. Express opinions using the news media concerning the nation and the world; provide input to the development and implementation of the Party's strategy and policy, and the policy and laws of the government; suggest, petition, complain, report infractions through the news media, in accordance with the law.

Article 14. News organizations' responsibilities related to citizens' freedom of the press and freedom of expression through news media

1. Guarantee citizens' freedom of the press and freedom of expression through the news media as prescribed by law.

2. Receive and publish, disseminate petitions, commentaries, news, articles, pictures, and other journalistic products submitted by citizens whose content conforms to the organization's charter, goals, target clientele, and does not violate this Law's Article 11. When turning down a submitted item, the news organization must respond to the author using an Internet mail box or messaging system, or in writing if requested.

3. Upon receipt of the response from the government agency authorized to resolve petitions, infraction reports, or receipt of that agency's response to a petition or commentary submitted by an agency, organization, or individual (related to an issue that the news organization raised or received), the news organization must notify the organization or individual who had submitted the complaint, infraction report, or petition, or publish, disseminate through the news organization's journalistic product within 10 days for daily newspapers, audio news media, video/televised news, electronic news media, and 15 days for weekly periodicals, from the next publication date of the periodical.

Article 15. Responsibility of agency, organization related to citizens' freedom of the press and freedom of expression through the news media

1. Agencies and organizations must guarantee citizens' right to freedom of the press and freedom of expression through the news media as specified in this Law's Article 12 and Article 13.

2. When an agency or organization receives an opinion, petition, commentary, or complaint from an organization or citizen, or an infraction report from a citizen that the news organization passed on or published, within 30 (15) days from the receipt date or publication date, the organization's top manager must notify the news organization of the resolution.

If an agency or organization does not respond within the prescribed time, the news organization may forward citizens' opinions, petitions, commentaries, complaints, or infraction

reports to a higher organization that has the authority to resolve the issue or the news organization may publicize the issue through its news medium.

Section III

NEWS ORGANIZATION

Part A. News media management agency

Article 16. Entities with the authority to establish news organizations

A Party organ, a government organ, a political organization, a socio-political organization, a socio-political-trade organization, a socio-trade organization (from here on, these entities are referred to as “agency, organization”).

Other government organizations that the government specifies.

Article 17. Mission and authority of the news media management agency

1. The news media management agency is the agency, organization that proposes (proposes the granting of a license and the establishment of a news organization, and supervises the news organization once it is established) and is granted a license by the government’s news media oversight agency.

2. The news media management agency has the following authority:

a) Specify the format, charter, purpose, target clientele, language for each type of video or other journalistic products.

b) Implement the appointment, re-assignment, or dismissal of the manager and deputy manager of a news organization after receiving a written confirmation from MIC.

c) Inspect, monitor the news organization’s operation, reward, discipline the news organization as specified by law.

d) Appoint the official who directs the news organization and send a written report to the news media oversight agency.

3. The news media management agency’s duties include:

a) Provide direction to the news organization so that the latter operates in accordance with its charter, purpose, mission, way, operating plan; organize staffing; and bear responsibility for the news organization’s operation.

b) Ensure that the news organization have adequate facilities, equipment and supplies, other resources needed for operation, funds, and other necessary items.

c) Resolve under its authority complaints, infraction reports against the news organization or its personnel in accordance with the law.

d) The official appointed to direct and monitor the news organization bears legal responsibility for the organization’s noncompliance.

The head of the news media management agency bears responsibility within his authority under the law.

đ) The of the news media management agency and the official appointed to direct and monitor the news organization may not be the news organization’s manager.

e) Submit periodic reports on the news organization’s operation to the news media oversight agency.

Part B. News organization

Article 18. News organization

A news organization is one that produces one or more news media formats specified in this Law's Article 3 and whose organization and operation are of the income-generating unit type or enterprise subject to specific conditions.

Article 19. Conditions of journalistic operation

1. Clearly specify the operating format in the license application; specify the news organization's name; the printed product's title and appearance; the radio/TV program's title and symbol; electronic media's name and format of content page; charter, purpose, target clientele; main distribution area (for printed products); program, time, duration, broadcast radius, transmission/broadcast means (for video/televised news products); linking servers (for electronic news media).

2. Have candidates with sufficient political, professional, and ethical qualifications to become the manager and editor-in-chief of the news organization.

3. Have organizational and staffing plans meeting the news organization's operational needs;

4. Have facilities, equipment, supplies, technology, funds, information technology security system; electronic media must have at least one domain name ending with .vn that corresponds to the publication's title; audio and video/televised publications must have wireless channels lined up.

5. Meet the intent of the national plan for news media that has been approved by the Prime Minister.

Article 20. News organization's operating license

1. An agency/organization meeting Article 19's criteria and having a need for a news organization must apply to MIC for an operating license.

MIC will specify the format and content of the application package.

2. In case of denial, MIC shall respond in writing, indicating clearly the reason for the decision, no longer than 30 days from the receipt of an application that meets specifications.

3. Upon receipt of the license, the media management agency shall issue the decision to establish the news organization and complete all necessary procedures specified by the law to begin operation.

Article 21. Special license for producing additional journalistic products, special editions, supplemental pages; additional radio/TV programs; licenses and certifications for radio/TV broadcast; content pages of electronic media news.

1. If the news media management agency needs the news organization to produce additional periodicals, supplemental material, radio/TV programs, electronic media content pages, shall submit a request for a special license to MIC.

2. A news organization that wants to disseminate foreign-made programs shall request MIC for a special license.

3. A news organization that wants to register a catalog of its programs and/or content per audience's request, increased content for radio/TV broadcasts, should submit a registration request to MIC.

4. A news organization that wants to provide radio/TV broadcasts as a public service, or radio/TV broadcasts for a fee, should submit a request to MIC for a special license.

5. An agency/organization that wants to register as a provider of foreign radio/TV programs should submit a registration request to MIC for a special license.

6. An agency/organization that needs to publish a special edition, news bulletin, should submit a registration request to MIC for a special license.

7. MIC will specify the material to be submitted with the above-mentioned requests.

Article 22. Licenses' valid dates

1. A news organization may start operation and announcing its status through the media only after receiving an operating license and the decision for its establishment.

2. An operating license will expire 10 years from its issue date.

3. Special licenses, including those for additional products, additional radio/TV programs, or additional content pages for electronic media shall not be valid beyond the expiration date of the issued operating license.

4. An operating license will automatically expire if the news organization does not generate a journalistic product within: (a) 90 days for print and electronic media, 180 days for audio media, video/televised products, from the activation date of the issued license.

5. A special license will automatically expire if the news organization does not generate the requested, additional journalistic product within: (a) 60 days for additional periodicals or supplemental pages, 90 days for additional radio/TV programs or additional content pages of electronic media.

6. For special editions and news bulletins, each special license shall have an expiration date, but that date shall not be more than 12 months from the activation date.

The special license shall be invalidated if the news organization does not produce the special edition or news bulletin within the time frame specified in the license.

7. There will be an expiration date for each special license for additional periodicals or supplemental pages, radio/TV broadcasts **as a public service**, radio/TV broadcasts for a fee, or rebroadcast of foreign programs.

8. A news organization shall send a written notice to MIC and publicize 15 days in advance if it plans to suspend or cease operation; suspend or cease to produce additional print material, additional radio/TV programs, radio/TV broadcasts **as a public service**, radio/TV broadcasts for a fee; broadcast programs made overseas, content pages in the case of electronic media

9. MIC shall revoke a special license that becomes invalidated per Items 4, 5, 6, 7 of this article.

10. The news media management agency must submit in writing a request to MIC if the news organization wants to conduct activities for which a license has been revoked under Items 4, 5, 6, or 7 of this article.

Article 23. Change of news media management agency

Should there be a change in the news media management agency, the news media management agency listed in the license must submit in writing to MIC a request to cease operation; the news media management agency that intends to manage the news organization must submit to MIC a request for the operating license of the news organization in accordance with the procedures outlined in Article 20 of this Law.

Article 24. Change in content of license

1. Within 5 days from the date when a change occurs with respect to address, telephone/fax number, email address, website, time of broadcast/transmission, main area targeted for broadcasting/transmission, printing location, Internet server provider, IP address, the news organization shall notify the news media oversight agency.

2. For any change in the name of the news media management agency or news organization, charter, purpose, title of a publication or radio/TV show, broadcast station address, location of trụ sở gắn với trung tâm tổng khống chế, transmission/broadcast method, program duration, domain name and title of electronic media's content pages, the news media management agency must submit a request to MIC about modifying and updating the license.

3. Beyond the content changes discussed in this article's Items 1 and 2, the news media management agency must submit to MIC a request for any other change to a license's content and wait for a written response before going forward.

Article 25. News organization's revenues

1. A news organization's revenues include the following sources: grants from the news media management agency, sales of journalistic products, advertising, exchanges or trades in copyrights, content of products, services, and legal donations from organizations and individuals.

2. A news organization must implement a process of accounting, statistical analysis, inspection, financial audits, and payment of taxes in conformance with the law.

Article 26. News organization's branch office; resident journalists

1. To open a branch office, the news organization must fulfill the following requirements:

a) Find a facility to be used for this purpose that would not require moving elsewhere for at least 3 years;

b) The proposed branch office manager and deputy manager have journalist cards issued for their work for the news organization intending to open the branch office.

2. Resident journalist's requirements:

A resident journalist posted to the branch office or posted elsewhere and working independently must have a journalist card issued for his work for the same news organization that proposes to open the branch office or appoint him as a resident journalist; the applicant must not be under a disciplinary measure at the level of reprimand or higher for at least 1 year preceding the date the organization proposes to open the office or post him as a resident journalist.

3. A news organization that needs to open an office in a province or a city under the central government's administration must send an application package to the people's committee of the province or the city under the central government's administration where the office would be located. The application package must include:

a) A request for the permit to open a branch office; this request must have been approved by the news media management agency;

b) A certified copy of the news organization's operating license;

c) Documents showing that the application has met the requirements in sub-part a of Item 1 of this article;

d) List of proposed personnel for the branch office;

d) Resume, certified copy of journalist card of the branch office head, his deputy, resident journalists;

e) Document specifying the mission, rights, and duties of the branch office.

4. A news organization that needs to send resident journalists to another province or city under the central government's administration, but has not opened a branch office, should submit an application to the people's committee of each province or city under the central government's administration where a resident journalist would be stationed.

The application package shall include:

a) The request for a permit to assign the resident journalist to the location;

b) A certified copy of the news organization's license;

c) Resume and certified copy of resident journalist's card;

5. Within 20 days from the receipt of a valid application package, the people's committee of the province or city under the central government's administration shall respond with a written approval or disapproval of the proposed branch office or proposed assignment of the resident journalist. Each denial shall include clearly the reason.

6. The news media management agency must notify, in writing, the people's committee of the province or city under the central government's administration and MIC 5 days in advance of any of the following changes: location, head or deputy head of branch office, resident journalist; suspension or termination of the branch office's operation or the resident journalist's assignment.

7. A branch office or a resident journalist may start operating at a new location only after receiving written approval from the people's committee of the province or city under the central government's administration where the branch office or resident journalist would operate.

8. A branch office or resident journalist shall operate in accordance with the mission, rights, and duties assigned by the news organization and must follow regulations applicable to journalism and other regulations.

9. A branch office or resident journalist must cease operation as soon as the government suspends the news organization that owns the branch office or revokes its license, or revokes the resident journalist's card as decided by MIC.

The government will revoke its permit if a branch office or resident journalist commits a serious violation of the law.

10. The central government will regulate the opening of a branch office or posting a resident journalist outside of Vietnam by a Vietnamese news organization; and likewise when a foreign news organization wishes to open a branch office or post a resident journalist in Vietnam.

Part C. Managers of a news organization

Article 27. Standards applicable to the manager or deputy manager

1. The manager of a news organization is called director or manager; the deputy is called deputy director or deputy manager.

2. Standards for the positions:

a) Has Vietnamese nationality and permanent address in Vietnam;

b) Completed 4 years of college at the minimum;

c) Has high proficiency for political discourse; has valid journalist card issued by the appropriate government agency;

MIC shall review and decide with respect to the positions of manager and deputy manager of a news organization belonging to a religious organization, a university, a scientific research institute (basic and specialized), and other special cases.

đ) Is not under a disciplinary measure at the level of a reprimand or higher;

e) At the time of appointment, the manager and deputy manager's age may not exceed the Labor Law's retirement age. Exceptions may be made, but in no instance shall the age exceed the Labor Law's retirement age by 5 years.

3. Each manager or deputy manager may not manage more than one news organization.

Article 28. Duties and authority of a news organization's manager.

1. Develop and organize the implementation of the news organization's operating plan;

2. Review and approve content and structure of journalistic products in print, radio/TV programs, and content pages of electronic media;

3. Ensure that the news organization functions in accordance with its charter, purpose, and provisions specified in its license;

4. Supervise the news organization's training and development of personnel and handling of assets and facilities;

5. Appoint, re-assign, dismiss the chief and deputy chief editor after the news media management agency and MIC have concurred in writing;

6. Bear responsibility for the news organization's activities under his management and answers to the news media management agency and the law;

7. The manager may also serve as chief editor of one or more products in print, radio/TV programs, or electronic media's content pages.

Article 29. Duties and authority of a news organization's deputy manager.

1. Carry out duties assigned by the manager;

2. Answer to the manager, news media management agency, and the law for his assigned duties;

3. Develop and organize the implementation of the news organization's operating plan as assigned by the manager;

4. The deputy manager may also serve as chief editor of one or more products in print, radio/TV programs, or electronic media's content pages.

Article 30. Standards applicable to the chief editor and deputy chief editor

1. Standards for the positions:

a) Has Vietnamese nationality and permanent address in Vietnam;

b) Completed at least 4 years of journalism school or 4 years of a specialized college curriculum;

c) Has high proficiency for political discourse; has journalistic experience; has valid journalist card issued by the appropriate government agency;

MIC shall review and decide with respect to the positions of chief editor and deputy chief editor of a news organization belonging to a religious organization, a university, a scientific research institute (basic and specialized), and other special cases.

d) Has experience as head or deputy head of a journalism section;

For a publication on specialized scientific research, must have post-graduate degree if has no experience as head or deputy head of a journalism section.

đ) An individual may be appointed manager, deputy manager, chief editor, deputy chief editor of no more than one news organization;

e) At the time of appointment, the chief editor, deputy chief editor's age may not exceed the Labor Law's retirement age. Exceptions may be made, but in no instance shall the age exceed the Labor Law's retirement age by 5 years.

Article 31. Duties and authority of the chief editor

1. Answer to the news organization's manager, news media management agency, and the law for the content of journalistic products;

2. Develop structure and content of publications in print, radio/TV programs, and electronic media's content pages; submit to manager for his review;

3. Develop the plan for, and organize the production of journalistic products; organize editing activities and make decision on publishing, broadcasting the products;

4. Direct and manage journalists, editors, and other personnel under his supervision;

5. Review or delegate to the deputy editor the review of production format and content of journalistic products before publishing or broadcasting;

6. Carry out other duties assigned by the manager.

Article 32. Duties and authority of the deputy chief editor

1. Carry out duties assigned by the chief editor;

2. Answer to the chief editor, news organization's manager, news media management agency, and the law for the content of journalistic products and assigned duties.

Part D. Journalists

Article 33. Journalists

A journalist must have Vietnamese citizenship, a permanent address in Vietnam, and meet the required standards related to politics, ethics, journalistic experience, and have a journalist card.

Article 34. A journalist's rights and duties

1. A journalist has the following rights:

a) Engage in journalism in the Socialist Republic of Vietnam; engage in journalism abroad as directed by the government;

b) May use and supply information as part of his journalistic duties as prescribed by law;

c) May refuse to write, edit, or participate in the editing of journalistic products that do not meet the law's requirements;

d) May get training and development to raise his level of political awareness, journalistic expertise; enjoy privileges within his journalistic activities as prescribed by the government;

đ) Enjoy the law's protection during his professional activities. No one may intimidate, issue physical threats to, or dishonor a journalist; damage or seize his equipment, documents, or otherwise impede a journalist's work that conforms to the law.

2. A journalist's duties include:

a) Communicate accurate information on the nation and the world in a way that is consistent with the interest of the nation and the people; reflect the people's legitimate aspirations; contribute to freedom of the press, and help the people exercise their freedom of expression through the news media;

b) Defend the Party's approach and strategy, the government's policy and laws; express, propagandize, and defend positive factors; fight, prevent, and oppose erroneous thinking and acts;

c) Constant studies, honing and raising political awareness, ethics, and journalistic expertise; must not abuse his position in making unreasonable demands and conducting illegal activities;

d) Must retract and apologize in case his information is erroneous, distorts the truth, constitutes libel, harms the reputation of an organization, or affects the honor and dignity of an individual;

đ) Bear legal responsibility and answer to the chief editor, the news organization manager for his journalistic products and infractions of the law.

Article 35. Journalists' cards

1. Journalists' cards are issued to those meeting the required standards for working in journalism. The law recognizes only this card in the realm of journalism.

News organizations shall provide introduction letters on behalf of those who are candidates for receiving journalists' cards, but who have not fulfilled all pertinent requirements.

2. MIC is the agency authorized to issue, modify, and revoke journalists' cards.

MIC will determine the requirements, standards, candidates, and documents to be submitted with requests for journalists' cards, and their modification and revocation.

Section IV

Journalistic Operation

Part A. Information carried in products

Article 36. Providing information to news media

1. Within each entity's authority and consistent with each entity's duties, agencies, organizations, individuals who have the authority and responsibility for providing information to the news media shall do so and be legally responsible for the content of that information. Each news organization must verify the information intended for use and clearly cite sources.

2. With respect to ongoing investigations and court cases, law enforcement entities may withhold information from the news media; the latter may disseminate related information based on their own sources, but must not assert the nature of the crime; when using the news media's or journalist's private sources, this fact must be clearly stated and the news organization and journalist(s) shall bear legal responsibility for the information.

3. A news organization or a journalist may and should protect the confidentiality of a source if revealing its identity may cause harm to the source, except when requested by the procuracy director or a judge of a province-level court or equivalent, in cases that are classified

as serious, very serious, and extremely serious, and the sources' identities are needed for the investigation.

4. The government will regulate the details of the process of supplying information to the news media.

Article 37. Public response on news media

1. A news organization's manager may request an agency, organization, or individual vested with the appropriate authority to respond to citizens' correspondence to news media on a particular issue; the agency, organization, or individual should respond publicly on the same news media that carried the initial correspondence.

2. An agency, organization, or private citizen may request a news organization to respond regarding information carried in the news organization's publication; the news organization should respond using its publication.

Article 38. Press conferences

1. An organization or a citizen planning on a press conference shall send a written request 24 hours before the start time of the planned conference (24 hours based on business days) to the news media oversight agency's office closest to the site of the planned press conference.

2. The press conference may take place only with the oversight agency's approval; it may take place if the oversight agency does not respond in writing within the timeframe mentioned in Item 1 of this article.

The press conference's content must not deviate from what the oversight agency approved.

3. The news media oversight agency may disapprove or postpone a press conference if there are signs of illegality or violation of this Law's Article 11.

4. A foreign agency, organization, delegation, or individual needing to hold a press conference in Vietnam shall follow the government's regulations of foreign news media that operate in Vietnam.

Article 39. Retracting in news media

1. A news organization must publicly retract, apologize in case it provides information that is erroneous, distorts the truth, constitutes libel, harms the reputation of an organization, or affects the honor and dignity of an individual.

2. A news organization or the author of an article must publicly retract, apologize in case the news organization or the author discovers that the published information is erroneous, distorts the truth, constitutes libel, harms the reputation of an organization, or affects the honor and dignity of an individual.

3. Upon receipt of the responsible government agency's determination that a journalistid product carries information that is erroneous, distorts the truth, constitutes libel, harms the reputation of an organization, or affects the honor and dignity of an individual, the news organization shall publicize and distribute the agency's determination and the retraction and apology by the news organization or author of the material.

4. A retraction and apology must be published or broadcast in the same content page or newscast that featured the disputed material.

5. A retraction and an apology must be published or broadcast through the news organization's journalistic product within 05 days for daily newspapers, audio news media, video/televised news, electronic news media, and 10 days for weekly periodicals, from the next publication date of the periodical, from the receipt of the oversight agency's determination or the day the news organization or author discovers the mistake. For periodicals that are published at intervals exceeding 30 days, the periodical's staff shall promptly send the retraction and apology in writing to the affected organization or individual, and publish this in the upcoming issue.

Article 40. Rebuttal

1. An agency, organization, or individual may send a rebuttal in writing or begin litigation if there is a basis to determine that a news organization publishes information that is erroneous, distorts the truth, constitutes libel, harms the reputation of an organization, or affects the honor and dignity of an individual.

2. The news organization must publish an organization's or individual's rebuttal. The timeframe shall conform to this Law's Article 39, Item 5.

The news organization must publish a rebuttal even if it does not agree and may publish additional information to clarify its views.

After 3 publications or broadcasts, the news organization may stop if no agreement is reached.

3. A news organization may refuse to publish a rebuttal if it contains illegalities or material offending the honor and dignity of the news organization or the author of the article and, at the same time, should notify the organization or individual who submitted the rebuttal of the news organization's decision.

Article 41. Advertising on news media

A news organization may publish or broadcast advertising material, subject to this Law's provisions and advertising laws.

Article 42. Authors' rights with respect to news media

A news organization must comply with regulations pertaining to authors' rights when publishing or broadcasting.

Article 43. Journalistic partnerships

1. A news organization may partner with another news organization, a legal personality, or an individual who has registered to do business as prescribed by law, after receiving the news media management agency's approval.

The news organization's manager bears legal responsibility for the partnership's journalistic activities as the law stipulated.

2. A news organization may work with partners on the following:

- a) Set up, presentation, printing, advertising, and distributing;
- b) Use or buy rights to logos, contents of publications dealing with science and technology, sports, entertainment, advertising, and economic news from abroad for publishing in Vietnam;
- c) A foreign organization or individual may become a partner in using, or buy the rights to logos and contents of legal Vietnamese periodicals and publish overseas;

d) Produce a radio/TV program or series dealing with science, technology, economics, culture, sports, entertainment, advertising, or social security.

đ) Buy the rights to foreign radio/TV programs as the law prescribes for editing, translating, transmitting, or broadcasting in Vietnam.

3. For series intended to fulfill political objectives, government-defined essential objectives, and synthesis of news and politics, the fraction of partnership material shall not exceed 30% of the total broadcast time of the first program in the series.

Partnership material shall be limited to 10% of the broadcast time for radio/TV series with entertainment content, game shows, reality shows with copyright, or profiles of other countries.

4. Partnership material shall conform to Vietnamese law.

Article 44. Information that must appear in periodicals

A news organization shall print, express the following information in its entirety:

1. First page, front cover (for printed products), home page and every other page (for electronic media):

a) The product's title;

b) The news organization's and news media management agency's names (immediately following the product's title); domain name;

c) Issue number;

d) Publication date;

2. Bottom of last page, back cover, or home page :

a) License number, issue date, agency that issued the license ;

b) Address, telephone and fax numbers, email address of the news organization; names of the news organization's manager and chief editor;

c) Printing location, dimensions, total number of pages;

d) Publication frequency;

e) Price.

3. Audio and video/televised periodicals must feature the periodical's symbol and theme music.

Article 45. Protection of the content of radio/TV broadcasts and electronic media

A radio/TV station or electronic news organization may use technology to protect the content of their products.

Part B. Printing and Distribution of periodicals

Article 46. Printing periodicals

A printer shall enter into and honor a contract with a news organization to ensure timely publications; refuse to print material without a license; may not reprint products banned by the news media oversight agency.

Article 47. Distribution of periodicals

1. A news organization shall distribute periodicals in conformance with the provisions specified on each periodical's license.

A news organization may distribute or delegate to a registered organization or individual the distribution of its periodicals.

2. The postal service shall serve the distribution of government-determined periodicals that benefit the public and other periodicals pursuant to contracts with news organizations.

3. No one may impede the distribution of periodicals absent a government's ban.

It is forbidden to circulate products without an operating license or banned products.

When the government issues the order to revoke a product, the news media management agency, news organization, and other organizations and individuals engaged in distributing or importing/exporting shall implement the order; MIC units and province-level public security offices shall verify and monitor the implementation of the revocation.

The news organization and distribution agent whose product is revoked shall be financially liable for the revocation.

4. The government will prescribe postal rates, mailing expenses subsidies and distribution expenses subsidies.

Article 48. Providers of transmission and broadcasting services

1. A provider of transmission/broadcasting services shall ensure the integrity of the material as produced by the news organization.

2. A provider of transmission/broadcasting services intended for public service shall ensure the correct time, duration, coverage area; technical quality of the service for series that are deemed to be essential to the political, information, and propaganda needs of the nation and local areas.

3. A provider of transmission/broadcasting income-generating services may use technology to protect the content of income-generating radio/TV programs *chuong trình phát thanh, truyền hình để thu phí*; must pay applicable fees levied on such service providers as the law prescribes.

4. May not transmit/broadcast content, programs that the government has banned from circulation or broadcasting, or has confiscated.

5. The government will promulgate regulations pertaining to the provision of these services: transmit/broadcast radio/TV programs for public information, and transmit/broadcast radio/TV programs for a fee.

Mục C. Archiving journalistic products

Article 49. Process for archiving, submitting products to the National Library

1. A news organization shall follow the archiving process specified below:

a) The central government's periodicals and other periodicals printed in Hanoi: shall submit 05 copies to the news media oversight agency headquarters by no later than 08 a.m. on the day of publication;

b) Periodicals locally printed: shall submit 02 copies to the news media oversight agency's local office by no later than 08 a.m. on the day of publication and, concurrently, 05 copies by postal mail to the news media oversight agency headquarters;

c) A radio/TV station shall keep all transmitted/broadcast material for 30 days after the transmission/ broadcast;

d) An electronic news organization shall keep the original material for 03 months from the posting/transmission date.

2. When submitting material to the government for archiving, a news organization shall indicate clearly: for archival, number of copies in circulation, mailing/delivery date and time, with the news organization manager's signature or his delegate's signature.

Authorized reprints: submit copies for archival as required for original publication.

The postal service shall prioritize the delivery of material submitted for government archival as a function of the mailing date at the post office of origin.

3. A news organization shall submit 05 copies of printed periodicals to the National Library for archival.

Article 50. Reading and checking archived journalistic products

1. MIC shall develop and implement a system for reading and checking periodicals submitted for archival; province-level people's committees shall develop and implement a system for reading and checking periodicals submitted for archival at the local level

MIC and province-level people's committees shall take appropriate measures as prescribed by law should they discover non-compliance.

2. MIC shall take the lead and coordinate with the Finance Ministry in determining the compensation system for those who read and check publications submitted for archival.

Part D. International journalistic collaboration

Article 51. Exports/imports

1. Legally published Vietnamese periodicals may be exported;

2. The government's bureau of journalistic products imports/exports shall regulate foreign journalistic imports and MIC shall be responsible for approval.

3. Before importing foreign material, the importing organization shall register the titles of imported material with MIC.

4. The head of the importing organization shall have the imported material checked before distribution and shall be legally liable for the content of the imported material.

Article 52. Collaboration of Vietnamese and foreign news organizations

The government will regulate Vietnamese organizations' establishment of overseas news organizations, publication of periodicals overseas; establishment of branch offices overseas.

Article 53. Foreign news organizations operating in Vietnam

The government will regulate the operation of a foreign news organization's Vietnam branch office, resident journalists; import/export of equipment and other means for operation of a foreign news organization; all journalistic activities by a foreign news organization or its branch office.

Section V

AWARDS, INSPECTION, PUNISHMENT OF VIOLATIONS IN JOURNALISM

Article 54. Journalistic awards

A news organization, a journalist, an organization, or a citizen with meritorious service and contributions to journalism shall receive awards as prescribed by the government.

Article 55. Journalistic inspection

Journalistic inspection is inspection specializing in journalism.

The organization and operation of the journalistic inspection program shall conform to the law on inspection.

Article 56. Punishment of journalistic violations

1. A news organization or organization participating in journalistic activities that violates this Law shall be, based on the nature and severity of the violation, warned, fined, or have its printed products, recorded media, e.g., videos, revoked or confiscated; and its license suspended or revoked.

2. A news organization's manager, chief editor, journalist, author of published material, and others who violate this Law shall be, based on the nature and severity of the violation, disciplined, have his journalist's card revoked, face administrative measures, or face criminal prosecution.

3. An organization or individual who violates intellectual property rights shall face punishment prescribed in intellectual properties' laws.

4. A news organization, journalist, organization, or individual participating in journalistic activities, if infringing upon the legitimate rights and interests of another organization or individual, shall be punished pursuant to this Article's Item 1, 2, and 3, and, in addition, shall publicly apologize and retract using the news media at it/his disposition, and compensate for damages as the law prescribes.

Section VI

IMPLEMENTATION PROVISIONS

Article 57. Effective date and applicability.

1. This Law is effective as of day month year....

2. This Law supersedes the Journalism Law of December 28, 1989; this Law modifies and supplements a number of articles in the Journalism Law of June 12, 1999.

Article 58. Implementation guidance

The central government and responsible agencies will develop detailed guidance on the implementation of assigned provisions associated with articles and subparts.

This Law was passed by the National Assembly of the Socialist Republic of Vietnam in Session XII, ...th meeting, on day month 2016.

CHAIRMAN OF THE NATIONAL ASSEMBLY