

**NATIONAL ASSEMBLY OF  
VIETNAM**

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Law No. 05/2022/QH15

**SOCIALIST REPUBLIC OF VIETNAM**  
**Independence – Freedom – Happiness**

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*Hanoi, June 15, 2022*

**LAW**

**ON CINEMATOGRAPHY OF VIETNAM**

*Pursuant to the Constitution of the Socialist Republic of Vietnam;*

*The National Assembly of Vietnam hereby promulgates the Law on Cinematography.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope**

This Law provides for cinematographic activities; rights, tasks, and responsibilities of agencies, organizations, and individuals engaged in cinematographic activities; state management of cinematography.

**Article 2. Regulated entities**

1. Vietnamese agencies, organizations, and individuals engaged in cinematographic activities in Vietnam and abroad.
2. Foreign organizations and individuals engaged in cinematographic activities in Vietnam.
3. State management agencies of cinematography; agencies, organizations, and individuals related to cinematographic activities.

**Article 3. Interpretation of terms**

For the purpose of this Law, the following terms shall be construed as follows:

1. “*Cinematography*” is a general art industry that applies audio-visual technology and creative techniques to produce films.
2. “*Film*” means a cinematographic work whose content is expressed by consecutive moving images or images created by technical and technological devices and has audio (or not) and other effects according to the principles of cinematographic language. A film is recorded on materials used in the cinematographic industry or via digital methods or other means of digital equipment

and disseminated to viewers, including feature films, documentaries, cartoons, and films of combined genres.

Films do not include recording products for disseminating news on radio, television, and the internet; art shows, video games, recording products that show the activity of one or more people and describe events and situations, or reality shows.

3. “*Cinematographic activities*” means activities of producing, distributing films, promoting the development of cinematography, submitting films for legal deposit and archive, and training the cinematographic personnel.

4. “*Cinematographic industry*” is a creative economy in the field of culture that uses artistic talent and cultural potential combined with technology and business skills to create cinematographic works and services.

5. “*Cinematographic facilities*” are enterprises, public service providers, and other organizations established by organizations or individuals engaged in cinematographic activities according to this Law and relevant laws.

6. “*Film production*” means the process of creating a film, from developing the script to completing the film.

7. “*Film distribution*” means trading, purchasing, selling, leasing, exporting, or importing films.

8. “*Film dissemination*” means making films available to viewers via film screenings in cinemas, public screening venues, headquarters of diplomatic missions, foreign cultural agencies established in Vietnam, on television, the internet, and other audio-visual media.

9. “*Film rating*” means the appraisal of film content, classification of films for appropriate dissemination according to viewers’ age, or prohibition against dissemination.

10. “*Film script*” is the entire content of a film expressed in writing or other characters on materials used in the cinematographic industry, via digital methods, or other means of technical equipment.

11. “*Film owners*” are organizations or individuals that financially invest in physical and technical facilities to produce films, buy film ownership, or are gifted or inherited films and other forms as prescribed by law.

12. “*Vietnamese film*” means a film permitted to disseminate in Vietnam according to this Law that has at least 2 of the following factors: the director has Vietnamese nationality, a Vietnamese cinematographic facility engaged in the film production, the owner or co-owner of the film is a Vietnamese organization or individual.

13. “*Provision of film production services*” means the provision of means, technical equipment, backgrounds, personnel, and other activities related to film production.

14. “*Studio*” means a place to shoot film footage that meets the requirements of space and technical equipment to set up suitable backgrounds for film production, including indoor and outdoor studios.

15. “*Public screening venues*” are theatres, houses of culture, exhibition places, cultural centers, clubs, accommodation service establishments, catering establishments, disco clubs, shops, stores, stadiums, arenas, squares, public transportations, and other means or places where film screenings are held.

#### **Article 4. Principles of cinematographic activities**

1. Develop advanced Vietnamese cinematography imbued with national identity, meeting the People's demand for cultural and artistic enjoyment and international integration.

2. Preserve and promote cultural and traditional values, ensuring humanism, aesthetics, and entertainment.

3. Respect and ensure creative freedom within the framework of the law, and protect the intellectual property rights of organizations and individuals engaged in cinematographic activities.

4. Ensure equality and fair competition of organizations and individuals engaged in cinematographic activities and the development of the cinematographic industry.

5. Develop the cinematographic industry in compliance with market rules and international treaties to which the Socialist Republic of Vietnam is a signatory.

6. Use the state budget and social resources to invest in and support cinematography in an effective, public, transparent, targeted, and focused manner, prioritizing the highlands, mountainous areas, borders, islands, ethnic minority areas, and rural areas.

7. Comply with regulations of the law, socio-ethical standards, and professional ethics and take responsibility for developing a healthy business culture.

#### **Article 5. State policies on the development of cinematography and the cinematographic industry**

1. The State shall promulgate policies on the mobilization of resources, implement measures to ensure a safe environment for investment and business, develop the cinematographic market, and facilitate organizations and individuals engaged in cinematographic activities to develop a cinematographic industry in association with the socio-economic development and international integration.

2. The State shall invest in and support the following activities:

a) Film production implemented according to the plan to serve political tasks on the topics of history, revolution, leaders, notables, national heroes, children, highlands, mountainous areas, borders, islands, ethnic minority areas, and preservation and promotion of Vietnamese cultural values;

b) Compilation of film scripts, distribution and dissemination of films, provision of organization budget, technical means and equipment to disseminate films to highlands, mountainous areas, borders, islands, ethnic minority areas, and rural areas and children, armed forces, and other tasks of politic, society, diplomacy, and education;

c) Organization of national film festivals, international festivals, specialized or thematic film festivals, film programs, film weeks in Vietnam; film awards and film competitions at national and international levels; Vietnamese film festivals, film programs, and film weeks abroad.

d) Receive the transfer of ownership and rights to use film scripts and films with high ideological and artistic values for dissemination, education, research, archive, and political tasks; processes of editing, translating, and subtitling films to introduce Vietnam and its citizens;

dd) Development of film ratiocination and criticism; dissemination, introduction, and orientation of cinematographic aesthetics;

e) Research and application of scientific and technological achievements to cinematographic activities;

g) Development and promotion of the Vietnamese cinematographic brand;

h) Construction and repair of technical-physical facilities and studios for film production, distribution, dissemination, and submission for legal deposit and archive;

i) Development of a statistical infrastructure system and database of the cinematographic industry.

3. The State shall promulgate incentive policies on credit, tax, and land for organizations and individuals engaged in cinematographic activities as prescribed by law.

4. The State shall encourage organizations and individuals engaged in cinematographic activities prescribed in Clause 2 of this Article and the following activities:

a) Production, distribution, and dissemination of films; promotion of the development of cinematography; international cooperation, scientific research, technology transfer, provision of digital services for the development of cinematography;

b) Provision of services of finance, credit, guarantee, and mortgage of intellectual property rights and insurance products for the development of cinematography;

c) Provision of sponsorships and gifts for cinematographic activities and cinematographic development support funds established by organizations or individuals.

5. The Government of Vietnam shall elaborate Point d and Point e Clause 2 of this Article.

#### **Article 6. Development of cinematographic personnel**

1. The State shall promulgate policies to attract, provide training and advanced training, facilitate the development of cinematographic talents, especially young talents, and provide appropriate remuneration to improve the quality of cinematographic personnel.

2. The State shall prioritize investing in, developing training facilities and training majors specialized in cinematography that meet the international standards and providing support to art and culture training facilities for specialized training or joint cinematography training in Vietnam and abroad.

3. The State shall encourage training, advanced training, and technology transfer for the development of cinematographic personnel serving the production, distribution, and dissemination of films via the implementation of programs, projects of the State, and international cooperation; combine cinematographic personnel training with research and application of science and technology.

#### **Article 7. Socio-political-vocational organizations and socio-vocational organizations of cinematography**

Socio-political-vocational organizations and socio-vocational organizations of cinematography that are established and operate according to the Law on Associations of Vietnam shall:

1. Protect the rights and legal benefits of their members as prescribed by law;

2. Participate in developing, disseminating, and providing education in policies and laws on cinematography;

3. Participate in promoting and providing training and knowledge of cinematography; develop a healthy environment of professional activities and business for their members; mobilize social resources to implement cinematographic activities as prescribed by law;

4. Develop and organize the implementation of the code of professional ethics; mobilize their members, organizations, and individuals engaged in cinematographic activities to comply with the law;

5. Detect and request competent state agencies to handle violations of the Law on Cinematography of Vietnam.

#### **Article 8. Foreign-invested cooperation in cinematographic activities**

1. Foreign organizations and individuals may cooperate with Vietnamese cinematographic facilities in investing in the production, distribution, and dissemination of films according to the Law on Investment of Vietnam under the following forms:

a) Establishment of foreign-invested organizations, capital contribution investment, share purchase, purchase of contributed capital, in which the foreign investor's capital does not exceed 51% of the charter capital;

b) Agreement on cooperative business.

2. Houses of culture, cinema units, public cinema clubs and associations, and mobile cinema teams of Vietnam shall not participate in the agreement on cooperative business or joint ventures with foreign service providers.

### **Article 9. Prohibited contents and acts in cinematographic activities**

1. Prohibition against contents that:

a) Violate the Constitution and laws; incite opposition to or sabotage the implementation of the Constitution and laws;

b) Disseminate contents that oppose the Socialist Republic of Vietnam; sabotage the great national unity bloc; damage the interests of Vietnam, its people, and cultural values; insult the National Flag, Communist Party of Vietnam Flag, National Emblem, and National Anthem;

c) Disseminate or incite invasive wars, cause hatred and discrimination among ethnic groups and the people of different countries; disseminate reactionary ideology and social crimes; sabotage social culture and ethics;

d) Distort the national history, deny revolutionary achievements; insult the nation, notables, and national heroes; inappropriately express or infringe the national sovereignty; slander and insult the reputation of agencies, organizations, and the honor and dignity of individuals;

dd) Disseminate and support terrorism and extremism;

e) Incite and insult religions and belief; disseminate and promote illegal belief and religious activities

g) Disclose state secrets, personal secrets of an individual, and other secrets as prescribed by law;

h) Incite violence, criminal acts via by detailing measures, images, sounds, dialogues, scenes of beating, torture, murder in a brutal manner, and acts of insulting human dignity, unless such contents are used to criticize, denounce, or condemn crimes and uphold justice, honor traditional and cultural values;

i) Show details of lewd, depraved, incestuous images, sounds, and dialogues;

- k) Violate legal rights and benefits of children and minors
  - l) Violate principles of gender equality, gender stereotypes, and gender discrimination.
2. Prohibition against acts of:
- a) Distributing or disseminating films in cinemas, on television, and public screening venues without the Film Rating License of competent state agencies of cinematography or the Broadcast Decision of press agencies with television operation permits;
  - b) Disseminating films on the internet without classifying such films or displaying the results of film ratings as prescribed by this Law;
  - c) Changing or falsifying contents of films and film rating results regarding films with Film Rating Licenses or Broadcast Decisions;
  - d) Producing, distributing, and disseminating films and submitting films for legal deposit and archive without compliance with this Law, the Law on Intellectual Property of Vietnam, and relevant laws;
  - dd) Distributing and disseminating films subject to revocation of Film Rating Licenses or Broadcast Decisions;
  - e) Making copies of films without the consent of their owners, unless otherwise prescribed by the Law on Intellectual Property of Vietnam;
  - g) Not notifying competent state agencies when disseminating films in public screening venues;
  - h) Appraising and issuing Film Rating Licenses contrary to the law.

## **Chapter II**

### **FILM PRODUCTION**

#### **Article 10. Rights and tasks of cinematographic facilities that produce films**

1. Cinematographic facilities that produce films may:
- a) Produce or cooperate in producing films; provide film production services for Vietnamese and foreign organizations and individuals;
  - b) Participate in producing films with funding from the state budget;
  - c) Participate in film festivals, film awards, film competitions, film programs, and film weeks.
2. Cinematographic facilities that produce films shall:

- a) Ensure the film production follows the registered business and assigned or approved functions and tasks;
- b) Compile the contents of documents on script appraisal for films produced with funding from the state budget;
- c) Ensure social security, order, and safety, health care, prevention and control of fire and explosion, environmental protection, cultural heritage protection, and relevant matters as prescribed by law during the film production;
- d) Send a written commitment to not violate regulations prescribed in Article 9 of this Law to the Ministry of Culture, Sports, and Tourism of Vietnam in case of cooperation with foreign organizations or individuals in producing films or receiving sponsorships from foreign organizations or individuals to produce films;
- dd) Comply with this Law and relevant laws.

**Article 11. Rights and tasks of film producers, screenwriters, directors, cinematographers, actors, and other members of a film crew**

1. Film producers, screenwriters, directors, cinematographers, actors, and other members of a film crew may:

- a) Be artistically creative within the framework of the law;
- b) Enjoy intellectual property rights as prescribed by the Law on Intellectual Property of Vietnam;
- c) Receive protection of legal rights and benefits regarding cinematographic activities.

2. Film producers, screenwriters, directors, cinematographers, actors, and other members of a film crew shall:

- a) Comply with this Law and relevant laws;
- b) Carry out the contract with cinematographic facilities that produce films based on agreement and compliance with the law;
- c) Comply with the code of professional ethics and the code of conduct of people working in the field of art.

**Article 12. Studio activities**

1. Organization of management and operation or cooperation in conducting joint venture and joint production of films.

2. Provision of film production services and other services as prescribed by law.

### **Article 13. Film production activities in Vietnam of foreign organizations and individuals**

1. Foreign organizations and individuals that produce films in Vietnam shall use film production services provided by Vietnamese cinematographic facilities.

2. Foreign organizations and individuals that produce films in Vietnam shall ensure the following criteria:

a) Agreement documents or contracts to provide film production services with Vietnamese cinematographic facilities;

b) Films that use film production services in Vietnam do not violate regulations prescribed in Article 9 of this Law;

c) In the case of using filming services with the use of backgrounds in Vietnam, there must be a License to provide filming services with the use of backgrounds in Vietnam issued by the Ministry of Culture, Sports, and Tourism of Vietnam.

3. Applications for the License to provide filming services with the use of backgrounds in Vietnam for foreign organizations and individuals include:

a) A written request for the issuance of the License according to the form stipulated by the Minister of Culture, Sports, and Tourism of Vietnam;

b) A summarized script of the film and a detailed script of the filming content with the use of backgrounds in Vietnam in Vietnamese;

c) An agreement document or contract to provide filming services with the use of backgrounds in Vietnam with the foreign organization or individual;

d) A written commitment not to violate regulations prescribed in Article 9 of this Law of the foreign organization or individual that use filming services with the use of backgrounds in Vietnam.

4. Procedures for issuance of License to provide filming services with the use of backgrounds in Vietnam for foreign organizations and individuals are as follows:

a) Foreign organizations and individuals that use filming services with the use of backgrounds in Vietnam or Vietnamese cinematographic facilities that provide filming services with the use of backgrounds in Vietnam for foreign organizations and individuals shall submit a dossier of applications via the National Public Service Portal or by post or directly to the Ministry of Culture, Sports, and Tourism of Vietnam;

b) Within 20 days after receiving the valid applications, the Ministry of Culture, Sports, and Tourism of Vietnam shall issue the License; in case of refusal, notify and provide written explanations.

In case the script is subject to amendments due to violation of regulations prescribed in Article 9 of this Law and relevant laws or the application is subject to amendments and supplements of information at the request of the Ministry of Culture, Sports, and Tourism of Vietnam, within 20 days after receiving the amended script or amended and supplemented application, the Ministry of Culture, Sports, and Tourism of Vietnam shall issue the License.

In case of changes to the contents prescribed in Points a, b, and c Clause 3 of this Article after receiving the License to provide filming services with the use of backgrounds in Vietnam, foreign organizations and individuals or Vietnamese cinematographic facilities shall apply for re-issuance of the License according to the procedures prescribed in Clause 4 of this Article; in case of changes only to the contents prescribed in Point a and Point c Clause 3 of this Article, within 5 working days after receiving the valid applications, the Ministry of Culture, Sports, and Tourism of Vietnam shall issue the License.

6. The Ministry of Culture, Sports, and Tourism of Vietnam shall revoke the License to provide filming services with the use of backgrounds in Vietnam in the following cases:

- a) Violation of regulations prescribed in Article 9 of this Law during film production;
- b) Information in the application for the License is forged;
- c) Failure to comply with the contents of the License.

#### **Article 14. Production of films with funding from the state budget**

1. The production of film with funding from the state budget for political tasks prescribed in Point a Clause 2 Article 5 of this Law shall be done in the form of task assignment, ordering, or bidding.

2. Investors of projects on film production with funding from the state budget shall be Ministries, ministerial agencies, governmental agencies, central agencies of political organizations, socio-political organizations, social-political-vocational organizations, and People's Committees of provinces.

3. Investors of projects on film production with funding from the state budget shall:

- a) Conduct the process of selecting film production projects;
- b) Establish the Script Appraisal Council and Film Production Project Selection Council according to regulations promulgated by the Minister of Culture, Sports, and Tourism of Vietnam.

4. Investors of projects on film production with funding from the state budget may mobilize other legal sources of finance to produce films.
5. Film ownership and intellectual property rights for films with funding from the state budget shall comply with the Law on Intellectual Property of Vietnam and relevant laws.
6. The Government of Vietnam shall elaborate Clause 1 and Point a Clause 3 of this Article.

### **Chapter III**

#### **FILM DISTRIBUTION**

##### **Article 15. Rights and tasks of cinematographic facilities that distribute films**

1. Cinematographic facilities that distribute films may:
  - a) Distribute films in Vietnam and abroad;
  - b) Trade, purchase, sell, lease, export, and import films according to the law.
2. Cinematographic facilities that distribute films shall:
  - a) Ensure the film distribution follows the registered business and assigned or approved functions and tasks;
  - b) Ensure the distributed films comply with this Law and relevant laws;
  - c) Take legal liability for the contents of distributed films.

##### **Article 16. Film trading, purchase, sale, and leasing**

Organizations and individuals shall trade, purchase, sell, or lease films according to this Law and relevant laws.

##### **Article 17. Film exportation and importation**

1. Organizations and individuals may only export films with Film Rating Licenses or Broadcast Decisions.
2. Organizations and individuals that import films must make written commitments to not violate regulations prescribed in Article 9 of this Law regarding film contents and submit them to the Ministry of Culture, Sports, and Tourism of Vietnam.
3. Heads of organizations and individuals that import films shall take legal liability for the contents of imported films to disseminate them; manage and use films for research, education, archive, and internal circulation.

4. The State shall encourage and facilitate organizations and individuals to participate in film exportation.

## **Chapter IV**

### **FILM DISSEMINATION**

#### **Article 18. Rights and tasks of cinematographic facilities that disseminate films**

1. Cinematographic facilities that disseminate films may:

- a) Disseminate films according to the law;
- b) Promote films and provide other services for viewers according to the law.

2. Cinematographic facilities that disseminate films shall:

- a) Ensure the film dissemination follows the registered business and assigned or approved functions and tasks;
- b) Only distribute films with Film Rating Licenses or Broadcast Decisions, except for the case of self-rating of films as prescribed in Point b Clause 2 Article 21 of this Law;
- c) Ensure the criteria for film dissemination for each form of film dissemination;
- d) Show film rating and warning according to regulations promulgated by the Minister of Culture, Sports, and Tourism of Vietnam;
- dd) Terminate the dissemination of films at the written request of a competent state agency.

#### **Article 19. Film dissemination in cinemas**

1. Cinematographic facilities that disseminate films in cinemas shall satisfy the following criteria:

- a) Such facilities are enterprises or public service providers established according to the law;
- b) Such facilities have cinemas that meet technical standards as prescribed by the Minister of Culture, Sports, and Tourism of Vietnam.

2. Cinematographic facilities that disseminate films in cinemas may:

- a) Refuse to serve viewers when they use banned substances or stimulants; bring weapons, incendiary and explosive materials, radioactive substances, hazardous substances, or banned substances into the cinema; cause disorder and obstruction at the cinema;

b) Prevent the copying, recording, video recording, and spreading of films contrary to the law;

c) Request violating individuals prescribed in Point a and Point b of this Clause to leave the cinema and request competent agencies or persons to handle such individuals.

3. Cinematographic facilities that disseminate films in cinemas shall perform tasks prescribed in Clause 2 Article 18 of this Law and shall:

a) Ensure the percentage of Vietnamese film screening sessions, Vietnamese film screening time frames, and duration and time frame of children's films;

b) Ensure viewers are of the right age according to film ratings;

c) Conduct ticket price exemption or discount for the elderly, the disabled, revolutionary contributors, children, people in especially difficult circumstances, and other subjects as prescribed by law;

d) Implement data connection and comply with regulations on submission of reports on operational status at the request of competent state agencies.

4. Cinematographic facilities that disseminate films in cinemas are encouraged to disseminate policies and laws of the State before the screening.

5. The Government of Vietnam shall elaborate Point a and Point c Clause 3 of this Article.

## **Article 20. Film dissemination on television**

1. Press agencies permitted to disseminate films on television shall:

a) Have licenses to operate in the field of television as prescribed by the Law on Press of Vietnam;

b) Have Broadcast Decisions to disseminate films on the Vietnamese television system or disseminate films on on-demand television service packages and on-demand television services on the internet.

2. Press agencies prescribed in Clause 1 of this Article, when disseminating films on the television system, shall perform the tasks prescribed in Clause 2 Article 18 of this Law and ensure the broadcast time ratio of Vietnamese films to foreign films, broadcast time frames of Vietnamese films, and duration and broadcast time frames of children's films on domestic television channels as prescribed by the Government of Vietnam.

3. Heads of press agencies with licenses to operate in the field of television shall decide on the issuance and revocation of Broadcast Decisions according to the law.

4. The dissemination of Vietnamese films produced with funding from the state budget and films sponsored or gifted by organizations or individuals is encouraged.

#### **Article 21. Film dissemination on the internet**

1. Entities permitted to disseminate films on the internet are enterprises, public service providers, and organizations engaged in film dissemination as prescribed by this Law and relevant laws.

2. Entities that disseminate films on the internet as prescribed in Clause 1 of this Article shall perform tasks prescribed in Point c and Point d Clause 2 Article 18 of this Law, regulations of relevant laws, and shall:

a) Not disseminate films that violate regulations prescribed in Article 9 of this Law and relevant laws;

b) Before disseminating films on the internet, ensure conditions for the implementation of film rating according to regulations of the Government of Vietnam and take legal liability for the contents and results of film ratings; in case of incapacity to conduct film rating, request the Ministry of Culture, Sports, and Tourism of Vietnam or Agencies authorized by the Ministry of Culture, Sports, and Tourism of Vietnam to conduct the rating regarding films without Film Rating Licenses or Broadcast Decisions according to the procedures prescribed in Clause 3 and Clause 4 Article 27 of this Law;

c) Notify the list of films that will be disseminated and the results of film ratings to the Ministry of Culture, Sports, and Tourism of Vietnam before disseminating such films on the internet;

d) Adopt necessary technical measures and provide guidelines for parents or caretakers of children to control, manage, and ensure that children watch age-appropriate films disseminated on the internet and for service users to report films that violate this Law;

dd) Provide focal points and contact information to receive and process requests of state management agencies and feedback, complaints, and denunciations of service users;

e) Remove films that violate regulations prescribed in Article 9 of this Law and relevant laws at the written request of a competent state agency.

3. Organizations and individuals that have digital communication platforms for film dissemination in Vietnam shall:

a) Implement technical solutions and cooperate with competent state management agencies in removing and preventing violating films;

b) Ensure the performance of tasks prescribed in Point a and Point d Clause 2 of this Article.

4. Organizations and enterprises that have telecommunications networks shall prevent the access of violating films at the request of competent state agencies.

5. The Ministry of Culture, Sports, and Tourism of Vietnam shall organize personnel and technical means to inspect film contents, conduct film ratings, and display rating results of films disseminated on the internet; cooperate with the Ministry of Information and Communications of Vietnam, the Ministry of Public Security of Vietnam, and relevant state management agencies in implementing measures to prevent and handle acts of violation according to the law.

6. The Government of Vietnam shall elaborate Points b, c, d, and dd Clause 2 and Point a Clause 3 and Clause 4 of this Article.

## **Article 22. Film dissemination in public screening venues**

1. Organizations that disseminate films at public screening venues shall:

a) Ensure social security, order, and safety, health care, prevention and control of fire and explosion, environmental protection, and relevant criteria according to the law;

b) Provide the list of screening films for competent state agencies at localities where organizations registered for business.

2. Organizations that disseminate films at public screening venues shall send written notifications of contents and screening programs to competent state agencies according to regulations of the Government of Vietnam. Within 5 working days from the date the competent state agency receives the notifications, if there is no reply, organizations that disseminate films may disseminate film at public screening venues; in case of refusal, the competent state agency shall respond and provide explanations in writing.

3. Organizations and individuals that manage and use public screening venues shall carry out tasks prescribed in Clause 2 Article 18 of this Law and shall:

a) Comply with regulations on business activities, criteria for social security, order, and safety, health care, prevention and control of fire and explosion, environmental protection, and relevant laws;

b) Change the time and scale of film screening at public screening venues at the request of competent state agencies.

4. Organizations that disseminate films at public screening venues are encouraged to disseminate policies and laws of the State before the screening.

## **Article 23. Dissemination of films for political tasks in highlands, mountainous areas, borders, islands, ethnic minority areas, and rural areas**

1. The dissemination of films for political tasks in highlands, mountainous areas, borders, islands, ethnic minority areas, and rural areas is a regular activity according to annual plans decided and invested in by local authorities regarding film dissemination equipment and transportation suitable for actual situations of each locality.

2. The state budget shall ensure to provide 100% of the budget for film dissemination in highlands, mountainous areas, borders, islands, and ethnic minority areas and at least 50% in rural areas.

3. Cinematographic facilities are encouraged to apply information technology to the provision of films for dissemination in highlands, mountainous areas, borders, islands, ethnic minority areas, and rural areas.

#### **Article 24. Film dissemination at diplomatic missions and foreign facilities of culture established in Vietnam**

The dissemination of films at diplomatic missions and foreign facilities of culture established in Vietnam for people who are not officials or employees of such organizations shall:

1. Ensure compliance with international treaties to which the Socialist Republic of Vietnam is a signatory;
2. Ensure the implementation of rights and tasks prescribed in Article 18 and Article 22 of this Law.

#### **Article 25. Film promotion**

1. Organizations and individuals may promote films via trailers or information related to the previous films during the process of production, distribution, and dissemination of films according to laws on advertising and shall not violate regulations prescribed in Article 9 of this Law.

2. Organizations and individuals shall not show the whole content of a movie for promotional purposes without Film Rating Licenses or Broadcast Decisions.

#### **Article 26. Advertisements for products, goods, and services in movies**

Product, goods, and service advertising in movies shall comply with regulations of laws on advertising and relevant laws.

#### **Article 27. Issuance of Film Rating Licenses**

1. Regulations on competency in issuing Film Rating Licenses:

a) The Ministry of Culture, Sports, and Tourism of Vietnam shall issue Film Rating Licenses for the dissemination of films in cinemas; at public screening venues; on the internet for cases prescribed in Point b Clause 2 Article 21 of this Law; at diplomatic missions and foreign facilities of culture established in Vietnam as prescribed in Article 24 of this Law;

b) People's Committees of provinces may issue Film Rating Licenses if they satisfy the requirements promulgated by the Minister of Culture, Sports, and Tourism of Vietnam.

2. Film Rating Licenses issued by the Ministry of Culture, Sports, and Tourism of Vietnam and People's Committees of provinces are valid nationwide.

3. Applications for the issuance of Film Rating Licenses include:

a) A written request for the issuance of the Film Rating License according to the form stipulated by the Minister of Culture, Sports, and Tourism of Vietnam;

b) A copy of the document proving the legal ownership or rights to use the film;

c) The completed film;

d) The Vietnamese-dub version of the film for foreign films.

4. Procedures for the issuance of Film Rating Licenses:

a) Organizations and individuals shall submit a dossier of applications via the National Public Service Portal, by post, or directly to the competent state agency prescribed in Clause 1 of this Article;

b) Within 15 days after receiving the valid applications, competent state agencies shall issue Film Rating Licenses according to the form stipulated by the Minister of Culture, Sports, and Tourism of Vietnam; in case of refusal, notify and provide written explanations.

In case the film is subject to content adjustment or the application is subject to amendments or supplements of information at the request of competent state agencies prescribed in Clause 1 of this Article, within 15 days after receiving the adjusted film or 10 days after receiving the amended and supplemented application, competent state agencies shall issue the License.

#### **Article 28. Changes to film contents and film names in Film Rating Licenses**

1. In case of changes to the contents of films with Film Rating Licenses, organizations and individuals shall apply for the re-issuance of Film Rating Licenses as prescribed in Article 27 of this Law.

2. In case of changes only to the names of films with Film Rating Licenses, organizations and individuals shall send written notifications to competent state agencies that have issued such licenses.

Within 5 working days from the date the competent state agency receives the notifications, competent state agencies shall respond and provide explanations in writing in case of refusal.

#### **Article 29. Revocation of Film Rating Licenses**

1. State agencies competent to issue Film Rating Licenses prescribed in Clause 1 Article 27 of this Law shall revoke a Film Rating License when:

- a) The issuance of the Film Rating License is contrary to regulations;
- b) Information in the application for the Film Rating License is forged;

2. State agencies that issue Film Rating Licenses and organizations or individuals subject to revocation of Film Rating Licenses shall remedy violations prescribed in Clause 1 of this Article.

The continuation of application for Film Rating Licenses after remedying the mentioned violations shall comply with regulations prescribed in Article 27 of this Law.

### **Article 30. Termination of film dissemination**

1. State agencies competent to terminate film dissemination are agencies that issue Film Rating Licenses, agencies that receive notifications of the contents and screening programs at public screening venues, or inspectorates according to regulations of the Government of Vietnam.

2. Competent state agencies shall issue written decisions on the termination of film dissemination, which specify the reason, time, and period of termination of film dissemination for the following cases:

- a) Violation of regulations prescribed in Article 9 of this Law;
- b) Occurrence of matters of national defense and security or natural disasters, epidemics, or emergencies.

3. If organizations wish to continue the dissemination of films, send written requests for the continuation of film dissemination to competent state agencies for consideration and decision.

Within 5 working days after receiving the written request for the continuation of film dissemination, the competent state agency shall consider, decide, and notify the result in writing to the organization that proposed the film dissemination.

4. Organizations subject to termination of film dissemination shall disclose such matter on mass media regarding the termination and take on responsibilities for ensuring the benefits of relevant organizations and individuals as prescribed by law.

### **Article 31. Film Appraisal and Rating Board**

1. The competence in establishing Film Appraisal and Rating Boards is as follows:

- d) The Minister of Culture, Sports, and Tourism of Vietnam shall establish the Film Appraisal and Rating Board of the Ministry of Culture, Sports, and Tourism of Vietnam;

- b) Chairmen of People's Committees of provinces shall establish Film Appraisal and Rating Board of such provinces or centrally affiliated cities;

c) Heads of press agencies with licenses to operate in the field of television shall establish Film Appraisal and Rating Boards of such press agencies.

2. The Film Appraisal and Rating Board shall provide advisory services for competent state agencies before they issue Film Rating Licenses or Broadcast Decisions. The Appraisal and Rating Board composition includes cinematographic specialists, experts, and managers of relevant fields and shall ensure gender equality.

3. The Minister of Culture, Sports, and Tourism of Vietnam shall stipulate the organization and operation of Film Appraisal and Rating Boards.

### **Article 32. Film rating**

1. Films are rated according to their contents for appropriate dissemination according to viewers' age or prohibition against dissemination as follows:

a) P rated: Films eligible for dissemination to viewers of all ages;

b) T18 rated (18+): Films eligible for dissemination to viewers from 18 years old or older;

b) T16 rated (16+): Films eligible for dissemination to viewers from 16 years old or older;

b) T13 rated (13+): Films eligible for dissemination to viewers from 13 years old or older;

dd) K rated: Films eligible for dissemination to viewers under 13 years old, provided that they are with their parents or guardians;

e) C rated: Films prohibited from disseminating.

2. The criteria for film rating apply to all of the forms of film dissemination stipulated by the Minister of Culture, Sports, and Tourism of Vietnam.

## **Chapter V**

### **SUBMISSION OF FILMS FOR LEGAL DEPOSIT AND ARCHIVE**

#### **Article 33. Legal deposit of films**

1. A cinematographic facility that has a film with the Film Rating License according to regulations shall submit a copy of the film for legal deposit to the agency that issued the Film Rating License. Regarding a Vietnamese film with funding from the state budget, submit the script and relevant documents along with a copy of such film.

2. The legal deposit period of Vietnamese films is 12 months after the film has been granted the Film Rating License; the legal deposit period of imported films shall comply with regulations in the Film Rating License.

3. At the end of the legal deposit period, legal deposit agencies shall:
  - a) Transfer the legal deposit film copy without password, its script, and attached documents to film archives for Vietnamese films produced using the state budget;
  - b) Transfer the legal deposit film copy to film archives of Vietnamese films produced without funding from the state budget;
  - c) Return the legal deposit film to the facility that submitted it regarding imported films.
4. Cinematographic facilities shall unlock the passwords of films for comparison and inspection at the request of agencies that issue Film Rating Licenses.

#### **Article 34. Archive of films**

1. Film archives of agencies of culture, sports, and tourism shall archive Vietnamese films with Film Rating Licenses.
2. Film archives of press agencies with licenses to operate in the field of television shall archive films of their agencies or units.
3. Film archives of Ministries or central authorities shall archive films for internal circulation; scientific research agencies shall archive films of their agencies or units.

#### **Article 35. Film archives may and shall:**

1. Archive, provide copies, and print extracts for film owners and competent state agencies as prescribed by law.
2. Cooperate with domestic or foreign organizations and individuals in preserving, archiving, and restoring films; utilize films according to agreements with film owners.
3. Purchase and receive the transfer of domestic or foreign films with values for research, teaching, and learning.
4. Provide archive services; sell, lease, and disseminate archived films according to agreements with film owners.
5. Ensure the safety of films, their scripts, and attached documents according to technical standards.
6. Take legal liability to ensure the intellectual property rights regarding their archived films.

#### **Article 36. Rights and tasks of film owners regarding legal deposit and archive**

1. Receive the assurance of the safety of film copies, materials, and documents attached to such films and the assurance of intellectual property rights as prescribed by law from film archives.
2. Decide on the sale, lease, dissemination, and use of services regarding archived films.
3. Submit films for legal deposit as prescribed in Article 33 of this Law.
4. Unlock the passwords of films for comparison and inspection at the request of competent state agencies.

## **Chapter VI**

### **PROMOTION OF CINEMATOGRAPHIC DEVELOPMENT; CINEMATOGRAPHIC DEVELOPMENT SUPPORT FUND**

#### **Section 1. PROMOTION OF CINEMATOGRAPHIC DEVELOPMENT**

##### **Article 37. Contents of the promotion of cinematographic development should:**

1. Promote Vietnamese films, cinematographic environment, film production ecosystem, cultural identity, Vietnam, and people of Vietnam.
2. Develop and promote cinematographic brands of Vietnam, regions, localities, and enterprises; research and develop the domestic and foreign cinematographic market.
3. Disseminate, improve the social awareness of cinematography, and contribute to the assurance of a safe, healthy, and civilized cinematographic environment.
4. Search for chances, mobilize resources for investment in cinematographic development, diversify film genres, and improve the quality of Vietnamese films.

##### **Article 38. Film festivals, film awards, film competitions, film programs, and film weeks in Vietnam**

1. State agencies at central levels, political organizations, socio-political-vocational organizations, People's Committees of provinces may organize film festivals, specialized or thematic film festivals, film awards, film competitions, film programs, and film weeks in Vietnam according to the following regulations:
  - a) Heads of agencies or organizations shall take charge of organizing film festivals, specialized or thematic film festivals, film awards, film competitions, films programs, and film weeks;
  - b) Films that participate in film festivals, specialized or thematic film festivals, film awards, film competitions, film programs, and film weeks must have Film Rating Licenses or Broadcast Decisions;

c) The Ministry of Culture, Sports, and Tourism of Vietnam must be informed of implementation plans at least 5 working days before the organization date and implementation results at least 5 working days after the end of film festivals, specialized or thematic film festivals, film awards, film competitions, film programs, and film weeks.

2. Vietnamese organizations and agencies that are not state agencies at central levels, political organizations, socio-political-vocational organizations, and People's Committees of provinces may organize film festivals, specialized and thematic film festivals, film awards, film competitions, film programs, and film weeks in Vietnam if they satisfy the criteria prescribed by the Government of Vietnam and comply with regulations prescribed in Clause 1 of this Article.

3. International organizations, foreign organizations, diplomatic missions, and foreign facilities of culture, when organizing film festivals, specialized or thematic film festivals, film awards, film competitions, film programs, and film weeks in Vietnam, must have licenses issued by the Ministry of Culture, Sports, and Tourism of Vietnam.

4. The Ministry of Culture, Sports, and Tourism of Vietnam shall take charge and organize periodic national film festivals and international film festivals in Vietnam.

5. Applications for issuance of licenses to organize film festivals, specialized or thematic film festivals, film awards, film competitions, film programs, and film weeks prescribed in Clause 3 of this Article are as follows:

a) Applications for issuance of licenses to organize film festivals, specialized or thematic film festivals, film awards, and film competitions include written requests for issuance of licenses according to the form stipulated by the Minister of Culture, Sports, and Tourism of Vietnam; plans that specify purposes, meanings, criteria, contents, organizational structure, budget, task assignment, and implementation; charters that specify participants, the structure of the award, and composition of judges;

b) Applications for issuance of licenses to organize film programs include written requests for issuance of licenses according to the form stipulated by the Minister of Culture, Sports, and Tourism of Vietnam; lists of films participating in film programs or film weeks; copies of Film Rating Licenses.

6. Procedures for issuance of licenses to organize film festivals, specialized or thematic film festivals, film awards, film competitions, film programs, and film weeks are as follows:

a) Agencies and organizations shall submit a dossier of applications via the National Public Service Portal, by post, or directly to the Ministry of Culture, Sports, and Tourism of Vietnam;

b) Within 15 days after receiving the valid application, the Ministry of Culture, Sports, and Tourism of Vietnam shall issue the license; in case of refusal, notify and provide written explanations.

In case the application is subject to amendments and supplements of information at the request of the Ministry of Culture, Sports, and Tourism of Vietnam, within 10 days after receiving the amended and supplemented application, the Ministry of Culture, Sports, and Tourism of Vietnam shall issue the license.

7. In case of changes to contents prescribed in Point a Clause 5 of this Article, after receiving licenses, agencies and organizations shall apply for re-issuance of licenses according to regulations prescribed in Clause 5 and Clause 6 of this Article. Within 5 working days after receiving the valid applications, the Ministry of Culture, Sports, and Tourism of Vietnam shall issue licenses.

8. The Ministry of Culture, Sports, and Tourism of Vietnam shall revoke licenses in the following cases:

a) Violations of regulations prescribed in Article 9 of this Law during the organization of film festivals, specialized or thematic film festivals, film awards, film competitions, film programs, and film weeks;

b) Information in the application for the License is forged;

c) Failure to comply with the contents of the License.

### **Article 39. Organization of Vietnamese film programs and film weeks abroad**

1. The Ministry of Culture, Sports, and Tourism of Vietnam shall organize Vietnamese film programs and film weeks abroad according to the approved plan.

2. Other agencies and organizations that organize Vietnamese film programs and film weeks abroad shall send written notifications to Vietnamese diplomatic missions at corresponding countries or areas regarding the contents and organizational plans at least 20 days before the organization date.

3. Vietnamese diplomatic missions in corresponding countries or areas shall support, facilitate the organization of Vietnamese film programs and film weeks abroad, and inform the Ministry of Culture, Sports, and Tourism of Vietnam in case they find inappropriate content.

4. Heads of agencies and organizations shall take responsibility for the organization of Vietnamese film programs and film weeks abroad.

### **Article 40. Films that participate in film festivals, film awards, film competitions, film programs, and film weeks in Vietnam and abroad**

1. Films that participate in film festivals, film awards, film competitions, film programs, and film weeks in Vietnam or abroad are films with Film Rating Licenses or Broadcast Decisions.

2. In case the rules of international film festivals and film awards stipulate that the participating films are national representative films, the Ministry of Culture, Sports, and Tourism of Vietnam shall stipulate and organize the film selection.

#### **Article 41. Incentive regulations for foreign organizations using film production services in Vietnam**

Foreign organizations producing films with the use of backgrounds in Vietnam or film production services provided by Vietnamese organizations may receive tax incentives according to laws on tax.

### **Section 2. CINEMATOGRAPHIC DEVELOPMENT SUPPORT FUND**

#### **Section 42. Establishment of Cinematographic Development Support Fund**

1. The Cinematographic Development Support Fund is an off-budget state financial fund supported by the State with charter capital, established and operated according to law; has independent financial capacity; has revenues and expenditure tasks that do not coincide with revenues and expenditure tasks of the state budget; has legal personality, separate seals, and accounts. The Prime Minister of Vietnam shall decide on the establishment and approve the Charter for organization and operation of the Cinematographic Development Support Fund.

2. The Government of Vietnam shall elaborate this Article.

#### **Section 43. The Cinematographic Development Support Fund aims to:**

1. Provide support for projects on experimental films, debut films, and films of young authors.
2. Provide support for authors, film production projects, and outstanding Vietnamese films that participate in film festivals, film awards, film competitions, film fairs, film programs, and film weeks abroad.
3. Provide support for other activities for cinematographic development.

#### **Section 44. Operational principles of the Cinematographic Development Support Fund**

1. Operate not for profits; preserve the charter capital and cover its own management costs.
2. Carry out the collection, expenditure, financial and asset disclosure, and accounting work according to law.
3. Submit to the state inspection and audit regarding its activities.
4. Ensure publicity, transparency, thrift, efficiency, proper use, and compliance with the law, not coinciding with the budget provided by the state for public activities of cinematography. The fund shall not provide support for film production projects funded by the state budget.

5. Transfer the remaining budget of the previous year to the following year for use.

## **Chapter VII**

### **RESPONSIBILITIES OF STATE MANAGEMENT OF CINEMATOGRAPHY**

#### **Article 45. Responsibilities of state management of cinematography of the Government of Vietnam and the Ministry of Culture, Sports, and Tourism of Vietnam**

1. The Government of Vietnam shall perform the unified state management of cinematography.
2. The Ministry of Culture, Sports, and Tourism of Vietnam shall assist the Government of Vietnam in performing state management of cinematography and shall:
  - a) Promulgate (or request competent state agencies to promulgate) and organize the implementation of policies and legislative documents on cinematography, strategies, and plans for cinematographic development;
  - b) Provide information, dissemination, universalization, and legal education regarding cinematography;
  - c) Develop national standards and technical regulations in cinematographic activities; statistical target system and cinematographic database;
  - d) Provide training and advanced training and develop cinematographic personnel;
  - dd) Conduct international cooperation in cinematographic activities; promote cinematographic development in Vietnam and abroad;
  - e) Research and apply science and technology to cinematographic activities;
  - g) Issue and revoke licenses in cinematographic activities; terminate the dissemination of films according to entitlements;
  - h) Perform emulation and commendation work in cinematographic activities;
  - i) Inspect, settle complaints and denunciations, and handle law violations in cinematographic activities according to entitlements.

#### **Article 46. Responsibilities of state management of cinematography of Ministries and ministerial agencies**

Ministries and ministerial agencies shall, within their scope of tasks and entitlements, cooperate with the Ministry of Culture, Sports, and Tourism of Vietnam in performing the state management of cinematography.

## **Article 47. Responsibilities of state management of cinematography of People's Committees of all levels**

1. People's Committees of all levels shall, within their scope of tasks and entitlements, perform the state management of cinematography in their areas; ensure social security, order, and safety, health care, prevention and control of fire and explosion, and environmental protection at locations of film production, distribution, and dissemination.

2. People's Committees of provinces shall, within their scope of tasks and entitlements, implement regulations prescribed in Clause 1 of this Article and shall:

a) Develop, issue, and implement plans for cinematographic development in accordance with local situations;

b) Promulgate or request competent to promulgate supportive and attractive policies to facilitate local development of cinematography;

c) Invest in cinematographic development; develop, complete, and consolidate the local organization and local activities of film distribution and dissemination;

d) Receive notifications and respond to them regarding the dissemination of films at public screening venues under their management;

dd) Issue and revoke Film Rating Licenses in cinematographic activities; terminate the dissemination of films according to entitlements;

e) Inspect, settle complaints and denunciations, and handle law violations in cinematographic activities according to entitlements.

## **Chapter VIII**

### **IMPLEMENTATION PROVISIONS**

#### **Article 48. Amendments to the Law on Investment of Vietnam No. 61/2020/QH14 amended by Law No. 72/2020/QH14 and Law No. 03/2022/QH15**

Amendments to Section 192 of Appendix IV - List of conditional business lines promulgated with the Law on Investment of Vietnam No. 61/2020/QH14 amended by Law No. 72/2020/QH14 and Law No. 03/2022/QH15:

192	Film dissemination services
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#### **Article 49. Entry into force**

1. This Law comes into force as of January 1, 2023.

2. The Law on Cinematography of Vietnam No. 62/2006/QH11 amended by Law No. 31/2009/QH12, Law No. 35/2018/QH14, and Law No. 61/2020/QH14 will expire when this Law comes into force.

#### **Article 50. Transitional provisions**

1. Film Dissemination Licenses and Broadcast Decisions issued according to the Law on Cinematography of Vietnam No. 62/2006/QH11 amended by Law No. 31/2009/QH12, Law No. 35/2018/QH14, and Law No. 61/2020/QH14 may continue to comply with regulations prescribed thereof.

Licenses to cooperate, conduct joint film production, and provide film production services issued for foreign organizations and individuals according to the Law on Cinematography No. 62/2006/QH11 amended by Law No. 31/2009/QH12, Law No. 35/2018/QH14, and Law No. 61/2020/QH14 will be valid until they expire.

2. Films with Film Dissemination Licenses or Broadcast Decisions have yet to implement warnings and show film ratings to viewers according to regulations stipulated by the Minister of Culture, Sports, and Tourism of Vietnam, within 1 year after the effective date of this Law, supplement the warnings and display of film ratings for viewers in case of dissemination continuation.

*This Law was approved by the 15th National Assembly of the Socialist Republic of Vietnam at its 3rd meeting on June 15, 2022./.*

**PRESIDENT OF THE NATIONAL  
ASSEMBLY OF VIETNAM**

**Vuong Dinh Hue**

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