

**THE GOVERNMENT**

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**SOCIALIST REPUBLIC OF VIETNAM**

**Independence - Freedom - Happiness**

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*Hanoi, October 7, 2020*

## **DECREE**

### **ON PENALTIES FOR ADMINISTRATIVE VIOLATIONS IN JOURNALISTIC AND PUBLISHING ACTIVITIES**

*Pursuant to the Law on Government Organization dated June 19, 2015;*

*Pursuant to the Law on Penalties for Administrative Violations dated June 20, 2012;*

*Pursuant to the Law on Press dated April 5, 2016;*

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

*At the request of the Minister of Information and Communications;*

*The Government promulgates a Decree on penalties for administrative violations in journalistic and publishing activities.*

## **Chapter I**

### **GENERAL PROVISIONS**

#### **Article 1. Scope**

This Decree provides for administrative violations, methods, fine amounts, remedial measures, power to make administrative reports and power to impose penalties for administrative violations in journalistic and publishing activities.

#### **Article 2. Regulated entities**

1. Individuals and organizations that commit acts of administrative violation in journalistic and publishing activities in the territory of the Socialist Republic of Vietnam.
2. Those having power to make administrative offense reports and impose administrative penalties.
3. Relevant organizations and individuals.
4. Organizations defined in clause 1 of this Article include:
  - a) Media and publishing organizations established in accordance with the law on press and publishing;
  - b) Regulatory agencies;
  - c) Economic organizations operating under the provisions of law;
  - d) Foreign organizations, resident offices of foreign media organizations and representative offices of foreign publishers or foreign publishing organizations in Vietnam;
  - dd) Public sector entities and other organizations as prescribed by law on participation in journalistic and publishing activities.

### **Article 3. Methods of penalties, remedial measures**

1. For administrative violations in journalistic and publishing activities, violating organizations and individuals must face primary penalties which are warnings or fines.

2. Depending on the nature and seriousness of their violations, the violating individuals and organizations may also be subject to the following additional penalties:

a) Suspending the license for 01 to 12 months, including: license for operating print newspapers, print magazines, audio and visual newspapers, online newspapers and magazines, license for publishing publications, supplements, license for publishing special issue, license for providing pay broadcasting, certificate of registration of receiving foreign television signals directly from satellite, license for channel production programs, permit for import of print newspapers and magazines, certificate of registration of provision of foreign channels on pay broadcasting, permit for setting up news websites, paper newsletter publishing license, special edition publishing license, license for setting up a publisher, license for setting up representative offices of foreign publishers or foreign publishing organizations in Vietnam, license for printing publications, the license for business in importing publications;

b) Confiscate the exhibits and means of administrative violations;

c) Suspend operations for 01 to 12 months.

3. In addition to the penalties specified in clauses 1 and 2 of this Article, violating administrative individuals and organizations may also be subject to one or several of the following remedial measures:

a) Must making correction or apology;

b) Must recall the journalistic products, information products of journalistic nature, radio or television programs or publications in violation of law provisions;

c) Must remove untruthful information, information in violation of law that has been posted or distributed on online newspapers and magazines or news websites; must remove the radio and television programs; must remove on-demand content and value-added content of online broadcasting applications; must remove the electronic publications in violation of the provisions of law; must remove the introduction, advertisements and links to websites with illegal contents;

d) Must return the illegal benefits gained from the administrative violations;

dd) Must repost the correction and apology;

e) Must repost the conclusion of the competent authority in full;

g) Must make public apology;

h) Must deposit the journalistic products as prescribed by law;

i) Must deposit the journalistic products at the right place and with the right quantity;

k) Must deposit or submit publications tot the National Library of Vietnam as per regulations;

l) Must return the illegally seized means and documents of the journalist or reporter;

m) Must re-export for publication imported as materials for international seminars which allowed to organized in Vietnam with permission of the Vietnamese competent authority or assets belong to institution, family and individual that are used privately after it has been used; must re-export

the print newspapers or magazines without registering the list of imported newspapers with MIC before importing them;

n) Must recall the journalistic products, information products of journalistic nature, radio or television programs or publications in violation of law provisions;

o) Must remove news or articles on online newspapers or magazines, radio programs or television programs with contents inconsistent with the principles and purposes stated in the licenses; must remove the news, posts that are not posted correctly with the contents of information specified in the license to set up news websites;

p) Must revoke domain names and IP.

#### **Article 4. Fine amounts and power to impose penalties**

1. The maximum fine amount for each act of administrative violation in journalistic and publishing activities is VND 200,000,000 for organizations and VND 100,000,000 for individuals.

2. The fines for the administrative violations specified in Chapters II and III of this Decree are the fines applicable to organizations, except for the violations specified in Article 6 of the Decree for individuals.

For the same act of administrative violation, the fine amount for individuals is equal to a half of the fine amount for organizations.

3. The power to impose fines of those holding titles specified in Chapter IV of this Decree is the competence applicable to the administrative violation committed by organization, the power to impose a fine on an act of administrative violation committed by individual equal to a half of the power to impose a fine on organization.

### **Chapter II**

#### **ADMINISTRATIVE VIOLATIONS IN PRESS, PENALTIES APPLIED AND RECOVERY METHOD**

#### **Article 5. Violations in press license**

1. A fine from VND 3,000,000 to VND 5,000,000 for the action below:

a) Change the logo of radio and television channel without written approval of MIC;

b) Change the airtime, produced programme duration of radio and television channel expressed in the license for radio operation or license for television operation, license for production of domestic radio program, license for production of domestic television program;

c) Change the name of press governing body; the name of media organization; the name of the radio or television channel; broadcast location; head office associated with master control room; transmission and broadcasting methods expressed in the license for radio operation or license for television operation without approval of MIC.

2. A fine from VND 10,000,000 to VND 15,000,000 for the action below:

a) Failure to properly implement the purposes and programs expressed in the license of the Ministry of Foreign Affairs (MFA);

b) Failure to properly implement the content of license for publishing newsletter or special issue.

3. A fine from VND 15,000,000 to VND 30,000,000 for the action below:

- a) Amend the license for journalistic activities;
- b) Failure to properly implement the content of press license, except violations in point e clause 4 and point d clause 5 Article 8 hereof;
- c) Carry out journalistic activities without the license of MFA;
- d) Issue newsletter or special issue without license;
- dd) Violate regulations on requirements for establishment of representative office or assigning correspondents of the media organization;
- e) Foreign press, foreign representative body, foreign organization in Vietnam carries out press or press-related activities without approval of the competent authority of Vietnam;
- g) The foreign media organization sets up its resident office in Vietnam without the written consent of the competent regulatory agency.

4. A fine from VND 30,000,000 to VND 50,000,000 shall be imposed for issuing additional press publications, insert or opening special pages for electronic newspaper or magazine; produce more radio and television channels without license.

5. A fine from VND 140,000,000 to VND 200,000,000 shall be imposed for printing newspapers, printed magazines, audio and visual newspapers, online newspapers, online magazines without press license under regulations except for the case specified at Point c, Clause 3 of this Article.

6. Additional penalties:

- a) Confiscate the exhibits of administrative violations (hereinafter referred to as exhibit) for the actions specified in points a, c and d clause 3; confiscate the exhibit being press publication, insert for the action specified in clause 4; confiscate the exhibit being print newspaper or print magazine for the action mentioned clause 5 of this Article;
- b) Suspend the license from 03 to 06 months for the action mentioned at point a clause 2 this Article.

#### **Article 6. Violations in journalistic activities and using press cards**

1. A fine from VND 3,000,000 to VND 5,000,000 dong for the action below:

- a) Use expired press card for journalistic activities;
- b) Foreign reporter, press assistant of foreign report engaged in journalistic activities in Vietnam without valid foreign report card issued by MFA;
- c) The head of the media organization or the working agency of the person subject to return of the press card does not take back the press card or withdraw the press card but fails to submit it to MIC or fails to give notice in writing for the following cases: The person who is granted a press card but changes to other duties no longer eligible for a press card; retired press card holder; the person who has expired labor employment but is not eligible for signing a new labor employment or no longer works at the media organization;
- d) The holder of press card does not return his/her press card (unless he/she obtains certification of loss of the police of the commune, ward or town where the card is lost) in the following cases:

The media organization has the press license revoked; the press card holder changes to other duties no longer eligible for a press card; retired press card holder; the person who has expired labor employment but is not eligible for signing a new labor employment or no longer works at the media organization;

dd) The head of the media organization appoints or delegates the authority to his subordinates to appoint journalists or reporters to engage in journalistic activities not in accordance with the principles and purposes stated in the press license;

e) The journalist does not conduct journalistic activities in accordance with the principles and purposes stated in the press license of the working media organization.

2. A fine from VND 10,000,000 to VND 20,000,000 for the action below:

a) Impersonating journalist or reporter for journalistic activities;

b) Abusing the capacity of journalist or reporter to intervene, obstruct the lawful operation of organizations and individuals;

c) Using modified press card for journalistic activities.

3. A fine from VND 20,000,000 to VND 40,000,000 shall be imposed for taking advantage of the status of journalists and reporters for self-seeking purposes.

4. Additional penalties:

Confiscation of exhibit for the action mentioned at point a clause 1, point c clause 2 and clause 3 of this Article.

#### **Article 7. Illegally obstructing journalistic activities**

1. A fine from VND 10,000,000 to 20,000,000 shall be imposed for illegally obstructing professional activities of journalist or reporter.

2. A fine from VND 20,000,000 to 30,000,000 shall be imposed for illegally seizing means and documents related to journalistic activities of journalist or reporter.

3. A fine from VND 30,000,000 to VND 40,000,000 for the action below:

a) Offending the honor and dignity of the journalist or reporter while doing their job;

b) Destroying or intentionally damaging means and documents related to press of the journalist or reporter.

4. A fine from VND 40,000,000 to VND 60,000,000 shall be imposed for acts of verbally threatening the life of the journalist or reporter but not to the extent where criminal prosecution is needed.

5. Recovery method:

a) Must apologize, for activities stipulated at clauses 2, 3 and 4 of this Article.;

b) Must return the means or documents illegally seized for the action mentioned in clause 2 of this Article.

#### **Article 8. Violations in posting and broadcasting information contents in newspapers, newsletters and special issues**

1. A warning or a fine from VND 500,000 to VND 2,000,000 for not quoting the source while posting on the press the information provided by responsible entities.
2. A fine from VND 5,000,000 to VND 10,000,000 for the action below:
  - a) Posting false information that caused serious consequence;
  - b) Giving inappropriate illustration and headline which confuse the readers;
  - c) Posting individual photos without that individual's consent, unless otherwise prescribed by law;
  - d) Posting comments which are not adequate as required in clause 4 Article 43 of the Law on Press or posting at wrong time as prescribed in clause 2 Article 43 and clause 5 Article 42 of the Law on Press.
3. A fine from VND 10,000,000 to VND 30,000,000 for the action below:
  - a) Posting news, photos that do not suit Vietnam's fine custom;
  - b) Posting information that encourage bad tradition, superstition;
  - c) Posting Vietnamese map which wrongly expresses national sovereignty;
  - d) Posting information that affect the normal physical and mental development of children;
  - dd) Failure to post comments of entities relevant to the press product as prescribed in clauses 2 and 3 of the Law on Press;
  - e) Posting or broadcasting the information or program intended for children with insufficient content, inappropriate time frame and duration in the press;
  - g) Failure to comply with compulsory requirements when posting the news, article or program related to children in the press;
  - h) Failure to implement or properly implement warning of inappropriate content to children in the press;
  - i) Revealing the individual privacy without the approval of that individual;
  - k) Posting the information that infringes on individual secret or correspondence secrecy.
4. A fine from VND 30,000,000 to VND 50,000,000 for the action below:
  - a) Describing excessive details about the criminal acts or creepy accidents in news, articles and photos;
  - b) Convicting the crime without a court's legally effective judgment;
  - c) Posting the information about mystical stories that cause confusion in society, adversely affecting social order and safety and public health;
  - d) Posting the information about relatives, relationships of individuals in the case or negative matters when there is no evidence to prove that relatives and relationships are related to the case or negative matters or no conclusion of competent regulatory agencies;
  - dd) Introducing, promoting or placing the link on a website with contents in violation of law;

e) Failure to properly implement the principles and purposes of the press license or the license for producing domestic channels that causes misdemeanor impact.

5. A fine from VND 50,000,000 to VND 70,000,000 for the action below:

- a) Posting false information that causes serious consequence;
- b) Posting the information that is biased to distort or offend the honor, prestige of the corporate or the honor and dignity of the individual;
- c) Posting the information with excessive details about obscenity or debauchery act;
- d) Failure to properly implement the principles and purposes of the press license or the license for producing domestic channels that causes serious impact.

6. A fine from VND 70,000,000 to VND 100,000,000 for the action below:

- a) Posting false information that causes extremely serious consequence;
- b) Posting the new, article or photo inciting violence.

7. A fine from VND 100,000,000 to 150,000,000 shall be imposed for posting, broadcasting, introducing or promoting the works, documents or contents that are suspended from release, revoked, confiscated, banned from circulation or destroyed.

8. A fine from VND 150,000,000 to VND 200,000,000 for the action below:

- a) Posting the information that is not suitable to the interests of the country and the people;
- b) Posting the information that is distorted, fabricated or causing confusion among people;
- c) Posting the information with contents that affects the independence, sovereignty and territorial integrity of the Socialist Republic of Vietnam;
- d) Posting the information that distorts history, denies revolutionary achievements, or offends the nation, national heroes;
- dd) Posting the information that affects the great national unity bloc;
- e) Posting the information that infringes upon the right to freedom of belief or religion;
- g) Posting the classified information but not to the level where criminal prosecution are needed.

9. Additional penalties:

- a) Confiscate exhibits that are journalistic products of print newspapers, print magazines, newsletters, special issues, for acts specified at point c, clause 3; clauses 6, 7 and 8 of this Article;
- b) Suspend the license or operation from 01 to 12 months for the actions mentioned at point d clause 5; clauses 6, 7 and 8 of this Article.

10. Recovery method:

- a) (The media organization) must correct, apologize for the actions at points a, b and c, clause 2; points a, b, c, d, i and k, clause 3; points a, b, c and d, clause 4; points a, b and c, clause 5; clauses 6, 7 and 8 of this Article;

- b) Must remove false information, information in violation of law that has been posted on online newspapers, online magazines, audio and visual newspapers, for acts of violation specified in points a, b and c, clause 2; points a, b, c, d, i and k, clause 3; points a, b, c and d, clause 4; points a, b and c, clause 5; clauses 6, 7 and 8 of this Article;
- c) Must remove news or articles on online newspapers, online magazines, audio and visual newspapers with contents inconsistent with the principles and purposes expressed in the press license, for the action specified at point d clause 5 of this Article;
- d) Must remove the introduction, promotion or link on a website with contents in violation of law as specified in point dd clause 4 of this Article.

#### **Article 9. Violations in providing information to press and using information of the press**

1. A fine from VND 1,000,000 to VND 3,000,000 for the action below:

- a) Prevent the institution and individual from providing information to the press;
- b) Failure to provide the press with information according to clause 1 Article 38 of the Law on Press;
- c) Failure to comply with regulations on time limit for notification or deadline for posting responses to comments, criticisms, complaints or requests of organizations or individuals.

2. A fine from VND 10,000,000 to VND 15,000,000 for the action below:

- a) Inaccurate and untruthful presentation of the interviewees' answers;
- b) Failure to implement the interviewee request for reviewing the article by the interviewee before posting the interview;
- c) Using the opinions expressed at the conference, seminar, meeting, exchange or talk to convert them into the interview without the speaker's consent;
- d) Provide false and untruthful information for the press.

3. Recovery method:

Must correct or apologize, for the actions stipulated at points a and c, clause 2 of this Article.

#### **Article 10. Violations in correction in the press**

1. A warning for correction or apology in breach of regulations on position, typeface or font size.

2. A fine from VND 1,000,000 to VND 3,000,000 for the action below:

- a) Failure to notify the correction or apology to relevant entities;
- b) Posting the correction or apology without showing the content of the corrected information or apology or title of the press product, column name, issue number, date posted that must be corrected.

3. A fine from VND 3,000,000 to VND 5,000,000 for the action below:

- a) Failure to remove false information;
- b) Failure to notify the media organizations or news websites with agreement on using their articles to post the correction and apology;



- c) The magazine that publishes an issue per over 30 days publishes false information but fails to provide an instant answer for the concerned entity;
- d) Failure to set up a separate column on the home page of the electronic newspaper or online magazine for the correction and apology;
- dd) Posting the correction and apology without quoting the adequate false information that distorts, slanders, and offends the prestige of the corporate or the honor and dignity of the individual in the press product and the corrected information;
- e) Making untimely correction and apology according to law.

4. A fine from VND 10,000,000 to VND 20,000,000 for the action below:

- a) Failure to correct or apologize according to regulations;
- b) Failure to post the conclusion of competent regulatory agency about the false information that distorts, slanders, and offends the prestige of the corporate or the honor and dignity of the individual in the press.

5. Recovery method:

- a) Must correct and apologize, for the action stipulated at point a, clause 4 of this Article;
- b) Must repost the correction and apology for the action mentioned in point dd clause 3 of this Article;
- c) Must repost the adequate conclusion of the competent regulatory agency for the action mentioned in point b clause 4 of this Article;
- d) Must remove the false information for the action stipulated at point a, clause 3 of this Article.

#### **Article 11. Violation of regulation on press briefing**

- 1. A fine from VND 1,000,000 to VND 3,000,000 for the press briefing without written notice or with untimely notice.
- 2. A fine from VND 3,000,000 to VND 5,000,000 for the press briefing which does not correspond to the approval of the press authority or notice submitted to the press authority.
- 3. A fine from VND 20,000,000 to VND 40,000,000 for the press briefing that has been suspended by the competent authority.
- 4. A fine from VND 30,000,000 to VND 50,000,000 for the press briefing with content that distorts, offends the honor and prestige of corporate or the honor and dignity of the individual.
- 5. A fine from VND 70,000,000 to VND 100,000,000 for the press briefing with the content inciting violence.
- 6. A fine from VND 140,000,000 to VND 200,000,000 for the press briefing that prejudices the national interests but not to the level where criminal prosecution is needed.

7. Additional penalties:

Confiscation of exhibit for the actions mentioned in clauses 4, 5 and 6 of this Article.

8. Recovery method:

Must apologize on means of mass media, for the actions stipulated at clauses 4, 5 and 6 of this Article.

#### **Article 12. Violations in compulsory information in newspapers, newsletters and special issues**

1. A warning for failure to fully or correctly write compulsory information in the newspaper, newsletter or special issue.
2. A fine from VND 500,000 to VND 1,000,000 for designing the frontpage and first cover page of the print newspaper or print magazine, the home page and pages of the electronic newspaper or electronic magazine in a manner which is inconsistent with contents of a press product.
3. A fine from VND 3,000,000 to 5,000,000 for failure to display the logo or theme song to the audio or visual newspapers.

#### **Article 13. Violations in publishing journalistic products and information products of journalistic nature**

1. A fine from VND 5,000,000 to VND 10,000,000 for the action below:
  - a) Obstructing the publishing and transmission of legal journalistic products and information products of journalistic nature;
  - b) Selling the illegally-imported press product.
2. A fine from VND 20,000,000 to VND 40,000,000 for the action below:
  - a) Publishing the journalistic products or information products of journalistic nature that are not permitted for circulation or subject to the revocation or confiscation decision;
  - b) Failure to recall the press publications or information products of journalistic nature when there is a decision to recall.
3. Recovery method:
  - a) Must recall the journalistic products or information products of journalistic nature, for the actions specified at point b, clause 1 and point b, clause 2 of this Article;
  - b) Must destroy the journalistic products or information products of journalistic nature, for the actions specified at point b, clause 1 and clause 2 of this Article;
  - c) Must return the illegal benefits gained from the administrative violations specified at point b, clause 1 and point a, clause 2 of this Article.

#### **Article 14. Violation of regulation on depository of journalistic products**

1. A warning for depositing the journalistic products to the wrong repository, time and quantity in accordance with laws and regulations.
2. A fine from VND 500,000 to VND 1,000,000 for failure to display clear information about the deposited newspaper or print magazine, the quantity of copies, the deposit date and time, the signature of the head of the media organization or authorized person on the deposited print newspaper or magazine.
3. A fine from VND 3,000,000 to VND 5,000,000 for the action below:
  - a) Failure to deposit a journalistic product as required;

- b) Failure to archive, in case of the audio or visual newspaper, the program that was transmitted or broadcast in full or within the duration required; failure to archive, in case of the online newspaper or magazine, the full information that was posted or within the duration required;
- c) Failure to provide broadcast signals (for audio and visual newspapers), the right to access data (for electronic newspapers, electronic magazines) at the request of the online depository agency;
- d) Failure to ensure the consistency and accuracy between the content of the published or broadcast work and the content of the work provided for the online depository agency.

4. Recovery method:

- a) Must deposit the journalistic product for the action mentioned at point a, clause 3 of this Article;
- b) Must deposit the journalistic product to the proper repository, time and quantity for the action mentioned in clause 1 of this Article;
- c) Must provide accurate posted content for the action mentioned in point d clause 3 of this Article.

**Article 15. Violations in export and import of print newspapers**

1. A fine from VND 3,000,000 to VND 5,000,000 for importing the print newspaper or print magazine without registering the list of imported journalistic products with MIC before importing them.
2. A fine from VND 5,000,000 to VND 10,000,000 for importing the print newspaper or print magazine without going through the press importer licensed by MIC.
3. A fine from VND 10,000,000 to VND 20,000,000 for the action below:
  - a) Importing or exporting the print newspaper or magazine with contents promoting bad tradition, superstitions; mystical stories that cause confusion in the society, which adversely affects the social order and safety and health of the community;
  - b) Importing or exporting the print newspaper or magazine with contents that do not suit Vietnamese fine customs;
  - c) Importing or exporting the print newspaper or magazine with contents that affect the normal physical and mental development of children;
  - d) Importing or exporting the print newspaper or magazine with contents that infringes on individual secret or correspondence secrecy.
4. A fine from VND 30,000,000 to VND 50,000,000 for the action below:
  - a) Importing or exporting the print newspaper or magazine with contents about obscenity or debauchery act;
  - b) Importing or exporting the print newspaper or magazine with false contents that distort or offend the honor, prestige of the corporate or the honor and dignity of the individual.
5. A fine from VND 70,000,000 to VND 100,000,000 for importing or exporting the print newspaper or magazine with contents inciting violence.

6. A fine from VND 150,000,000 to VND 200,000,000 for importing or exporting the print newspaper or magazine with contents that prejudices the national interests but not to the level where criminal prosecution is needed.

7. A fine from VND 150,000,000 to VND 200,000,000 for importing or exporting the print newspaper or magazine with contents that prejudices the national interests but not to the level where criminal prosecution is needed.

8. Additional penalties:

Revoke the license 03 to 12 months for the action prescribed in clause 6 of this Article.

9. Recovery method:

a) Must destroy the press products, for the actions specified in clauses 3, 4, 5, 6 and 7 of this Article;

b) Must return the illegal benefits gained from the administrative violations specified in clauses 3, 4, 5, 6 and 7 of this Article;

c) Must re-export of the print newspaper or magazine, for the actions specified in clauses 1 and 2 of this Article.

**Article 16. Violations in receiving foreign television signals directly from satellites without edit by the Vietnamese press**

1. A fine from VND 3,000,000 to VND 5,000,000 for the action below:

a) Receiving foreign television signals directly from satellites without edit by the Vietnamese press without the certificate of registration for receiving foreign television signals directly from satellites;

b) Modifying or leasing, lending the certificate of registration for receiving foreign television signals directly from satellites;

c) Not implementing properly the content of the certificate of registration for receiving foreign television signals directly from satellites.

2. A fine from VND 20,000,000 to VND 30,000,000 for the action below:

a) Performing the agreement or entering into the contract to provide television signals directly from satellites without registering to be the focal point for setting up the system of equipment to receive foreign television signals directly from satellites;

b) Receiving foreign television signals directly from satellites without the certificate of registration for receiving foreign television signals directly from satellites;

c) Supplying foreign television signals directly from satellites to entities holding no certificate of registration for receiving foreign television signals directly from satellites.

3. A fine from VND 150,000,000 to VND 200,000,000 for providing foreign television signals directly from satellites with contents that prejudices the national interests but not to the level where criminal prosecution is needed.

4. Additional penalties:

Confiscate the exhibits for the actions mentioned at point b clause 1, point b clause 2 and clause 3 of this Article.

### **Article 17. Violations in broadcasting management and supply**

1. A fine from VND 5,000,000 to VND 10,000,000 for the action below:

- a) Failure to install or properly install the broadcasting name and logo on channels as prescribed;
- b) Quoting incomplete information about the service price or service package price associated with basic information and specifications of the service or service package;
- c) Failing to comply with regulations on declaration of broadcasting quality;
- d) Failure to comply with regulations on self-inspection and supervision of broadcasting quality;
- dd) Failure to notify the licensing authority in writing within 30 days from the official change of the address of the head office, the legal representative, the certificate of business registration, the certificate of investment registration.

2. A fine from VND 10,000,000 to VND 20,000,000 for the action below:

- a) Installing the broadcasting name and logo on channels serving political missions and essential propaganda;
- b) Failure to keep or properly keep records of supply of broadcasting at request and added value contents;
- c) Failure to properly implement the certificate of registration for the list of channels of pay broadcasting;
- d) Obstructing or delaying agreement on the point of receiving the signals and channels in service of political missions and essential propaganda for broadcasting providers;
- dd) Failure to issue internal regulations on self-inspection of broadcasting quality as prescribed;
- e) Failure to register the form-based contract with a competent regulatory agency or use the contract inconsistently with the registered form-based contract;
- g) Failure to quote or completely quote information about the service price or service package price associated with basic information and specifications of the service or service package;
- h) Failure to declare or properly declare broadcasting quality;
- i) Failure to comply with regulations on self-inspection and supervision of broadcasting quality.

3. A fine from VND 30,000,000 to VND 50,000,000 for the action below:

- a) Failure to comply with provisions in the broadcasting license;
- b) The number of foreign channels exceeds 30 percent of total content;
- c) Failure to provide channels serving national political missions and essential propaganda for all pay television subscribers as prescribed;
- d) Failure to provide channels serving local political missions and essential propaganda to all television subscribers in the locality where the broadcaster provides services as prescribed;
- dd) Providing the service with quality lower than the declared service quality level;

- e) Pre-install the application on user's terminal equipment to help access broadcasting in contravention of law;
- g) Providing channels on pay broadcasting without the certificate of registration for the list of channels of broadcasting;
- h) Provide on-demand content and value-added content that have not been edited as prescribed;
- i) Providing channels and program contents on pay broadcasting without a legal copyright agreement with the content owner.

4. A fine from VND 50,000,000 to VND 70,000,000 for the action below:

- a) Providing the commercials pre-installed from abroad in foreign channels;
- b) Failure to transmit the program contents or channels in full provided by the content provider to broadcasting subscribers;
- c) Providing foreign channels on pay broadcasting without being edited or translated as prescribed;
- d) Selling, transferring, leasing, or lending the broadcasting license in any form;
- dd) Provide foreign channels on public broadcasting;
- e) Providing on-demand service packages and value-added services on the broadcasting.

5. A fine from VND 70,000,000 to VND 100,000,000 for the action below:

- a) Providing on broadcasting the domestic channels without a license to produce domestic channels as prescribed;
- b) Providing the programs and channels on broadcasting with contents that are not posted in the press, not allowed to be circulated, banned or subject to the confiscation decision;
- c) Providing the foreign-invested pay broadcasting without the Prime Minister's approval;
- d) Providing programs or channels to the broadcasting provider without the permission of the content owner or in contravention of authorization made by the agency or organization that owns the authorized content.

6. A fine from VND 150,000,000 to VND 200,000,000 for the action below:

- a) Providing pay broadcasting without a license;
- b) Providing the programs and channels on pay broadcasting with contents that affects national interests but not to the extent where criminal prosecution is needed.

7. Additional penalties:

Confiscate the exhibits related to action stipulated in clause 6 of this Article.

8. Recovery method:

- a) Must remove the on-demand content or value-added content, for the actions specified in points h and i, clause 3; point e, clause 4 of this Article;
- b) Must remove the online broadcasting application, for the action specified at point e, clause 3 of this Article;

c) Must return the illegal benefits gained from the administrative violation specified at point a, clause 6 of this Article.

#### **Article 18. Violations in provision of foreign channels in broadcasting**

1. A fine from VND 5,000,000 to VND 10,000,000 for the action below:

- a) Failure to properly implement the certificate of registration for provision of foreign channels on pay broadcasting;
- b) Failure to properly implement the license for editing foreign channels on pay broadcasting.

2. A fine from VND 10,000,000 to VND 20,000,000 for the action below:

- a) Providing the foreign channel when the certificate of registration for provision of foreign channels on pay broadcasting has expired or failure to apply for amendments to the certificate of registration for provision of foreign channels on foreign broadcasting when changing the channel category or contents;
- b) Editing or translating the foreign channel when the license for editing foreign channels on pay broadcasting has expired or failure to apply for amendments to the license for editing foreign channels when changing the channel category or contents.

3. A fine from VND 30,000,000 to VND 40,000,000 for the action below:

- a) Providing foreign channels with royalties to pay the broadcasting providers without a certificate of registration for provision of foreign channels;
- b) Editing and translating foreign channels on broadcasting in contravention of regulations.

4. A fine from VND 50,000,000 to VND 70,000,000 for the action below:

- a) Providing the commercials pre-installed from abroad in foreign channels;
- b) Editing and translating foreign channels on pay broadcasting without a license to edit foreign channels.

#### **Article 19. Violations in cooperation in journalistic activities**

1. A fine from VND 5,000,000 to VND 10,000,000 for co-production of programs, radio channels, television channels, print newspapers or magazines, online newspapers or magazines outside the fields allowed.

2. A fine from VND 30,000,000 to VND 50,000,000 for the action below:

- a) Cooperating in excess of 30% of the total number of radio and television channels licensed for production in case of cooperation in all channels;
- b) Co-production of copyrighted radio programs, television and entertainment programs, television games, reality television, foreign program scripts that are not Vietnamized, or not suitable for Vietnamese fine customs;
- c) Co-production of the program on the radio or television channel serving political missions and essential propaganda, general news and political channels with the airtime exceeding 30% of the total first airtime of the program on this channel.

3. A fine from VND 70,000,000 to VND 100,000,000 for cooperation in news and political radio and television programs.

4. A fine from VND 150,000,000 to VND 200,000,000 for co-production of programs, radio channels, television channels, print newspapers or magazines, online newspapers or magazines that prejudices the national interests but not to the level where criminal prosecution is needed.

5. Additional penalties:

- a) Confiscate the exhibits related to the actions stipulated in clauses 3 and 4 of this Article;
- b) Suspend the operation from 03 to 12 months for the actions mentioned in clauses 3 and 4 of this Article.

6. Recovery method:

Must correct and apologize, for the actions stipulated at point b, clauses 2 and 4 of this Article.

#### **Article 20. Violations in news websites**

1. A fine from VND 10,000,000 to VND 20,000,000 for the action below:

- a) Posting the information that infringes on individual secret or correspondence secrecy;
- b) Failure to properly implement the license for establishment of news website;
- c) Providing a link to a website or an application with content in violation of the law;
- d) Failure to archive news information for at least 90 days from the time it is posted on the news website;
- dd) Failure to provide sufficient information about the name of the website's governing body, name of the governing body (if any), name of the person responsible for content management, address, phone number, email, valid license number, date of issue, licensing authority on the footer of the news website;
- e) Posting press, literature, art works and publications without the consent of the intellectual property right holder;
- g) Failure to immediately remove the content which has been removed by the source(s) or at the request of a competent regulatory agency;
- h) Failure to publish the correction and apology of the violating media organization of which the content has been quoted by the news website.

2. A fine from VND 20,000,000 to VND 30,000,000 for the action below:

- a) Failure to quote the official source in accordance with the regulations;
- b) Providing the information promoting bad tradition, superstitions; mystical stories that cause confusion in the society, which adversely affects the social order and safety and health of the community;
- c) Providing the information that does not suit Vietnam's fine customs;
- d) Posting information that affects the normal physical and mental development of children;
- dd) There is no server in Vietnam that meets requirements for inspection, storage, and provision of the competent regulatory agency and handling of customer complaints;
- e) Failure to implement a public information management process or to meet management requirements for public information management process.



3. A fine from VND 30,000,000 to VND 40,000,000 for the action below:

- a) Providing information with contents inciting violence;
- b) Providing information with excessive details about the criminal acts, creepy accidents, obscenity or debauchery act.

4. A fine from VND 40,000,000 to VND 50,000,000 for the action below:

- a) Posting Vietnamese map which wrongly expresses national sovereignty;
- b) Posting false information that distorts or offends the honor, prestige of the corporate or the honor and dignity of the individual;
- c) Providing information with contents of conviction without a court's legally effective judgment;
- d) Posting press works, contents in press works or publications which have been suspended from circulation, recalled, confiscated, banned from circulation, removed or destroyed;
- dd) Provide information on the news website outside the licensed scope.

5. A fine from VND 50,000,000 to VND 70,000,000 for setting up a news website without a license.

6. A fine from VND 150,000,000 to VND 200,000,000 for the action below:

- a) Providing information against the Socialist Republic of Vietnam; sabotaging the implementation of a policy of international solidarity but not to the extent where criminal prosecution is needed;
- b) Providing information that is distorted, fabricated or confusing among the people, but not to the extent where criminal prosecution is needed;
- c) Providing information with contents inciting war to oppose the independence, sovereignty and territorial integrity of the Socialist Republic of Vietnam, but not to the extent where criminal prosecution is needed;
- d) Posting the information that distorts history, denies revolutionary achievements, or offends the nation, national heroes but not to the extent where criminal prosecution is needed;
- dd) Provide information that causes hatred, discrimination, ethnic division, separatism, infringes upon equal rights in the community of ethnic groups of Vietnam; causes divisions between walks of life, between the people and the people's administration, the people's armed forces, political organizations, or socio-political organizations, but not to the extent where criminal prosecution is needed;
- e) Providing information that infringes upon the right to freedom of belief or religion but not to the extent where criminal prosecution is needed;
- g) Posting the classified information but not to the level where criminal prosecution are needed.

7. Additional penalties:

Suspend the license for 03 to 12 months for the actions prescribed in clauses 4 and 6 of this Article.

8. Recovery method:

- a) Failure to immediately remove the content which has been removed by the source(s) or at the request of a competent regulatory agency, for the action prescribed in point g clause 1 of this Article;
- b) Must post the correction and apology of the violating media organization of which the content has been quoted by the news website, for the action prescribed in point h clause 1 of this Article.
- c) Must revoke the domain name, for the action prescribed in clause 5 of this Article.

#### **Article 21. Violations in reporting regime in journalistic activities, broadcasting provision, and news websites**

1. A fine from VND 3,000,000 to VND 5,000,000 for the action below:

- a) Failure to notify the competent authority in writing when the location of the representative office or the head of the representative office of the media organization is changed;
- b) Failure to notify the competent authority in writing of the establishment, suspension or termination of operation of the representative office of the media organization; failure to notify the competent authority in writing of the appointment, replacement or suspension of the operation of correspondents;
- c) Failure to notify the competent authority when publishing advertising supplements;
- d) Making report or explanation with contents, time limit or accuracy in contravention with those required by the competent authority;
- dd) The organization or enterprise licensed to set up a news website has changed its owner, changed the location without giving notice or not giving a written notice within the prescribed time limit to the competent authority.

2. A fine from VND 5,000,000 to 10,000,000 for failure to comply with periodical reporting as prescribed.

3. A fine from VND 10,000,000 to 20,000,000 for failure to make reports or give explanations at the request of the competent authority.

### **Chapter III**

#### **ADMINISTRATIVE VIOLATIONS IN PUBLICATION, PENALTIES APPLIED AND RECOVERY METHOD**

#### **Article 22. Violations in publication licenses, operating conditions of publication**

1. A fine from VND 3,000,000 to VND 5,000,000 for the action below:

- a) Failure to send a written notice to MIC when the publisher's head office is relocated;
- b) Failure to apply for re-issuance of a license for establishment of representative office of a foreign publisher or a foreign publishing organization in Vietnam when the license is lost or damaged;
- c) Failure to amend the license for establishment of representative office in Vietnam of a foreign publisher or a foreign publishing organization when changing the representative office's head, name, or activities.

2. A fine from VND 5,000,000 to 10,000,000 for changing one of the following contents without replacement of license for establishment of publisher: Change of the governing body, change of the name of publisher's governing body or the name of the publisher; change of the publisher's organization type; change of the principles, purposes, readers, and major publications of the publisher.

3. A fine from VND 10,000,000 to VND 20,000,000 for the action below:

a) Failure to properly implement the content expressed in the license for establishment of publisher;

b) Violations against regulations on operating conditions of publisher;

c) Operating a representative office of the foreign publisher a foreign publishing organization in Vietnam but failure to meet requirements or properly implement the content expressed in the establishment license.

4. A fine from VND 20,000,000 to VND 30,000,000 for failure to terminate operation of the representative office when the foreign publisher or foreign publishing organization ceases operation, disbands, or goes bankrupt abroad.

5. A fine from VND 30,000,000 to VND 50,000,000 for continuing to operate representative offices of the foreign publisher or foreign publishing organization in Vietnam but the license has expired.

6. A fine from VND 50,000,000 to VND 100.000.000 for operating representative offices of the foreign publisher or foreign publishing organization in Vietnam without an establishment license.

7. A fine from VND 140,000,000 to VND 200,000,000 for operating the publisher without a license for establishment of publisher.

8. Recovery method:

a) Must recall publications, for the action specified in clause 7 of this Article;

b) Must return the illegal benefits gained from the violation specified in clause 7 of this Article.

### **Article 23. Violations in the process and procedures in publishing activities**

1. A fine from VND 3,000,000 to VND 5,000,000 for the action below:

a) Failure to provide sufficient information in the publishing decision form as prescribed;

b) Insufficient storage of manuscript editing documents and related documents of the publication;

c) Using a written consent of the author, the copyright owner that does not have enough information in the prescribed form;

d) Signing and approving the complete manuscript for printing or releasing electronic publication in contravention of regulations or not adequately as prescribed;

dd) Signing the printing contract between the publisher, the entity licensed to publish non-commercial documents and the printing establishment but failure to express the publication quantity or with the excess of publication quantity compared with the publishing decision or license to publish non-commercial documents.

2. A fine from VND 5,000,000 to VND 10,000,000 for the action below:

- a) Failure to issue a publishing decision for each publication;
- b) Revealing or leaking the contents of the work or document before being released that affects the interests of the author or the copyright owner to each publication;
- c) Failure to comply with the contents of the license to publish non-commercial documents in terms of the name of the document, scope of release, form of release, and place of printing for each publication;
- d) Publishing the publication inconsistently with the content of the certification of publication registration with regard to the publication's name, author's name, translator's name (if any), genre, publication language, and associated partner for each publication.

3. A fine from VND 10,000,000 to VND 15,000,000 for the action below:

- a) Increasing the retail price indicated on the publication without the consent of the publisher's director for each publication;
- b) Putting the name as editor-in-chief or editor in a publication without an editorial practice certificate for each publication;
- c) Publishing the publication that is inconsistent with the summary of contents, topic in the certification of publication registration for each publication;
- d) Organizing or permitting the release of the publication but not issuing the release decision for each publication;
- dd) Signing the publishing decision beyond authority or without a legal authorization;
- e) Failure to enter into a printing contract with the printing establishment for each publication;
- g) Entering into a printing contract with a printing establishment that does not have a license to print publications.

4. A fine from VND 15,000,000 to VND 20,000,000 for the action below:

- a) Publishing the publication without a certification of publication registration or without a license to publish non-commercial documents for each publication;
- b) Publishing or reprinting publications without a publishing or reprinting decision for each publication;
- c) Failure to edit the manuscript, or sign for approval of the manuscript before it is printed or released on the electronic means for each publication;
- d) Modifying or falsifying contents of the approved manuscript or manuscript of non-commercial documents bearing the seal of the publishing licensing agency for each publication;
- dd) Failure to retain manuscript editing documents and relevant documents of publications for each publication;
- e) Failure to modify, suspend the release, revoke or destroy the publications upon written request of a competent authority for each publication;
- g) Failure to assess the content of the work or document according to regulations or at the request of a competent authority for each publication;

h) Publishing the work or document and reprinting the publication without written consent of the author or copyright holder in accordance with the provisions of law applicable to each publication.

5. Recovery method:

Must recall the publications, for the actions specified in points a, b, d and h clause 4 of this Article.

**Article 24. Violations in publication content**

1. A fine from VND 10,000,000 to VND 20,000,000 for publishing the publication with less serious false contents for each publication title.

2. A fine from VND 20,000,000 to VND 40,000,000 for the act of publishing the publication with contents in one of the following cases:

a) Disclosing the secrets of the organization or individual for each publication title;

b) Serious false contents for each publication title.

3. A fine from VND 40,000,000 to VND 80,000,000 for the act of publishing the publication with contents in one of the following cases:

a) Obscenity and debauchery, incitement to violence, superstition or inconformity with Vietnamese fine customs for each publication title;

b) Offending the reputation of the corporate and the honor and dignity of the individual for each publication title;

c) Disclosing state secrets for each publication title but not to the extent where criminal prosecution is needed.

4. A fine from VND 80,000,000 to VND 140.000.000 for publishing the publication with serious false contents for each publication title.

5. A fine from VND 140.000.000 to VND 200.000.000 for the act of publishing the publication with contents in one of the following cases:

a) Distorting historical truths, denying revolutionary achievements; insulting the nation, personalities and national heroes; prejudicing the national interests; causing national disunity for each publication title;

b) Failure to express or to correctly express national sovereignty over each title of published map.

6. Additional penalties:

Suspend the operation from 01 to 03 months for the actions mentioned in clauses 4 and 5 of this Article.

7. Recovery method:

a) Must recall the publications, for the actions specified in clauses 1 and 2 of this Article;

b) Must recall the publications, for the actions specified in clauses 3, 4 and 5 of this Article;

- c) Must making public apology, for the actions mentioned at point a clause 2 and point c clause 3 of this Article;
- d) Must return the illegal benefits gained from the violations specified in clauses 4 and 5 of this Article.

**Article 25. Violations in layout and illustration of publications and compulsory information on publications**

1. A fine from VND 1,000,000 to VND 3,000,000 for placing information in the wrong position or insufficient information on the publication for each publication title, except for cases of specified at points b and c, clause 2 of this Article.
2. A fine from VND 3,000,000 to VND 5,000,000 for the action below:
  - a) Incorrect compulsory information on the publication for each publication title;
  - b) Failure to write “Advertising book” on the fourth cover, for advertising books, for each publication title;
  - c) Using images of children for illustration on publications without the consent of parents or guardians in accordance with current regulations for children under 7 years of age or without the consent of children and of parents, guardians according to the current regulations, for 7-year-old or older children, for each publication title.
3. A fine from VND 5,000,000 to VND 10,000,000 for the action below:
  - a) Using pictures, drawings, symbols or characters to present or illustrate the publication that are offensive or inconsistent with the Vietnamese fine traditions and customs applicable to each publication name;
  - b) Using map images for presentation or illustration on publications but incorrectly expressing the national sovereignty over each publication's name.
4. Recovery method:
  - a) Must recall the publication, for the action specified in clause 2 of this Article;
  - b) Must recall the publication, for the action specified in clause 3 of this Article.

**Article 26. Violations in depositing publications and submitting publications to the National Library of Vietnam**

1. A fine from VND 500,000 to VND 1,000,000 for failure to submit the publication in due time or in sufficient quantity to the National Library of Vietnam for each publication title.
2. A fine from VND 1,000,000 to VND 3,000,000 for failure to submit the publication to the National Library of Vietnam for each publication title.
3. A fine from VND 5,000,000 to VND 10,000,000 for releasing the publication while 10 days have not elapsed yet after the legal deposit, for each publication title.
4. A fine from VND 10,000,000 to VND 20,000,000 for releasing the publication without the legal deposit, for each publication title.
5. Recovery method:

- a) Must submit the publication to the National Library of Vietnam, for the actions specified in clauses 1 and 2 of this Article;
- b) Must deposit the publication, for the actions specified in clauses 3 and 4 of this Article.

#### **Article 27. Violations in publishing cooperation**

1. A fine from VND 3,000,000 to VND 5,000,000 for the action below:
  - a) Issue the publishing decision before signing a publishing cooperation contract;
  - b) The cooperation contract does not fully express the content of cooperation as prescribed
  - c) Failure to retain a certified copy of the valid identity card or citizen's identity or passport of the individual who is a cooperative partner or failure to keep a certified copy of proof of the legal status of the corporate that is a cooperative partner.
2. A fine from VND 5,000,000 to VND 10,000,000 for the cooperation in preliminarily editing the manuscript, but the cooperative partner is not eligible, for each publication title.
3. A fine from VND 10,000,000 to VND 15,000,000 for the action below:
  - a) Cooperating in publishing or reprinting the work or document but there is no legal document proving the consent of the copyright owner for each publication title;
  - b) Releasing the cooperative publication before there is a distribution decision for each publication title.
4. A fine from VND 15,000,000 to VND 20,000,000 for the action below:
  - a) Cooperating in publishing the publication without a cooperation contract for each publication title;
  - b) Failure to comply with the manuscript content approved by the general director (director) of the publisher to print or release on the electronic means for each publication title;
  - c) Cooperating in preliminarily editing the manuscript of the work or document for which the preliminary edit is not allowed, for each publication title.
5. A fine from VND 20,000,000 to VND 30,000,000 for failure to modify, suspend the release, revoke or destroy the publications upon written request of the director (general director) of the house. publishing or a competent authority, for each publication name;
6. Additional penalties:  
Suspend the operation from 01 to 02 months for the action mentioned in clause 5 of this Article.
7. Recovery method:
  - a) Must recall the publication, for the action specified in point a clause 3 of this Article;
  - b) Must return the illegal benefits gained from the violation specified in point a clause 3 of this Article.

#### **Article 28. Violations in printing publications**

1. A fine from VND 3,000,000 to VND 5,000,000 for the action below:

- a) Updating inadequate information on the receipt of prepress, printing, and postpress into the "logbook of receipt of prepress, printing and postpress" according to the prescribed form;
- b) Keeping inadequate dossier of printing publications.

2. A fine from VND 5,000,000 to VND 10,000,000 for the action below:

- a) Printing the publication without a printing contract signed between the publisher and the printing establishment for each publication title;
- b) Failure to make the "logbook of receipt of prepress, printing and postpress";
- c) Failure to notify in writing the licensing agency of printing publications when there is any replacement of the head of the printing establishment.

3. A fine from VND 10,000,000 to VND 20,000,000 for the action below:

- a) Printing the publication that does not correspond to the manuscript content approved by the general director (director) of the publisher, for each publication title; or the manuscript content of the non-commercial document that obtains the license for publishing, for each publication title;
- b) Going through the prepress or postpress process without a printing license issued by the competent authority;
- c) Failure to keep the dossier of acceptance of printing publication for each publication title;
- d) Printing the publication but the manuscript for printing is not fully approved according to the regulations applicable to each publication title;
- dd) Printing fewer than 1,000 copies of the finished product or of the semi-finished product without a publishing license and without an accepted manuscript for each publication title;
- e) Using a printing license that has not been renewed under regulations to go through the prepress, printing, postpress process.

4. A fine from VND 30,000,000 to VND 50,000,000 for the action below:

- a) Printing the publication but the printing establishment fails to maintain the facilities in proper condition after being granted the printing license;
- b) Printing fewer than 1,000 copies of the finished product or of the semi-finished product without a publishing decision and without an accepted manuscript for each publication title;
- c) Printing from 1,000 to fewer than 2,000 copies of the finished product or of the semi-finished product without a publishing license and without an accepted manuscript for each publication title;

5. A fine from VND 50,000,000 to VND 70,000,000 for the action below:

- a) Printing from 1,000 to fewer than 2,000 copies of the finished product or of the semi-finished product without a publishing decision and without an accepted manuscript for each publication title;
- b) Doing printing outsourcing for foreign organizations and individuals without a license for doing printing outsourcing of publications for each publication title.

6. A fine from VND 70,000,000 to VND 100,000,000 for the action below:



- a) Using photocopiers and printing devices to duplicate publications which have been suspended from release, recalled, confiscated, banned from circulation, destroyed or illegally imported;
- b) Printing fewer than 1,000 copies of the finished product or of the semi-finished product without a publishing decision and without an accepted manuscript for each publication title;
- c) Printing the publication without a license to print publications.

7. A fine from VND 140,000,000 to VND 200,000,000 for the action below:

- a) Printing from 1,000 to fewer than 2,000 copies of the finished product or of the semi-finished product without a publishing decision and without an accepted manuscript for each publication title;
- b) Printing publications which have been suspended from release, recalled, confiscated, banned from circulation, or destroyed with quantity of fewer than 500 copies or finished products or semi-finished products, for each publication title.

8. Additional penalties:

- a) Suspend the license or operation for 01 to 03 months for the action prescribed in point b clause 6 of this Article;
- b) Suspend the license or operation for 04 to 06 months for the action prescribed in clause 7 of this Article.

9. Recovery method:

- a) Must recall the publication, for the action specified in point a clause 3 of this Article;
- b) Must destroy the print products, for the actions specified at points b and c, clause 4; clause 5; points a and b, clause 6; clause 7 of this Article;
- c) Must return the illegal benefits gained from the violations specified in clauses 6 and 7 of this Article.

## **Article 29. Violations in archiving and releasing publications**

1. A fine from VND 3,000,000 to VND 5,000,000 for the action below:

- a) Releasing publications without invoices or proof showing legal origin or illegally releasing publications to foreign countries in the territory of Vietnam with quantity of fewer than 50 copies for each publication title;
- b) Selling publications of the type of non-commercial use for each publication title;
- c) Archiving finished products or semi-finished publications without invoices or proof showing legal origin, with the quantity of fewer than 50 copies for each publication title.

2. A fine from VND 5,000,000 to VND 10,000,000 for the action below:

- a) Releasing publications without invoices or proof showing legal origin or illegally releasing publications to foreign countries in the territory of Vietnam with quantity of from 50 to fewer than 100 copies for each publication title;
- b) Failure to notify the publishing authority when the type of organization is changed or the head of the releasing establishment is replaced or the head office, branch or business location is relocated in the same province or central-affiliated city;

c) Failure to carry out the procedures for re-registration of publication release activities when moving the head office or branch to another province or central-affiliated city; establishment or dissolution of a branch in the same province or central-affiliated city where its head office is located; the establishment or dissolution of a branch in the province or central-affiliated city where the head office is not located;

d) Archiving finished products or semi-finished publications without invoices or proof showing legal origin, with the quantity of from 50 to fewer than 100 copies for each publication title.

3. A fine from VND 10,000,000 to VND 15,000,000 for the action below:

a) Releasing publications without invoices or proof showing legal origin or illegally distributing publications to foreign countries in the territory of Vietnam with quantity of from 100 to fewer than 300 copies for each publication title;

b) Releasing publications without a certificate of publication release registration by a competent authority or while the release facility fails to satisfy the operating conditions;

c) Archiving finished products or semi-finished publications without invoices or proof showing legal origin, with the quantity of from 100 to fewer than 300 copies for each publication title.

4. A fine from VND 15,000,000 to VND 20,000,000 for the action below:

a) Archiving or releasing illegally imported publications with a quantity of fewer than 100 copies for each publication title;

b) Archiving or releasing publications which have been suspended from release, recalled, confiscated, banned from circulation, or destroyed with quantity of fewer than 100 copies, for each publication title;

c) Releasing publications without invoices or proof showing legal origin or illegally distributing publications to foreign countries in the territory of Vietnam with quantity of from 300 to fewer than 500 copies for each publication title;

d) Hold fair and exhibition of publications that do not correspond to the permit.

dd) Failure to inspect and assess the contents of the publication before being displayed, introduced or released at an exhibition or fair;

e) Distributing publications in an exhibition or exhibition fair without invoices or proof showing the legal origin of each publication title;

g) Archiving finished products or semi-finished publications without invoices or proof showing legal origin, with the quantity of from 300 to fewer than 500 copies for each publication title.

5. A fine from VND 30,000,000 to VND 50,000,000 for the action below:

a) Releasing publications without invoices or proof showing legal origin or illegally releasing publications printed under the outsourcing agreement with the foreign country in the territory of Vietnam with quantity of fewer than 500 copies for each publication title;

b) Archiving or releasing publications which have been suspended from release, recalled, confiscated, banned from circulation, or destroyed with quantity of from 100 to fewer than 300 copies, for each publication title;

- c) Archiving or releasing illegally imported publications with a quantity of from 100 to fewer than 300 copies for each publication title;
- d) Hold fair and exhibition of publications in Vietnam but not licensed by the authority in charge of publishing activities;
- dd) Archiving finished products or semi-finished publications without invoices or proof showing legal origin, with the quantity of 500 copies or more for each publication title.

6. A fine from VND 50,000,000 to VND 70,000,000 for the action below:

- a) Archiving or releasing illegally imported publications with a quantity of from 300 to fewer than 500 copies for each publication title;
- b) Archiving or releasing publications which have been suspended from release, recalled, confiscated, banned from circulation, or destroyed with quantity of from 300 to fewer than 500 copies, for each publication title;

7. Additional penalties:

Suspend the license for import of publications or suspend the operation for 01 to 03 months for the action prescribed in clause 6 of this Article.

8. Recovery method:

- a) Must recall the publication, for the action specified in point b clause 1 of this Article;
- b) Must destroy publications, for the actions specified at points a and c, clause 1; points a and d, clause 2; points a and c, clause 3; points a, b, c, e and g clause 4; points a, b, c and dd of clause 5; clause 6 of this Article;
- c) Must return the illegal benefits gained from the administrative violations specified at points a and b, clause 1; point a of clause 2; point a of clause 3; points a, b and c, clause 4; points a, b and c, clause 5; clause 6 of this Article.

### **Article 30. Violations in publication import and export**

1. A fine from VND 5,000,000 to VND 10,000,000 for the action below:

- a) Failure to request the competent authority to reissue the license to import publications in case of loss or damage;
- b) Failure to issue internal regulations on assessment of imported publications or failure to send to a competent authority available internal regulations on assessment of imported publications;
- c) Assessing the contents of imported publications before being released but failure to ensure adequate procedures are followed as prescribed;
- d) Failure to report the results of assessment of contents of imported publications to the competent authority;
- dd) Failure to comply with the contents of the license for import of non-commercial publications.

2. A fine from VND 10,000,000 to VND 20,000,000 for the action below:

- a) Importing non-commercial publications without an import license, except for cases where the license is not required;

b) Failure to re-export for publication imported as materials for international seminars which allowed to organized in Vietnam or publication belong to institution, family and individual that are used privately after it has been used (publicly);

c) Failure to assess the content of imported publication for commercial purpose before the release, for each publication;

d) Importing publications for commercial purpose without a certification of import registration by a competent authority, for each publication.

3. A fine from VND 20,000,000 to VND 30,000,000 for the action below:

a) Doing business in the import and export of publications but not meeting the conditions for operation after obtaining the license from the competent regulatory agency;

b) Selling imported publications of the type of non-commercial use for each publication title;

c) Releasing imported publications without the consent of the agency that requests the assessment of the contents of imported publications for each publication.

4. A fine from VND 30,000,000 to VND 50,000,000 for the action below:

a) Doing business in importing publications without a license;

b) Exporting the publication that has been illegally published or printed, the publication subject to printing or release suspension, ban from circulation, revocation, recall, destruction, publication with prohibited content.

5. Recovery method:

a) Must recall the publications, for the actions specified in point c clause 2 and point b clause 3 of this Article;

b) Must re-export the publication, for the action specified in point a and b clause 2 of this Article;

c) Must destroy the publication, for action mentioned in clause 4 this Article;

d) Must return the illegal benefits gained from the administrative violations specified at points b and c clause 3; and point b clause 4 of this Article.

### **Article 31. Violations in requirements for electronic publishing and release of electronic publications**

1. A fine from VND 10,000,000 to VND 20,000,000 for the action below:

a) Doing electronic publishing or releasing electronic publications but failure to ensure sufficient capacity in terms of equipment, technology and technical human resources to administer and manage the electronic publishing process;

b) Failure to take technical measures as prescribed to prevent illegal copying or interference of the contents of an electronic publication;

c) Doing electronic publishing or releasing electronic publications on the Internet without having a Vietnamese internet domain name;

d) Releasing an electronic publication without a legal document proving the consent of the copyright owner for each publication title;

dd) Failure to take technical measures to prevent interference with the publication's contents or failure to remove the illegal publication at the request of the competent authority;

e) Releasing an electronic publication in contravention of the approved complete manuscript content or issuing a publishing license for each publication title.

2. A fine from VND 30,000,000 to VND 50,000,000 for the action below:

a) Publishing and releasing electronic publications together with the application of technologies that posts security risks to the electronic devices;

b) Supplementing information that the users of electronic publications do not request, except for information permitted by law or with the consent of the publishing authority;

c) Illegally interfering with the content or form of an electronic publication to falsify the contents or committing illegal acts on each publication title;

d) Failure to comply with requests of the competent authority to stop publishing or releasing electronic publications or to remove or prevent users from accessing a part of the content or the whole publication that shows signs of violation of law;

dd) Releasing electronic publications without confirmation of registration of release of electronic publications by the competent authority.

3. A fine from VND 100,000,000 to VND 200,000,000 for the action below:

a) Releasing on the electronic devices the publication subject to decision on release suspension, recall, ban from circulation, or destruction of the publication title;

b) Doing electronic publishing without a written confirmation of operation registration by the competent authority.

4. Additional penalties:

Suspend the electronic release for 01 to 03 months for the action mentioned in clause 3 of this Article.

5. Recovery method:

Must remove the electronic publications, for the actions specified at point e, clause 1; points b, d and dd clause 2; clause 3 of this Article.

### **Article 32. Violations in responsibility and obligation to provide information and reports on publishing activities**

1. A fine from VND 3,000,000 to VND 5,000,000 for declaring, registering, reporting or explaining with contents, time limit or accuracy in contravention with those required by the competent authority.

2. A fine from VND 5,000,000 to VND 10,000,000 for the action below:

a) Failure to make periodic reports as prescribed;

b) Failure to report to the competent authority the list of publication titles that have been issued with the publication registration numbers but have not been published.

3. A fine from VND 10,000,000 to VND 20,000,000 for the action below:

- a) Failure to report to the competent authority when detecting the publication with banned contents in publishing activities;
- b) Failure to make a report or give explanations at the request of the competent authority.

#### **Chapter IV**

### **POWER TO MAKE ADMINISTRATIVE OFFENSE REPORTS AND IMPOSE ADMINISTRATIVE PENALTIES**

#### **Article 33. The power to impose penalties for administrative violations of inspectors and persons appointed as specialized inspectors in the field of information and communications**

Specialized inspectors and agencies appointed as specialized inspectors in the field of information and communications have the power to impose penalties for administrative violations in the journalistic activities and publishing activities as specified in Chapter II and Chapter III of this Decree, particularly in clauses 1, 2, 3 and 4 of this Article.

1. Inspectors and persons appointed as specialized inspectors in the field of information and communications in the performance of their duty are entitled to:

- a) Issue warnings;
- b) Impose fines of up to VND 1,000,000;
- c) Confiscate the exhibits and means of administrative violations worth up to VND 1,000,000;
- d) Enforce the remedial measures mentioned in point n clause 3 Article 3 of this Decree.

2. The Chief Inspector of the Department of Information and Communications, the Chief of inspectorates of information and communication at province level, the Chief of inspectorates of Press Department, Department of Radio and Television and Electronic Information, Department of Publishing, Printing and Release are entitled to:

- a) Issue warnings;
- b) Impose fines of up to VND 100,000,000;
- c) Suspend the license, the practicing certificate, or the operation;
- d) Confiscate the exhibits and means of administrative violations worth up to VND 100,000,000;
- dd) Enforce the remedial measures mentioned in clause 3 Article 3 of this Decree.

3. The Chief of specialized inspectorate teams of the Ministry of Information and Communications is entitled to:

- a) Issue warnings;
- b) Impose fines of up to VND 140,000,000;
- c) Suspend the license, the practicing certificate, or the operation;
- d) Confiscate the exhibits and means of administrative violations worth up to VND 140,000,000;
- dd) Enforce the remedial measures mentioned in clause 3 Article 3 of this Decree.

4. The Chief Inspector of the Ministry of Information and Communications, the Director of Department of Press Department, Department of Radio and Television and Electronic Information, Department of Publishing, Printing and Release are entitled to:

- a) Issue warnings;
- b) Impose fines of up to VND 200,000,000;
- c) Suspend the license, the practicing certificate, or the operation;
- d) Confiscate the exhibits and means of administrative violations;
- dd) Enforce the remedial measures mentioned in clause 3 Article 3 of this Decree.

**Article 34. The power to impose penalties for administrative violations of diplomatic inspectors**

The Chief Inspector of the Ministry of Foreign Affairs has the power to impose penalties for administrative violations in journalistic activities for the actions specified at point a clause 2; points c, e and g clause 3 Article 5; point b, clause 1, Article 6 of this Decree and in accordance with the assigned functions, tasks and powers. In specific:

- 1. Issue warnings.
- 2. Impose fines of up to VND 200,000,000.
- 3. Suspend the license, the definite-term practicing certificate, or the operation.
- 4. Confiscate the exhibits and means of administrative violations.

**Article 35. The power to impose penalties for administrative violations of the Border guard**

Those competent to impose penalties for administrative violations of the Border guard have the power to impose penalties for administrative violations in journalistic and publishing activities for the actions specified at points a and b clause 1, points a and c clause 2 Article 6; point b clause 1 and point a clause 2 Article 13; Article 15; point a clause 1, point a clause 2, point a clause 3, points a, b and c clause 4, points a, b and c clause 5 and clause 6 Article 29; points a and d, clause 2, and clause 4, Article 30 of this Decree and suitable to the assigned functions, tasks and powers. In specific:

- 1. Team leaders and chiefs of border guard are entitled to impose fines of up to VND 5,000,000.
- 2. Captains of border guard stations, leaders of coastal guard teams, commanders of border guard at checkpoints and commanders of border guard at harbor checkpoints are entitled to:
  - a) Impose fines of up to VND 40,000,000;
  - b) Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point a of this Clause;
  - c) Apply remedial measures specified in points c, dd, e, g, h, i, k, l, n, o, p and q clause 3 Article 3 of this Decree.
- 3. Captains of provincial border guard command centers, commanders of coastal guard fleets affiliated to the Border Guard Headquarters are entitled to:
  - a) Impose fines of up to VND 200,000,000;

- b) Suspend the license, the definite-term practicing certificate, or the operation;
- c) Confiscate the exhibits and means of administrative violations;
- d) Apply remedial measures specified in points c, d, dd, e, g, h, i, k, l, n, o, p and q clause 3 Article 3 of this Decree.

**Article 36. The power to impose penalties for administrative violations of the Coastguard**

Those competent to impose penalties for administrative violations of the Coastguard have the power to impose penalties for administrative violations in journalistic and publishing activities for the actions specified at points a and b clause 1, points a and c clause 2 Article 6; point b clause 1 and point a clause 2 Article 13; Article 15; point a clause 1, point a clause 2, point a clause 3, points a, b and c clause 4, points a, b and c clause 5 and clause 6 Article 29; points a and d, clause 2, and clause 4, Article 30 of this Decree and suitable to the assigned functions, tasks and powers. In specific:

1. Coastguard officers in the performance of their duty are entitled to impose a fine of up to VND 3,000,000.
2. Coastguard team leaders are entitled to impose a fine of up to VND 10,000,000.
3. Coastguard squad leaders and captains of coastguard stations are entitled to:
  - a) Impose fines of up to VND 20,000,000;
  - b) Enforce the remedial measures mentioned in point n clause 3 Article 3 of this Decree.
4. Commanders of coastguard platoons are entitled to:
  - a) Impose fines of up to VND 40,000,000;
  - b) Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point a of this Clause;
  - c) Apply remedial measures specified in points c, dd, e, g, h, i, k, l, n, m, o, p and q clause 3 Article 3 of this Decree.
5. Commanders of coastguard fleets are entitled to:
  - a) Impose fines of up to VND 60,000,000;
  - b) Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point a of this Clause;
  - c) Apply remedial measures specified in points c, dd, e, g, h, i, k, l, n, m, o, p and q clause 3 Article 3 of this Decree.
6. Commander of Coastguard Headquarters is entitled to:
  - a) Impose fines of up to VND 100,000,000;
  - b) Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point a of this Clause;
  - c) Apply remedial measures specified in points c, dd, e, g, h, i, k, l, n, m, o, p and q clause 3 Article 3 of this Decree.
7. Commander of Coastguard Headquarters is entitled to:



- a) Impose fines of up to VND 200,000,000;
- b) Suspend the license, the definite-term practicing certificate, or the operation;
- c) Confiscate the exhibits and means of administrative violations;
- d) Apply remedial measures specified in points c, dd, e, g, h, i, k, l, n, m, o, p and q clause 3 Article 3 of this Decree.

**Article 37. The power to impose penalties for administrative violations of the customs**

Those competent to impose penalties for administrative violations of the customs have the power to impose penalties for administrative violations in journalistic and publishing activities for the actions specified in Article 15; points a, b and d clause 2, clause 4 of Article 30; point e, clause 1 and point d, clause 2, Article 31 of this Decree and in conformity with the assigned functions, tasks and powers. In specific:

1. Team leaders of Sub-department of Customs and Sub-departments of Post-Clearance Inspection are entitled to:

- a) Issue warnings;
- b) Impose fines of up to VND 10,000,000;

2. Directors of Sub-departments of Customs, Sub-departments of Post-Clearance Inspection, team leaders of Provincial Customs Departments, smuggling prevention team leaders, leaders of customs control teams at sea and leaders of intellectual property right protection teams of the Smuggling Investigation and Prevention Department of the General Department of Customs are entitled to:

- a) Impose fines of up to VND 50,000,000;
- b) Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point a of this Clause;
- c) Apply remedial measures specified in points c, d, dd, e, g, h, i, k, l, n, m, o, p and q clause 3 Article 3 of this Decree.

3. Director of the Smuggling Investigation Department, Director of the Post-clearance Inspection Department affiliated to the General Department of Customs, Director of Provincial Customs Departments are entitled to:

- a) Impose fines of up to VND 100,000,000;
- b) Suspend the license, the definite-term practicing certificate, or the operation;
- c) Confiscate the exhibits of administrative violations, the value of which must not exceed the amount mentioned in Point a of this Clause;
- d) Apply remedial measures specified in points c, d, dd, e, g, h, i, k, l, n, m, o, p and q clause 3 Article 3 of this Decree.

4. The Director of the General Department of Customs is entitled to:

- a) Impose fines of up to VND 200,000,000;
- b) Confiscate the exhibits and means of administrative violations;

c) Apply remedial measures specified in points c, d, dd, e, g, h, i, k, l, n, m, o, p and q clause 3 Article 3 of this Decree.

### **Article 38. The power to impose penalties for administrative violations of market surveillance authorities**

Those competent to impose penalties for administrative violations of market surveillance authorities have the power to impose penalties for administrative violations in journalistic and publishing activities for the actions specified in point b, Clause. 1 and a, clause 2, Article 13; Article 28; Article 29; clause 2, point b and point c clause 3, point a clause 4 Article 30; Article 31 of this Decree and suitable for the assigned functions, tasks and powers. In specific:

1. Leaders of market surveillance teams are entitled to:

- a) Impose fines of up to VND 50,000,000;
- b) Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point a of this Clause;
- c) Apply remedial measures specified in points a, b, c, d, dd, e, g, h, i, k, l, n, o, p and q clause 3 Article 3 of this Decree.

2. Director of Market Surveillance Agency of province, Director of Market Management Department is entitled to:

- a) Impose fines of up to VND 100,000,000;
- b) Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point a of this Clause;
- c) Suspend the license, the practicing certificate, or the operation;
- d) Enforce the remedial measures mentioned in clause 3 Article 3 of this Decree.

3. Director of General Department of Market Surveillance Agency is entitled to:

- a) Impose fines of up to VND 200,000,000;
- b) Confiscate the exhibits and means of administrative violations;
- c) Suspend the license, the practicing certificate, or the operation;
- d) Enforce the remedial measures mentioned in clause 3 Article 3 of this Decree.

### **Article 39. The power to impose penalties for administrative violations of the People's Public Security**

Those competent to impose penalties for administrative violations of the people's public security have the power to impose penalties for administrative violations in journalistic and publishing activities for the actions specified at point a, clause 1, clause 2 and clause 3 of Article 6; Article 7; point a, clause 1, Article 9; Article 11; clause 1 and point a clause 2 Article 13; Article 15; Article 16; points a, c, e and g clause 1, points b, c, d and dd clause 2, clauses 3, 4, 5 and 6 of Article 20; clause 3 of Article 21; Chapter III of this Decree, specifically according to the provisions of clauses 1, 2, 3, 4 and 5 of this Article and in conformity with the functions, tasks and powers of the People's Public Security force. In specific:

1. Team leaders and chiefs of the People's Public Security are entitled to:

a) Issue warnings;

b) Impose fines of up to VND 3,000,000.

2. Communal-level police chiefs, heads of police stations, heads of police stations at border gates and export processing zones are entitled to:

a) Issue warnings;

b) Impose fines of up to VND 5,000,000;

c) Confiscate the exhibits and means of administrative violations, the value of which must not exceed the amount mentioned in Point b of this Clause;

d) Enforce the remedial measures mentioned in point n clause 3 Article 3 of this Decree.

3. District-level Police Heads, Provincial-level Public Security Heads include: Chief of Police Department of Investigation of Crime In Corruption, Economics, Smuggling, Chief of Police Department of Investigation of Crime of Social Order, Head of Division Police in Administrative Management of Social Order, Head of Economic Security Division, Head of Internal Political Security Division, Head of Cyber Security and High-Tech Crime Prevention and Control Division, Chief of Police Traffic Division, Chief of Division of Road or Railway Traffic Police and Chief of Waterway Traffic Police Division are entitled to:

a) Issue warnings;

b) Impose fines of up to VND 40,000,000;

c) Confiscate the exhibits of administrative violations, the value of which must not exceed the amount mentioned in Point a of this Clause;

d) Suspend the license, the definite-term practicing certificate, or the operation;

dd) Apply remedial measures specified in points c, dd, e, g, h, i, k, l, n, o, p and q clause 3 Article 3 of this Decree.

4. Director of Police of province is entitled to:

a) Impose fines of up to VND 100,000,000;

b) Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point a of this Clause;

c) Suspend the license, the practicing certificate, or the operation;

d) Apply remedial measures specified in points c, d, dd, e, g, h, i, k, l, n, o, p and q clause 3 Article 3 of this Decree.

5. Director of Department of Cyber Security and High-tech Crime Prevention and Control, Director of Police Department for Investigation of Crime of Social Order, Director of Police Department of Investigation of Crime in Economic Corruption and Smuggling, the Director of the Police Administration of Social Order, the Director of the Drug-related Crime Investigation Police, the Director of the Internal Political Security Department, the Director of the Economic Security Bureau are entitled to:

a) Impose fines of up to VND 200,000,000;

b) Confiscate the exhibits and means of administrative violations;

- c) Suspend the license, the practicing certificate, or the operation;
- d) Apply remedial measures specified in points c, d, dd, e, g, h, i, k, l, n, o, p and q clause 3 Article 3 of this Decree.

#### **Article 40. The power to impose penalties of the President of People's Committee**

The Presidents of People's Committees have the power to impose penalties for administrative violations in the journalistic activities and publishing activities as specified in Chapter II and Chapter III of this Decree, particularly in clauses 1, 2 and 3 of this Article.

1. The President of People's Committee of commune is entitled to:

- a) Issue warnings;
- b) Impose fines of up to VND 10,000,000;
- c) Confiscate the exhibits and means of administrative violations, the value of which must not exceed the amount mentioned in Point b of this Clause;
- d) Enforce the remedial measures mentioned in point n clause 3 Article 3 of this Decree.

2. The President of People's Committee of district is entitled to:

- a) Issue warnings;
- b) Impose fines of up to VND 100,000,000;
- c) Suspend the license, the practicing certificate, or the operation;
- d) Confiscate the illegal items, the value of which must not exceed the amount mentioned in Point b of this Clause;
- dd) Apply remedial measures mentioned in Article 3 of this Decree, except for the remedial measures specified in points a, b, c, d, dd, e, g, h, i, k, l, n, o, p and q clause 3 Article 3 of this Decree.

3. The President of People's Committee of province is entitled to:

- a) Issue warnings;
- b) Impose fines of up to VND 200,000,000;
- c) Suspend the license, the practicing certificate, or the operation;
- d) Confiscate the exhibits and means of administrative violations;
- dd) Enforce the remedial measures mentioned in clause 3 Article 3 of this Decree.

#### **Article 41. The power to make an administrative offense reports**

1. Those holding titles specified in Articles 33, 34, 35, 36, 37, 38, 39 and 40 of this Decree and officials and public employees on official duty when detecting acts of administrative violations in journalistic and publishing activities are entitled to make administrative offense reports according to regulations.

2. Officials and soldiers of the people's army and people's police who are on duty according to their assigned functions, tasks and powers in journalistic activities and publishing activities are entitled to make administrative offense reports according to regulations.

## **Chapter V**

### **IMPLEMENTATION**

#### **Article 42. Entry into force**

1. This Decree comes into force as of December 1, 2020.
2. This Decree replaces the Government's Decree No. 159/2013/ND-CP dated November 12, 2013, providing for the penalties for administrative violations in journalistic and publishing activities, except for the case specified in Article 43 this Decree.

#### **Article 43. Grandfather clause**

Methods, fine amounts, remedial measures, power to make administrative offense reports and impose penalties for administrative violations in printing products other than publications specified at point a and point b clause 1, point b and point dd clause 2, point b clause 3, point a and point c clause 4, point a clause 5, clause 6 (for point d, only applicable to acts of printing labels and packages but not having a sample certified by the manufacturer), clauses 8, 9 and 10 of Article 24; Article 26 of the Government's Decree No. 159/2013/ND-CP dated November 12, 2013, stipulating the penalties for administrative violations in journalistic and publishing activities shall continue to apply until there are new regulations replaced.

#### **Article 44. Implementation**

1. The Minister of Information and Communications is responsible for organizing the implementation of this Decree.
2. Ministers, Heads of ministerial-level bodies, Governmental bodies, Presidents of people's committees of provinces and central-affiliated cities and relevant agencies, organizations and individuals shall implement this Decree.

**ON BEHALF OF THE GOVERNMENT  
THE PRIME MINISTER**

**Nguyen Xuan Phuc**