

**CIRCULAR**

**Guidance on Decree No. 32/2012/ND-CP dated 12 April 2012  
of the Government regarding management of  
non-business cultural product import and export**

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*Pursuant to Decree No. 185/2007/NĐ-CP dated 25 December 2007 of the Government stipulating functions, duties, rights and organizational structure of Ministry of Culture, Sports and Tourism;*

*Pursuant to Decree No. 32/2012/ND-CP dated 12 April 2012 of the Government regarding management of non-business cultural product import and export;*

*Having considered the request made by Office Manager;*

*Minister of Culture, Sports and Tourism hereby issue this Circular regarding guidance on Decree No. 32/2012/ND-CP dated 12 April 2012 of the Government regarding management of non-business cultural product import and export,*

**Section 1**

**GENERAL REGULATIONS**

**Article 1. Governing scope**

Non-business cultural product import and export activities include cultural product import and export; cultural product temporary export – re-import/ temporary import –re-export activity.

**Section 2**

**CULTURAL PRODUCT IMPORT AND EXPORT**

**Article 2. Exported cultural products**

Exported cultural products for which license of the agency in charge of culture, sports and tourism shall not be required as stipulated at item 1, article 7, Decree No. 32/2012/NĐ-CP include the following:

1. Pieces of record, recorded images; films in all kinds, magnetic tapes, soft discs, hard discs, recorded optical discs; other listening and visual technological products recorded in writing, sounds or images that were already legally released and circulated in Vietnam.

2. Films in all kinds, photos, recoded disc and tapes in sound and images with contents on daily activities of individuals and families.

3. All kinds of pictures, statues, fine art works which do not violate regulations as mentioned at Article 6, Decree No. 32/2012/NĐ-CP shall be legal assets of individuals and organizations and shall not be national relics, antiques and precious things.

### **Article 3. Procedures on appraising exported cultural products**

1. Individuals and organizations having cultural products which shall be appraised prior to export as stipulated at item 2, Article 7, Decree No. 32/2012/NĐ-CP shall directly submit 01 (one) set of document requesting for appraisal at the head office of a competent agency in charge of culture, sports and tourism as stipulated at Article 4 of this Circular. Document requesting for appraisal shall include:

- a) Request for appraising cultural products (form of request BM.GĐ issued in attachment with this Circular);
- b) Cultural products to be requested for appraisal;
- c) Origin or certified copies of the decision allowing the cooperation with foreign countries made by competent agencies; Origin or certified copies of the decision allowing export of relics and antiques (including re-exported relics and antiques) made by Minister of Culture, Sports and Tourism
- d) Relevant documents proving the legal origin and sources of relics and antiques.

2. Maximum appraisal time shall not exceed 10 working days since the receipt date of eligible documents. In special cases, appraisal agency will decide the appraisal time. Minutes of Appraisal for cultural products shall be the basis for customs authority to deal with cultural product import and export procedures

### **Article 4. Competence for appraising exported cultural products**

The agency in charge of culture, sports and tourism shall be responsible to give appraisal for exported cultural products as stipulated at Article 7, Decree 32/2012/NĐ-CP as following:

1. The division in charge of management of cultural product import and export of the Administrative Office of Ministry of Culture, Sports and Tourism shall implement necessary procedures for appraising cultural products for individuals and organizations at the central level.

2. Department of Culture, Sports and Tourism or the agency in charge of culture, sports and tourism authorized by Department of Culture, Sports and Tourism to implement necessary procedures for appraising cultural products for individuals and organizations in the locality.

### **Article 5. Imported cultural products**

Movies and TV films stipulated at item b, clause 1, Article 8 of Decree No. 32/2012/NĐ-CP shall include all kinds of films for presenting, broadcasting or introduction, submitting the council for approval, dissemination, released

following regulations of laws on the system of movie houses, the television system on the entire country or in the area of two localities upwards.

#### **Article 6. Documents on cultural product import**

Documents and papers as mentioned at item b, clause 2, article 9, Decree No. 32/2012/NĐ-CP shall be applied as following:

1. Individuals and organizations which import films for dissemination as stipulated by laws shall provide the certificates for authorship; contract; brief translation of film contents.

2. Individuals and organizations which import relics and antiques shall provide certificates or commitment on legal possession of relics and antiques.

3. Individuals and organizations which provide services on receiving and delivering imported cultural products for clients shall submit power of attorney.

#### **Article 7. Cultural products of individuals and organizations which are entitled to diplomatic exemption right**

Vietnam's individuals and organizations which receive imported cultural products of individuals and organizations shall be entitled to diplomatic exemption as stipulated at Article 12, Decree No. 32/ND-CP and directly implement procedures to request for granting license for importing cultural products at a competent agency in charge of Culture, Sports and Tourism as stipulated at Article 8 of this Circular.

#### **Article 8. Competence of the agency in charge of granting license for importing cultural products**

The agency in charge of culture, sports and tourism shall have the competence to grant license for importing cultural products as stipulated at Article 8, Decree No. 32/2012/NĐ-CP as following:

1. The Division in charge of cultural product import and export management which is subordinated to the Administrative Department of Ministry of Culture, Sports and Tourism shall implement procedures for cases under its license granting competence.

2. Department of Culture, Sports and Tourism or the agency in charge of culture, sports and tourism authorized by Department of Culture, Sports and Tourism shall implement procedures for cases under its license granting competence.

#### **Article 9. Forms to be issued in attachment with this Circular**

License for importing cultural products (BM.GP); Minutes of Appraising and Sealing off exported cultural products (BM.BBGĐ); Request for granting license for importing cultural products (BM.NK); Request for appraising exported cultural products (BM.GĐ); Cultural Sealing (BM.NP) of Ministry of Culture, Sports and Tourism and Department of Culture, Sports and Tourism.

### Section 3

## IMPLEMENTATION TERMS

### Effectiveness

This Circular shall take effect from 01 September 2012.

### Article 11. Implementation

Office Manager, Deputy Chief Inspector of Ministry of Culture, Sports and Tourism, Director of Departments of Culture, Sports and Tourism in central provinces and cities and relevant individuals and organizations shall be obliged to implement this Circular./.

#### ***Recipients:***

- Governmental Office;
- Ministries, Ministerial-level bodies, governmental bodies;
- Leaders of Ministry of Cultural, Sports and Tourism;
- General Bureaus, Bureaus and Departments under management of Ministries;
- People's Committees at provinces/ cities;
- Department of Culture, Sports and Tourism;
- Legal Document Inspection Department, Ministry of Justice;
- Official Gazette;
- Website of the Government;
- Website of Ministry of Culture, Sports and Tourism;
- Filed: VT, VHP (05), NTN (200).

**MINISTER**

***(signed)***

**Hoang Tuan Anh**

MINISTRY/ DEPARTMENT OF CULTURAL, SPORTS  
AND TOURISM

SOCIALIST REPUBLIC OF VIETNAM  
Independence – Freedom – Happiness

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No. /VHPNK

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**LICENSE  
FOR IMPORTING CULTURAL PRODUCTS**

Pursuant to Decree No. 32/2012/NĐ-CP dated 12 April 2012 of the Government on management of non-business cultural product import and export and Circular No. .../2012/TT-BVHTTDL dated... month... 2012 Minister of Culture, Sports and Tourism regarding guidance on the implementation of Decree No. 32/2012/NĐ-CP.

Having considered the request made  
by.....

At Document  
No.

(or  
application).....

Address:.....

Telephone: .....

Fax: .....

MINISTRY/ DEPARTMENT OF CULTURAL, SPORTS  
AND TOURISM

Agree to let:

.....  
To import cultural products as listed in below table

NO.	TYPE OF CULTURAL PRODUCTS	CONTENTS	QUANTITY

Number of Bill of Lading (B/L) of the batch of goods or the notification on goods receipt

Sent from:.....

To:.....

Using target:.....

....., date..... month..... year .....

**HEAD OF THE LICENSE GRANTING AGENCY**  
(signed and sealed)

Note: The License shall be valid within 60 days.

MINISTRY/ DEPARTMENT OF CULTURAL, SPORTS  
AND TOURISM

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No. /BBGĐNPXK

....., date..... month..... year.....

**MINUTES OF APPRAISAL AND SEALING OFF  
EXPORTED CULTURAL PRODUCTS**

Upon the request made of ..... (name of agency, organization,  
individual requesting for appraisal) regarding

.....  
Pursuant to regulations mentioned at Decree No. 32/2012/NĐ-CP dated 12  
April 2012 of the Government on management of non-business cultural  
product import and export and Circular No. .../TT-BVHTTDL dated...  
month... 2012 of Minister of Culture, Sports and Tourism regarding  
guidance on the implementation of Decree No. 32/2012/NĐ-CP.

Ministry/ Department of Culture, Sports and Tourism (the agency in charge  
of appraisal and sealing off) appraised and sealed off the following cultural  
products:

Quantity: .....

Kinds of cultural

products:.....

Contents: .....

..... (for relics, antiques, description on objects  
shall be required).

All the above cultural products were sealed off.....

..... (name of agency, organization, individual requesting for  
appraisal) is kindly requested to implement necessary procedures to export  
the above cultural products at the customs authority as stipulated./.

**HEAD OF THE AGENCY IN CHARGE OF APPRAISING  
AND SEALING OFF**  
(signed and sealed)

**NAME OF AGENCY,  
ORGANIZATION**  
(for companies and  
organizations)  
\_\_\_\_\_

**SOCIALIST REPUBLIC OF VIETNAM**

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....., *date*..... *month*..... *year*.....

**REQUEST FOR  
GRANTING LICENSE FOR IMPORTING CULTURAL PRODUCTS**  
\_\_\_\_\_

To: Ministry of Culture, Sports and Tourism  
(or) Department of Culture, Sports and Tourism in  
provinces/cities

Name of agency, organization, individual (request for granting  
license).....

.....

Address: .....

Telephone: .....Fax:.....

Kindly request ..... (name of granting agency) to grant  
license for importing the following cultural products:

Kinds of cultural products:

.....

Quantity:.....

Contents of cultural

products:.....

.....

Sent from:

.....

To:.....

Using target:.....

We hereby commit to comply with contents of the license on import,  
management and use of imported cultural products following regulations of  
laws./.

**Requested by**  
(signed and sealed for agency, organization)

**NAME OF AGENCY, ORGANIZATION**  
(for companies and organizations)

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

No. 32/2012/ND-CP

*Hanoi, 12 April 2012*

**REQUEST FOR APPRAISING  
EXPORTED CULTURAL PRODUCTS**

To: Ministry of Culture, Sports and Tourism  
(or) Department of Culture, Sports and Tourism In province/  
city

Name of agency, organization, individual (request for appraising).....

.....

Address: .....

Telephone: .....

Kindly request..... (name of appraising agency)

to give appraisal for the following culture products:

Kinds of cultural products:.....

Quantity:.....

Contents of cultural contents:.....

Sent from:

.....

To:.....

Using targets:.....

We hereby commit to comply with regulations of laws on cultural product  
export./.

**Requested by**

(signed and sealed for agency, organization)



BM.NP

