

**MINISTRY OF CULTURE &
INFORMATION**

No.: 08/2000/TT-BVHTT

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

Hanoi, 28 April 2000

CIRCULAR

**NO. 08/2000/TT-BVHTT DATED 28/04/2000 OF MINISTRY OF CULTURE - INFORMATION
REGARDING GUIDE FOR ELECTRONIC GAME MANAGEMENT**

*Pursuant to Article 58 of the Law on Promulgation of Legal Documents dated 12/11/1996;
Pursuant to the Government's Decree No. 81/CP dated 8/11/1993 on defining the functions, tasks,
powers and organizational structure of the Ministry of Culture - Information;
With a view to strengthening the State management over culture and information, ensuring the right
of enterprises to take the initiative in business according to the provisions of the Enterprise Law, to
better meet the demands for healthy recreation and entertainment, Ministry of Culture -
Information promulgate this Circular in order to guide the management of electronic games.*

I- GENERAL PROVISIONS

Article 1.

Electronic game include:

1. Devices presetting electronic game or other entertainment by electronic technique;
2. Tapes, discs and components with electronic game content;
3. Cassette recorder, electronic game-play apparatus.
4. Computers, computer networks with electronic game content.

Article 2.

Subjects operating electronic game include:

1. Individual business households defined in the Government's Decree No. 02/2000/ND-CP dated 3/2/2000 provide electronic game services;
2. Enterprises and companies which register other business, engages in electronic game services additionally;
3. Enterprises, companies specialize in providing electronic game services;
4. Organizations are non-business units having earning from electronic game services;
5. Individuals and organizations use electronic game for non-commercial purposes;
6. Subjects defined in Clause 2 & 3 of this Article including cooperation contracts and joint ventures with foreign entities.

Article 3

Individuals, organizations using or providing electronic game services shall only be allowed to use machines or tapes and discs with healthy recreation contents, thus contributing to physical development and raising the awareness of aesthetics.

Article 4.

The following acts are strictly forbidden:

1. Organize electronic games, produce, import and export machines, equipment, tapes, discs, game components, input computers or game networks with contents:

a/ Be against the Socialist Republic of Vietnam;

b/ Incite violence, divide among ethnic groups and peoples of nations, propagate reactionary thoughts & culture, obscene and debauching lifestyle, criminal acts, social evils, superstition, sabotage the Vietnamese customs and habits;

c/ Distort history, deny revolutionary achievements, offend great men, national heroes; slander or damage prestige of an agency or organization, or individual's honor and dignity'

2. Organize electronic games with prize money or have gambling nature

3. Provide electronic game services at locations up to less 200m from the entrance gates of schools (from kindergarten to high school), regardless of their localities.

II- CONDITIONS AND PROCEDURES OF BUSINESS

Article 5.

Business conditions.

Subjects providing electronic game services defined in this Circular must satisfy following conditions:

1. The place under his/ her lawful ownership or use right shall ensure hygiene, it must be airy in the summer, warm in the winter; do not obstruct traffic order and safety;

2. Equipment shall be ensured aesthetic health; technical specifications: clear sound, beautiful color, sharp image;

3. Individuals subject to the provisions of Clause 5 & 6, Article 9 of the Enterprise Law;

4. Subjects who wish to enter into business cooperation contracts or joint ventures with foreign countries for the provision of electronic game services must have capital and feasibility studies prescribed by the legislation on investment cooperation with foreign countries.

Article 6.

Business registration procedures:

1. Subjects specified in Clause 1, Article 2 of this Circular shall register their business at business registration bureaus under district-level People's Committees.

2. Subjects specified in Clauses 2 and 3, Article 2 of this Circular shall register their business at the business registration bureaus under the provincial/ municipal Department of Planning and

Investment.

3. Subjects wishing to conduct business or joint venture with foreign parties to provide electronic game services (including those specializing in the provision of electronic game services and those doing other business and additionally providing electronic games services) who are under the competence of investment licensing of People's Committees of the provinces and cities directly under the Central Government, must have the written evaluation of the provincial / municipal Department of Culture - Information. The written appraisal of the Department of Culture - Information shall also be submitted to the Ministry of Culture - Information (the Planning Department) for reporting.

4. Subjects wishing to conduct business or joint venture with foreign parties to provide electronic game services (including those specializing in the provision of electronic game services and those doing other business and additionally providing electronic games services) who are under the competence of investment licensing of the Ministry of Planning - Investment, must have the written evaluation of the Ministry of Culture - Information.

5. Subjects specified in Clause 4, Article 2 of this Circular, when conducting business, shall have to register for tax payment at the local tax offices.

III. SERVICE ACTIVITIES OF ELECTRONIC GAMES

Article 7.

After receiving the investment license or the business registration certificate for electronic games, subjects are allowed to do business; For business cooperation partners or joint ventures with foreign countries, it is required to submit the registration dossiers to the provincial / municipal Department of Culture - Information. The registration dossiers must clearly state the investment license number, issue date of the permit, issuing agency, the headquarters of the unit, phone number and business facilities for electronic games and shall have to comply with the relevant regulations in this circular.

Article 8.

Organizations and individuals using or dealing in electronic games shall be responsible for the contents, not violate the prohibitions in Article 4 of this Circular; business facilities are not allowed to operate more than 12 a.m.

If the contents of electronic games are not determined which are the prohibited or unregulated, individuals and organizations using electronic games must request the provincial / municipal Department of Culture and Information to evaluate and pay determination fees. The Department of Culture and Information must have indications to identify tapes, discs and components which have been appraised and permitted by itself.

Article 9.

1. The incorporation of electronic game into computer networks must be permitted by the Ministry of Culture and Information according to current regulations.

2. Subjects engaging in video game businesses import game machines which have installed electronic game contents, tapes or discs containing video game content must be permitted by the provincial / municipal Department of Culture and Information.

The provincial / municipal Department of Culture and Information shall affix stamps or symbols on machines with installed electronic games already permitted by itself.

IV- COMMENDATION AND HANDLING OF VIOLATIONS

Article 10.

1. Subjects operating electronic game violate the provisions of this Circular shall, depending on the nature and seriousness of their violations, be administratively sanctioned or examined for penal liability.

2. Persons who have merit in detecting, denouncing violations or recording achievements in management of electronic game shall be commended according to the State's regulations.

V- IMPLEMENTATION

Article 11.

This circular takes effect from 01 June 2000 and replaces the Circular No. 03/1998/TTBVHTT dated 22/06/1998 of the Ministry of Culture and Information.

Article 12.

The provincial / municipal Departments of Culture and Information are responsible for the implementation of this Circular in their localities and regularly inspect and handle violations according to their competence.

Article 13.

The People's Committees of the provinces and cities directly under the Central Government, Heads of the Ministry's Office, Chief Inspector of the Ministry, Heads of Department Affiliates of the Ministry of Culture and Information shall be responsible to guide and inspect the implementation of this circular.

Luu Tran Tieu

(Signed)