

CIRCULAR

AMENDING SOME ARTICLES OF THE CIRCULAR NO.01/2016/TT-BVHTTDL DATED 24 MARCH 2016 OF THE MINISTER OF CULTURE, SPORTS AND TOURISM, REGULATING IN DETAILS THE EXECUTION OF SOME ARTICLES OF THE DECREE NO.79/2012/ND-CP DATED 05 OCTOBER 2012 OF THE GOVERNMENT, REGULATING THE ART PERFORMANCE, FASHION SHOW; BEAUTY AND FASHION MODEL CONTEST; CIRCULATION AND TRADING OF SONG, MUSIC, DANCE, STAGE RECORDS, VIDEOS AND DECREE NO.15/2016/ND-CP DATED 15 MARCH 2016 OF THE GOVERNMENT ON AMENDING, SUPPLEMENTING SOME ARTICLES OF THE DECREE NO.79/2012/ND-CP

Basing on Decree No.79/2012/ND-CP dated 05 October 2012 of the Government, regulating in details on art performance, fashion show, beauty and fashion model contest; circulation and trading of song, music, dance, stage records, videos;

Basing on Decree No.15/2016/ND-CP dated 15 March 2016 of the Government on amending, supplementing some articles of the Decree No.79/2012/ND-CP dated 05 October 2012 of the Government;

Basing on Decree No.76/2013/ND-CP dated 16 July 2013 of the Government, regulating the functions, duties, power and organization structure of the Ministry of Culture, Sports and Tourism.

According to the proposal of the Director of Department of Legislation;

Minister of Culture, Sports and Tourism promulgates the Circular on amending some Articles of the Circular No.01/2016/TT-BVHTTDL dated 24 March 2016 of the Minister of Culture, Sports and Tourism, regulating in details the execution of some Articles of the Decree No.79/2012/ND-CP dated 05 October 2012 of the Government, regulating the art performance, fashion show, beauty and fashion model contest; circulation and trading of song, music, dance, stage records, videos and Decree No.15/2016/ND-CP dated 15 March 2016 of the Government on amending, supplementing some articles of the Decree No.79/2012/ND-CP.

Article 1. Amending some Articles of Circular No.01/2016/TT-BVHTTDL dated 24 March 2016 regulating in details the execution of some articles of the Decree No.79/2012/ND-CP dated 05 October 2012 of the Government, regulating the art performance, fashion show; beauty and fashion model contest; circulation and trading of song, music, dance, stage records, videos and decree no.15/2016/ND-CP dated 15 March 2016 of the Government on amending, supplementing some Articles of the Decree No.79/2012/ND-CP (herein is referred to as Circular No.01/2016/TT-BVHTTDL).

1. Article 2 is amended as follows:

“Article 2. Notify the art performance, fashion show, beauty and model contest (regulated in Item 2, Article 1 Decree No.15/2016/ND-CP)

The ones who organize the art performance, fashion show, beauty and model contest send notice directly or by post (Form No.1) to the Department of Culture, Sports and Tourism or the Department of Culture and Sports where the organization is carried out”.

2. Article 4 is amended as follows:

“Article 4. Orders, procedures for license withdrawal (regulated in Item 3, Article 1 Decree No.15/2016/ND-CP)

1. In case of finding out any violation, the competent authority of license revoke shall promulgate for revoke and notify the relevant individuals and organizations.

2. In case of not having authority to revoke license, the agency, organizations that find out the violation is responsible for making minutes and send written petition to the competent authority to revoke the license (Form No.03) for consideration and promulgation of revoke decision (Form No.4). In case of not withdrawing license, must reply in writing and state the reasons.”

3. Article 7 is amended in clause 9 as follows:

“9. The expenses for contest organization:

4. Amending the forms following regulated in Article 13:

a) Form No.01: The notice on the art performance, fashion show, beauty and model contest;

b) Form No.09a: License for the foreign organizations, individuals to have art performance, fashion show.

c) Form No.09b: License for individuals who are oversea Vietnamese to have art performance, fashion show.

Article 2. Cancel some articles, clauses, points of Circular No.01/2016/TT-BVHTDL

1. Article 3 on the actions of the ones making art performance, fashion show; the ones that achieve the titles at the beauty, model contests not permitted to be executed, disseminated, circulated.

2. The points a and b Clause 7 Article 7 on the content, form of the beauty, model contest project

3. Item 2 Article 10 on the case of not issuing license for the organization of beauty, model contests.

4. Clause 2, Article 13 on Form No.01: The written consent on notice of art performance, fashion show, beauty and model contest.

5. Clause 15 Article on Form No.14: The written commitment on full implementation of the regulations of the law on the copyright.

Article 3: Clause on execution

1. This Circular shall be valid for execution from 01 January 2017

2. In the progress of execution, in case of any problem, inquiry, the organizations and individuals can give petition to the Ministry of Culture, Sports and Tourism for research, amendment./.

Recipients:

- Secretariat of the Party Central Committee;
- Prime Minister, Deputy Prime Ministers;
- Central Office and Party committees;
- Office of the President;
- Congress Office;

MINISTER

- The Ethnic Council, the National Assembly's Committees;
- The Vietnam Fatherland Front Central Committee, central associations and organizations;
- Ministries, ministry level agencies, agencies of the Government;
- Supreme People's Court;
- People's Supreme Procuratorate;
- People's Councils, People's Committees of provinces and cities under the Central Government;
- Government Office: Chairman, PCN, CPO;
- Department of Inspection of Laws;
- Ministers, Deputy Ministers of Culture, Sports and Tourism;
- Agencies and units under the Ministry;
- Department of Culture, Sports and Tourism, Department of Culture and Information of centrally run provinces and cities;
- Announcement; Website of Ministry of Culture, Sports and Tourism;
- Save: VT, PC, NTBĐ, BH (225)

Nguyen Ngoc Thien

Form No.01: Written notice on art performance, fashion show, beauty and model contest

**NAME OF NOTIFYING AGENCY,
ORGANIZATION**

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

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No.:

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

Re: Organizing performances, contests

To: Department of Culture, Sports and Tourism (Department of Culture and Sports)...

1..... (*notifying organization*); Tax ID:

- Address:

- Legal representative (*in block letters*): ID Card No.....issued on
...../...../..... by:.....

- Phone Number of organization/individual:

2. We hereby notify the Department of Culture, Sports and Tourism (Department of Culture and Sport)... on the organization of the performance, contest “..”

- Time:

- Location:

- Person in charge:

3. We commit that:

- To strictly comply with the provisions of the Government's Decree No.79/2012/ND-CP dated October 5, 2012, on art performance, fashion show, beauty and model contest; circulating and trading in records, videos of song, music, dance, stage;

Decree No.15/2016/ND-CP of March 15, 2016 of the Government amending and supplementing a number of articles of Decree No.79/2012/ND-CP; Circular No.01/2016/TT-BVHTTDL and Circular No.10/2016/TT-BVHTTDL dated October 19, 2016 of the Minister of Culture, Sports and Tourism and other relevant laws;

- To take responsibility before law for the accuracy and truthfulness of the contents of notices on art performance, fashion show, beauty and model contest.

* *Attachment with this notice are:*

- Authenticated copy or original copy for comparison of license for art performance and fashion show together with the approved list of contents of the program; Permits for foreign organizations and individuals, Vietnamese overseas to perform art and fashion shows (if any) or permits for organizing beauty, model contests (for activities specified in Articles 9 and 21 of Decree No.79/2012/ND-CP, which are amended and supplemented in Clauses 5 and 12, Article 1 of Decree No.15/2016/ND-CP;

- The list of program contents, including the names of works, authors and performers (for art performance and fashion show, shall not have to carry out the permit-granting procedures prescribed in Clause 1, Article 11. Clauses 1 and 2, Article 15 of Decree No.79/2012/ND-CP, Clause 1, Article 12, Clause 2, Article 14 of Decree No.79/2012/ND-CP are amended and supplemented in Clauses 7 and 8. Article 1 of Decree No.15/2016/ND-CP).

Kindly notify the Department of Culture, Sports and Tourism (Department of Culture and Sports).. for awareness and execution of management work.

Recipients:

- As above;
- Filing: Archives

LEGAL REPRESENTATIVE OF THE
NOTIFYING AGENCY, ORGANIZATION
(signature, full name and seal)

Form No.09a. Permit for foreign organizations, individuals to perform at, fashion show.

NAME OF THE LICENSE ISSUER

No.: / QD...

SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness

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

LICENSE

For foreign organizations, individuals to perform art, fashion show

MINISTER OF THE MINISTRY OF CULTURE, SPORTS AND TOURISM

(PEOPLE’S COMMITTEE OF PROVINCE/CITY....)

Basing on Decree No.79/2012/ND-CP dated 05 October 2012 of the Government, regulating in details on art performance, fashion show, beauty and fashion model contest; circulation and trading of song, music, dance, stage records, videos;

Basing on Decree No.15/2016/ND-CP dated 15 March 2016 of the Government on amending, supplementing some articles of the Decree No.79/2012/ND-CP dated 05 October 2012 of the Government;

Basing on Circular No.01/2016/TT-BVHTTDL dated 24 March 2016 of the Minister of Culture, Sports and Tourism, regulating in details the execution of some Articles of the Decree No.79/2012/ND-CP dated 05 October 2012 of the Government, regulating the art performance, fashion show, beauty and fashion model contest; circulation and trading of song, music, dance,

stage records, videos and Decree No.15/2016/ND-CP dated 15 March 2016 of the Government on amending, supplementing some articles of the Decree No.79/2012/ND-CP;

Basing on Circular No.10/2016/TT-BVHTTDL dated 19 October 2016 of the Minister of Culture, Sports and Tourism on amending, supplementing some articles of the Circular No.01/2016/TT-BVHTTDL;

Basing on Decision No.....dated....month...year ... of ... regulating the functions, obligations, power and organization structure of the licensing authority;

After considering the proposal dated date....month.....year... (*the license applicant*)

According to the proposal of....

PERMIT:

Article 1: (*the license applicant*) to organize for Mr./Ms..... (passport No.....) to perform in the program...

- **Time:** From date....month.....year... to date....month.....year

- **Location:**

Article 2: (*the license applicant*) shall carry out the following procedures:

- The application for a permit to organize art performances or fashion shows under Clause 1, Article 9 of Decree No.79/2012/ND-CP, which is amended and supplemented under Clause 5, Article 1 of Decree No.15/2016/ND-CP.

- Notice in writing the content of the art performance or fashion shows to the Department of Culture, Sports and Tourism (Department of Culture and Sports) ... according to the provisions at Point a, Clause 2 of Article Decree No.79/2012/ND-CP is amended and supplemented in Clause 2, Article 1 of Decree No.15/2016/ND-CP and Clause 1, Article 1 of Circular No.10/2016/TT-BVHTTDL of 19 months. 10 in 2016 by the Minister of Culture, Sports and Tourism.

Article 3. ... (*the license applicant*) shall not authorize, transfer, lend or lease this license in any form.

Article 4. The request (*the license applicant*) shall strictly comply with the contents of the permit the provisions of the Government's Decree No.79/2012/ND-CP dated October 5, 2012 on art performances and fashion shows; beauty and model contests; circulating and trading in records, videos of songs, music, dance and theatrical tapes; Decree No.15/2016/ND-CP of March 15, 2016 of the Government on amending and supplementing a number of articles of Decree No.79/2012/ND-CP; Circular No.01/2016/TT-BVHTTDL dated 24 March 2016 and Circular No.10/2016/TT-BVHTTDL dated 19 October 2016 of the Minister of Culture, Sports and Tourism and the relevant law regulations.

Recipients:

- The performance organizer as in Article 1
- Inspector.....;
- Filing: VT...

MINISTER
(FOR PEOPLE'S COMMITTEE)
CHAIRPERSON
(signature, full name and seal)

1. Make an attached list in case of many artists join in the performance

Form No.09b: The license for individuals who are Vietnamese overseas to perform art, fashion show.

THE MINISTRY OF CULTURE, SPORTS
AND TOURISM
DEPARTMENT OF PERFORMING ART

SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness

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No.:/GP-NTBD

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

LICENSE

For individuals who are Vietnamese overseas to perform art, fashion show

DIRECTOR OF THE DEPARTMENT OF PERFORMING ART

Basing on Decree No.79/2012/ND-CP dated 05 October 2012 of the Government, regulating in details on art performance, fashion show, beauty and fashion model contest; circulation and trading of song, music, dance, stage records, videos;

Basing on Decree No.15/2016/ND-CP dated 15 March 2016 of the Government on amending, supplementing some articles of the Decree No.79/2012/ND-CP dated 05 October 2012 of the Government;

Basing on Circular No.01/2016/TT-BVHTTDL dated 24 March 2016 of the Minister of Culture, Sports and Tourism, regulating in details the execution of some Articles of the Decree No.79/2012/ND-CP dated 05 October 2012 of the Government, regulating the art performance, fashion show, beauty and fashion model contest; circulation and trading of song, music, dance, stage records, videos and Decree No.15/2016/ND-CP dated 15 March 2016 of the Government on amending, supplementing some articles of the Decree No.79/2012/ND-CP;

Basing on Circular No.10/2016/TT-BVHTTDL dated 19 October 2016 of the Minister of Culture, Sports and Tourism on amending, supplementing some articles of the Circular No.01/2016/TT-BVHTTDL;

Basing on Decision No.....dated....month...year ... of ... regulating the functions, obligations, power and organization structure of the licensing authority;

After considering the proposal dated date....month.....year... (*the license applicant*)

According to the proposal of....

PERMIT:

Article 1: (*the license applicant*) to organize for Mr./Ms..... (passport No.....) to perform in the program...

- **Time:** From date....month.....year... to date....month.....year

- **Location:**

Article 2: (*the license applicant*) shall carry out the following procedures:

- The application for a permit to organize art performances or fashion shows under Clause 1, Article 9 of Decree No.79/2012/ND-CP, which is amended and supplemented under Clause 5, Article 1 of Decree No.15/2016/ND-CP.

- Notice in writing the content of the art performance or fashion shows to the Department of Culture, Sports and Tourism (Department of Culture and Sports) ... according to the provisions at Point a, Clause 2 of Article Decree No.79/2012/ND-CP is amended and supplemented in Clause 2, Article 1 of Decree No.15/2016/ND-CP and Clause 1, Article 1 of Circular No.10/2016/TT-BVHTTDL of 19 months. 10 in 2016 by the Minister of Culture, Sports and Tourism.

Article 3. ... (*the license applicant*) shall not authorize, transfer, lend or lease this license in any form.

Article 4. The request (*the license applicant*) shall strictly comply with the contents of the permit the provisions of the Government's Decree No.79/2012/ND-CP dated October 5, 2012 on art performances and fashion shows; beauty and model contests; circulating and trading in records, videos of songs, music, dance and theatrical tapes; Decree No.15/2016/ND-CP of March 15, 2016 of the Government amending and supplementing a number of articles of Decree No.79/2012/ND-CP; Circular No.01/2016/TT-BVHTTDL dated 24 March 2016 and Circular No.10/2016/TT-BVHTTDL dated 19 October 2016 of the Minister of Culture, Sports and Tourism and the relevant law regulations.

Recipients:

- The performance organizer as in Article 1
- Inspector....;
- Filing: VT...

MINISTER
(FOR PEOPLE'S COMMITTEE)
CHAIRPERSON
(signature, full name and seal)