

THE GOVERNMENT

Number: 103/2009/ND-CP

SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom – Happiness

Hanoi, November 6th 2009

DECREE

**ENACTING REGULATIONS ON CULTURAL ACTIVITIES AND BUSINESS IN PUBLIC
CULTURAL SERVICES**

THE GOVERNMENT

Pursuant to Law on Government Organization dated December 25th 2001;
In consideration of the proposal of Minister of Culture, Sports and Tourism,

DECREE:

Article 1: Enact under this Decree the Regulations on cultural activities and business in public cultural services.

Article 2: Effectiveness of the Decree

This Decree becomes effective on January 1st 2010 and supersedes Decree No. 11/2006/ND-CP dated January 18th 2006 of the Government enacting the Regulations on cultural activities and business in public cultural services.

Article 3: Issuance of new certificate of business registration and business license for discotheque and karaoke activity in accordance with the Regulations on cultural activities and business in public cultural services enacted under Decree No. 11/2006/ND-CP dated January 18th 2006 of the Government and Instruction No. 17/2005/CT-TTg dated May 25th 2005 of Prime Minister on re-organization of negative activities in bar, karaoke restaurant and discotheque which are continuously issued with certificate of business registration and business license in accordance with approved planning.

Article 4: Responsibilities for execution

1. Minister of Culture, Sports and Tourism is responsible for instructing this Decree execution.
2. Ministers, Heads of ministry-level agencies, Head of agencies under the Government, Chairman of People's Committee of provinces, cities directly under the Central government are responsible for this Decree execution./.

Recipients:

- Secretariat of Central Committee of the Party;
- Prime Minister, Deputy Prime Ministers;
- Ministries, ministry-level agencies, agencies under the

Government;

- Office of Central Steering Committee for corruption prevention;
- People's Council, People's Committee of provinces, cities directly under the central government;
- Central Office and Party Committees;
- President Office;
- National Council and Committees of National Assembly;
- Office of National Assembly;
- Supreme People's Court;
- Supreme People's Procuracy;
- State Audit Office of Vietnam;
- National Committee of Financial Supervision;
- Vietnam Bank for Social Policy;
- Bank for Development of Vietnam;
- Central Committee of Vietnamese Fatherland Front;
- Central Agency of Unions;
- VPCP: BTCN, PCN, Portal, Department, Units, Official Gazette;
- Archive: VT, KGVX (5b)

**PP. GOVERNMENT
PRIME MINISTER**

Nguyen Tan Dung

REGULATIONS

CULTURAL ACTIVITIES AND BUSINESS IN PUBLIC CULTURAL SERVICES
(Enacted under Decree No. 103/2009/ND-CP dated November 6th 2009 of the Government)

Chapter 1.

GENERAL REGULATIONS

Article 1: Purposes of cultural activities and business in public cultural services; responsibilities of heads of agencies, organizations for cultural activities of their agencies, organizations

1. Cultural activities and business in public cultural services must aim at building an advance culture of national character; educating healthy lifestyle and cultural behavior for everyone; inheriting and upholding humanity and sentimental attachment tradition, habits and customs; improving knowledge and level of aesthetics, diversifying spiritual life of people; preventing penetration and eliminating cultural products which have harmful contents; contributing to socio-economic development of the country.

2. Heads of public agencies, people's armed forces, economic organizations, political organizations, political – social organizations, political, social and occupational organizations, social organizations, social – occupational organizations are responsible to laws for cultural activities, cultural services under their management.

Article 2: Scope of regulation and subject of application

1. Scope of regulation”

a) This Regulation stipulates cultural activities and business in public cultural services (hereafter referred to as the Regulation) including circulation, business in theatrical and music tapes and discs; art and fashion performance; culture and art exhibition; festival organization; signboard writing and placement; discotheque, karaoke activity, electronic game, other cultural activities, cultural services and amusing and entertaining forms;

b) Places for organization of cultural activities and business in public cultural services stipulated in this Regulation include theatre, house of culture, exhibition, center of culture, club, tourist stay facilities, guest house, pleasure house, restaurant, shop, store, stadium, sporting event hall, square, public transport for passengers and other medium, locations where cultural activities are held and trade in cultural services in accordance with point a of this clause.

2. Subject of application:

This Regulation applies to Vietnamese organizations, individuals and foreign organizations, individuals operating in Vietnam; in the event the international treaties to which Vietnam is a member otherwise stipulates, such international treaties apply.

Article 3: Regulations on prohibited cultural activities and business in public cultural services

Following activities are strictly prohibited:

1. Cultural activities and business in cultural services, contents of which:

a) Stimulate people to oppose the Socialist Republic of Vietnam; undermine united bloc of the whole people’

b) Arouse violence, propagandize invasive war, causing feud among countries and their people, spread reactionary idea, culture, obscene, depraved lifestyle, criminal behaviors, social evils, superstition, against habits and customs, do harm to health and destroy ecological environment;

c) Disclose secrets of the Party, the Government, military, security, economic, foreign relations secrets, personal secrets and others stipulated by legal regulations.

d) Distort history, deny revolutionary achievements, offend great men, offend nation, vilify, and offend honor and prestige of organizations, honor and dignity of individuals.

2. Circulate, popularize and trade in cultural products; illegally produce, import, export cultural products on which decisions are made in relation to circulation suspension, circulation prohibition, recovery, seizure, disposal; trade in cultural services without certificate of business registration or business license as stipulated.
3. Hold cultural activities and trade in cultural services which violate the regulations on civilized lifestyle, security, order and fire and explosion prevention and control.

Chapter 2.

CIRCULATION, BUSINESS IN MUSIC, THEATRICAL TAPES AND DISCS

1. Music, theatrical tapes and discs stipulated in this Regulation include, cassette, video, CD, VCD, DVD, CD-ROM, computer disc, IC chips, USD and other media, equipment, materials which have contents in relation to music, theatre, fashion, beauty contest, sport, hereafter referred to as music, theatrical tapes and discs.
2. Music, theatrical tapes, discs of publishers not subject to this Regulations.

Article 5: Authority and procedure of licensing for circulation and issuing control label for music, theatrical tapes and discs

1. Music and theatrical tapes and discs made locally or imported must be approved by competent public authorities stipulated in clause 2 of this Article and issued with new license for wide circulation. Music and theatrical tapes and discs permitted to be widely circulated must be affixed with control labels as stipulated in clause 4 of this Article.
2. Authorities of licensing circulation of music and theatrical tapes and discs:
 - a) Ministry of Culture, Sports and Tourism issues license for circulation of tapes and discs made or imported by organizations under the central government;
 - b) Department of Culture, Sports and Tourism issues licenses for circulation of tapes and discs made or imported by local organizations, individuals.
 - c) Organizations, individuals issued with license for circulation of music, theatrical tapes, discs must submit 02 copies of tapes, discs for legal copyrighting to licensing authorities; licensing authorities are responsible for receiving and storing legal copyrighting tapes and discs for 2

years. Upon expiry of legal copyrighting, licensing authorities deal with legal copyrighting tapes and discs in accordance with the regulations of Minister of Culture, Sports and Tourism.

3. Procedures of licensing for circulation of music, theatrical tapes and discs:

Organizations, individuals applying for license shall submit documents to public authorities stipulated in clause 2 of this Article.

a) Documents consist of:

- Application for licensing circulation of music, theatrical tapes and discs which specifies content (subject matter) of tapes, discs, work name, author name, origin;

- Documents which demonstrate product copyright owner;

- Products for which application for license is submitted, enclosed with music piece, scenario.

b) Within 7 business days of fully receipt of legal documents, public authorities must issue license; in the event no license is issued, a written response must be given, clearly stating reasons.

4. Procedures of issuing control labels for music, theatrical tapes and discs:

Organizations, individuals applying for issuance of control labels submit documents to Ministry of Culture, Sports and Tourism.

a) Documents consist of:

- Application for issuance of control labels which specifies names of music and theatrical tapes and discs, number of decision on circulation permission, number of control labels;

- Legally valid copy decision on circulation permission (in the event Department of Culture, Sports and Tourism issues license for circulation).

b) Within 7 business days of full receipt of legal documents, public authorities must issue control label; in the event of no license is issued, a written response must be given, specifying reasons.

Article 6: Regulations on organizations, individuals trading in, popularizing music and theatrical tapes and discs

1. Organizations, individuals trading in music, theatrical tapes and discs can only reproduce tapes, discs permitted to be circulated, sell, and lease tapes, discs affixed with control label in accordance with regulations.

2. Organizations, individuals popularizing music, theatrical tapes and discs for or not for business purpose can only popularize tapes, discs permitted to be circulated, affixed with control label in accordance with the regulations.

3. Organizations, individuals reproduce, sell, lease music, theatrical tapes, discs are prohibited to:

a) Reproduce tapes, discs without approval of copyright owners;

b) Add, cut images or sound, which changes contents of tapes and discs permitted to be circulated;

c) Reproduce tapes, discs prohibited to be circulated or decided to be recovered, seized, and disposed.

Chapter 3.

ART AND FASHION PERFORMANCE

Article 7: Authority and procedure of licensing for art and fashion performance

1. Organizations, individuals holding art and fashion performance to the public must obtain the license for performance in public from public authorities in accordance with following regulations:

a) Ministry of Culture, Sports and Tourism issues license for art groups under central art performance and fashion show agencies, foreign art groups giving performance under cultural cooperation programs between central agencies and foreign groups; Vietnamese artists who settle abroad and come back Vietnam for performance;

b) Department of Culture, Sports and Tourism issues license for local art groups, foreign art groups, individual foreign artists, Vietnamese people settling in foreign countries and coming back Vietnam to give performance, fashion show in local areas not subject to those stipulated in point a of this clause, individual Vietnamese artists (not art groups) giving performance in local areas.

2. Procedures of licensing for performance in public:

Organizations, individuals wishing to organize art and fashion performance must submit application documents for license for performance in public to public authorities as stipulated in clause 1 of this Article.

a) Documents consist of:

- Application form for license for performance in public (specify program name, item, author, director, performer);
- Commitment to no violation of prohibition regulations in Article 3 of this Regulation;
- Piece of music, scenario for works proposed for first performance in public; photo or designed clothes for fashion show.

b) Within 7 business days of receipt of full valid documents, public authorities are responsible for issuing license for performance in public; in the event, no license is issued, a written response must be given, specifying reasons; in the event programs should be approved before license for performance in public is issued, organizations or individuals applying for license are responsible for creating conditions for public authorities to approve.

Article 8: Organization of art performance without ticket sale for profit

1. Organizations, individuals holding performance of Vietnamese art groups or artists for purpose of internal service or performance in tourist stay facilities, restaurants without ticket sale for profit shall not apply for license but can perform songs, pieces of music or plays allowed for performance in public.

2. Owners of tourist stay facilities, restaurants, organizing performance of foreign art groups or artists in their facilities without ticket sale for profit must register to local Department of Culture, Sports and Tourism.

After 7 business days of registration, if Department of Culture, Sports and Tourism has no idea, the applicant is permitted to organize such performance as registered. The application procedures are stipulated by Ministry of Culture, Sports and Tourism.

Article 9: Responsibilities of art and fashion performance site owner

The owner of art and fashion performance site must conform to following regulations:

1. Do not issue tickets exceeding seat numbers, capacity or quantity permitted by public authorities; ensure conditions on fire and explosion prevention;
2. Ensure that sound out of performance site shall not exceed standard allowed maximum noise;
3. Do not let drunk people or people using drugs come into art performance and fashion show site;
4. Regulations on civilized lifestyle must be posted in art and fashion performance site for everyone to know and follow.

Article 10: Responsibilities of art and fashion performance organizers

The organizers of art and fashion performance in public must conform to following regulations:

1. Conform to the contents stated in the license for performance in public and relevant legal regulations.
2. Do not behave as follows:
 - a) Request or permit performers to use clothes or make-up unsuitable with traditional habits and customs;
 - b) Change contents, add or cut lyrics, dialogue, add other acting movements than those permitted for performance in public that causes bad effects;
 - c) Use voice recorded in tapes, discs to replace genuine voice of performers;
 - d) Organize performance for people prohibited to give performance by public management authorities in culture, sports and tourism sector;
 - e) Advertise taking false name of artists, art companies; advertise and introduce artists incompliant with art title or achievement granted by the Government or functional authorities;
 - f) Operate from 12 pm to 8 am without permission of local Department of Culture, Sports and Tourism.

Article 11: Responsibilities of art and fashion performers

Art and fashion performers in public must conform to the regulations in clause 1, points b and c clause 2 of Article 10 and other relevant regulations; when giving performance, they are not permitted to behave improperly or speak crudely.

Chapter 4.

CULTURE AND ART EXHIBITION

Article 12: Culture and art exhibition subject to the Regulation

The culture and art exhibitions stipulated in this Regulation include: fine arts exhibition, photo exhibition and other culture and art exhibitions.

Article 13: Authority and procedures of licensing for exhibition

1. Fine art exhibition, photo exhibition of Vietnamese organizations, individuals, fine art exhibition, photo exhibition, other culture and art exhibition of foreign organizations, individuals in Vietnam must be permitted by public authorities as follows:

a) Ministry of Culture, Sports and Tourism issues license for fine art exhibition, photo exhibition central agencies at sector level; fine art exhibition, photo exhibition, other culture, art exhibition of foreign organizations in capacity of a foreign country or in coordination with several countries, exhibitions of international organizations in Vietnam;

b) Department of Culture, Sports and Tourism issues licenses for fine art exhibition, photo exhibition of local organizations, individuals; fine art exhibition, photo exhibition of central agencies; fine art exhibition, photo exhibition, other culture and art exhibitions of foreign organizations, individuals in local areas not under the authority of Ministry of Culture, Sports and Tourism as stipulated in point a of this clause.

2. Procedures of licensing exhibition:

Organizations, individuals wishing to hold culture and art exhibitions must submit applications documents for license for exhibition to public authorities as stipulated in clause 1 of this Article.

a) Documents consist of:

- Application form for license for exhibition, specifying intended date and place of exhibition;

- List of works, authors; for photo exhibitions, work dimensions should be specified; for fine art exhibitions, materials, dimensions should be specified, dimension should be 9x12cm at least;
 - Invitation template, catalogue of exhibition contents;
 - Commitment to no violation of prohibition regulations in Article 3 of this Regulation;
 - Relevant documents in foreign language must be enclosed with their translations into Vietnamese.
- b) Within 7 business days of receipt of full valid documents, public authorities are responsible for issuing license; in the event, no license is issued, a written response must be given, specifying reasons.

Article 14: Exhibitions to be registered

Other culture and art exhibitions of Vietnamese organizations, individuals not subject to those for which license must be applied for as stipulated in Article 13 of the Regulation must be registered to local Department of Culture, Sports and Tourism. After 7 business days of registration, if Department of Culture, Sports and Tourism has no idea, the applicant can perform the registered contents. The application procedures are stipulated by Ministry of Culture, Sports and Tourism.

Article 15: Conditions on exhibition and responsibilities of organizations, individuals holding exhibitions

1. Culture, art exhibitions stipulated in this Regulation must conform to following conditions:

- a) Exhibits, materials for exhibition must be suitable to exhibition theme and content or have origin and legal ownership or right of use of exhibition organizers;
- b) Exhibition site must have an area suitable to exhibition property and scale; ensure social order, security and safety, traffic safety and environmental hygiene; ensure fire, explosion prevention conditions;
- c) The owner of exhibition site can only hold exhibition after obtaining the license stipulated in clause 1 Article 13 or after having registered in accordance with Article 14 of this Regulation.

2. Organizations, individuals having registered for exhibition or issued with license for exhibition are responsible for:

- a) Ensuring that exhibition form and content are compliant with the registration or the issued license for exhibition;
- b) After having registered or issued with the license, if you wish to change contents, exhibition design, date and place of exhibition, a written request must be submitted to the public authorities which have accepted the registration or issued the license and changes should be made only when such authorities approve in writing;
- c) In the event public authorities in relation to registration or issuance of license for exhibition should approve the exhibition contents before opening date, the organizations or individuals holding the exhibitions are responsible for creating conditions for public authorities to approve 5 business days at the latest before opening date.

Article 16: Regulations on several relevant activities in relation to exhibition organization

Such activities as advertising, press conference, culture – art, sports, and entertainment activities in the exhibitions must conform to legal regulations on such activities.

Chapter 5.

FESTIVAL ORGANIZATION

Article 17: Festivals subject to the Regulation

1. Festivals stipulated in this Regulation include: folk festivals, historical, revolutionary festival, culture, sports, tourism festivals and foreign-based festivals organized in Vietnam.
2. Religious festivals presided over by Church associations or dignitaries must conform to legal regulations on religious activities and relevant provisions in this Regulation.

Article 18: Authority and procedures of licensing for festival organization

1. For organization of festivals stipulated in Article 17 of this Regulation, if subject to one of following cases, permission of People's Committee in provinces or cities directly under the central government where the festivals are held must be obtained.
 - a) Festivals held for the first time;
 - b) Festivals recovered after several years of interruption;

c) Festivals held periodically with modifications in content, date and place in comparison with traditional ones;

d) Foreign-based festivals held by foreign or Vietnamese organizations.

2. Procedures of licensing for festival organization: agencies or organizations wishing to hold festivals stipulated in clause 1 of this Article must submit application documents for license to Department of Culture, Sports and Tourism where the festivals are held at least 30 business days before intended opening date.

a) Documents consist of:

- Application form for license for festival organization (specifying festival content or content modification compared to traditional ones, intended date, place and establishment of Organization Department and necessary conditions on festival security and order);

- Commitment to no violation of prohibition regulations in Article 3 of this Regulation.

b) Within 20 business days of full receipt of valid documents, Department of Culture, Sports and Tourism is responsible for submitting them to Provincial People's Committee. Provincial People's Committee, within 10 business days of receipt for request from Department of Culture, Sports and Tourism, is responsible for issuing license for festival organization; in the event Provincial People's Committee authorizes Department of Culture, Sports and Tourism to issue license, Department of Culture, Sports and Tourism is responsible for issuing license within 10 business days of full receipt of valid documents; in the event no license is issued, a written response must be given, specifying reasons.

Article 19: Festivals for which licenses shall not be applied

Following festivals are not required to apply for licenses, but a written report must be made to public authorities before festival organization in accordance with the instruction of Ministry of Culture, Sports and Tourism:

1. Folk festivals organized regularly, continuously and periodically; culture and tourism festivals;

2. Festivals stipulated in points a, b and c clause 1 Article 18 of this Regulation organized the 2nd time and later.

Article 20: Responsibilities of festival organizers

Festival organizers must conform to following regulations:

1. Establish Organization Department.
2. Festival protocols must be carried out in a traditionally formal way as instructed by public management authorities of culture, sports and tourism.
3. In festival site, national flag must be hanged in formal and higher position than festival flags.
4. Folk games, performance and sport activities in festival site must have useful and healthy contents suitable to festival scale, nature and characteristics.
5. Revenue from merit, charity, sponsorship and other revenues from festivals must be managed and used in accordance with legal regulations.

Article 21: Regulations on festival participants

Festival participants must comply with civilized lifestyle and regulations of the Organization Department.

Chapter 6.

SIGNBOARD WRITING AND PLACEMENT

Article 22: Signboard forms

The writing, placement, hanging, posting, setting up and mounting signboards, hereafter referred to as writing and placement of signboard at head office, business place of organizations, individuals in form of board, sign, light box, neon sight or other forms, for purpose of introducing name, transaction address of Vietnamese organizations, individuals, foreign organizations, individuals in Vietnam are not required to apply for license, but conform to Article 23 of this Regulation.

Article 23: Beauty, writing, position and content of signboards

1. Beauty and writing of signboards:
 - a) Signboards must ensure beauty;

b) Signboards must be written in Vietnamese; abbreviation name, international transaction name, foreign name, if any, must be written below and in smaller size than Vietnamese ones.

2. Signboard position:

Signboards can only be written and placed close to the gates, or in front side of head offices, business place of organizations, individuals; each agency, organization can write, place one signboard at the gate; at head offices or business places independent of other organizations, individuals, only one horizontal signboard and no more than two horizontal signboards can be written and placed.

3. Signboard contents:

a) Name of direct governing agency (if any);

b) Full Vietnamese name in accordance with establishment decision or certificate of business registration issued by public authorities;

c) Type of enterprise or cooperative;

d) Main business lines (for commodity, service manufacturing, trading facilities);

e) Transaction address, phone number (if any);

f) Signboards can show the logos registered with public authorities, the logo area shall not exceed 20% signboard area nor show advertising information, images for any commodity or service.

Chapter 7.

DISCOTHEQUE ACTIVITY

Article 24: Conditions on discotheque business

Star or high class ranked tourist stay facilities, houses of culture and centers of culture which have legal personality in discotheque business must meet following conditions:

1. A discotheque room must have an area of 80m² or more, at least 200m away from school, hospital, religious belief facilities, historical – cultural relics, public administrative agencies, ensure conditions on soundproof, fire and explosion prevention;

2. The person directly managing discotheque room operations must have qualifications in culture – arts at intermediate level or more;
3. Equipment and media in discotheque room must meet standards on sound and lighting;
4. Comply with discotheque planning of each local area.

Article 25: Authority and procedures of licensing for discotheque activity

1. Houses of culture, centers of cultures which have legal personality and are eligible in accordance with Article 24 of this Regulation wishing to trade in discotheque activity must apply for business certificate from local Department of Culture, Sports and Tourism.

2. Documents and procedures of application for business license for discotheque activity:

a) Application documents for license consist of:

- Application form for business license in discotheque activity;
- Legally valid copy of certificate of business registration;
- Copy certificate of qualifications of direct manager in discotheque room.

b) Within 10 business days of full receipt of valid documents, Department of Culture, Sports and Tourism is responsible for reviewing and inspecting actual business conditions and issuing license; in the event no license is issued, a written response must be given, specifying reasons.

Article 26: Scope of discotheque business

Discotheque business in eligible facilities are stipulated in Article 24 and issued with business license stipulated in clause 1 Article 25 of this Regulation.

Article 27: Responsibilities of discotheque owners

While doing discotheque business, the owner must conform to following regulations:

1. Have operation contents posted at the discotheque room so that everyone can know and follow; the rules must specify operation time, age and clothes of people coming to the discotheque, prohibition regulations which shall be conformed to by people coming to the discotheque;

2. Ensure that light in discotheque room is higher than 10 Lux, equivalent to 01 40W-incandescent lamp for 20m²;
3. Ensure that sound out of discotheque room shall not exceed the State regulations on standard allowed maximum noise;
4. Only use songs, music works permitted for discotheque;
5. People who are drunk or use drugs and prohibited stimulants must be required to get out of the discotheque;
6. Do not let people less than 18 years of age work or come into the discotheque;
7. Ensure conditions on security, order stipulated in Decree No. 72/2009/ND-CP dated September 3rd 2009 of the Government;
8. Employees should sign labor contracts and be managed in accordance with legal regulations on labor contracts;
9. It is prohibited to operate from 12 pm to 8 am, except for cases stipulated in clause 2 Article 37 of this Regulation.

Article 28: Discotheque activity for non-business purpose

Agencies, organizations holding discotheque activity for non-business purpose within their agencies, organization or holding discotheque activity in houses of culture not subject to clause 1 Article 25 of this Regulation are not required to apply for license, but to conform to the regulations on operation contents in Article 27, Article 29 and other relevant regulations of this Regulation.

Article 29: Prohibition regulations in discotheque activity

It is strictly prohibited to have nude dance performances or other sexy behaviors, to mediate pornography, to sell and purchase, sell, purchase or use drugs in discotheque rooms.

Chapter 8.

KARAOKE ACTIVITY

Article 30: Conditions on karaoke business

1. Karaoke room must have an area of 20m² excluding toilet, ensure conditions on soundproof, fire and explosion prevention;
2. The door of karaoke room must be made colorless glass and can be seen from outside;
3. Do not install door lock or bolt inside or alarming equipment to cope with the inspection of competent public authorities;
4. Karaoke business places must 200m or more away from school, religious belief facilities, historical – cultural relics, public administrative agencies;
5. Karaoke business places in resident areas must be approved in writing by nearby households;
6. Compliant with karaoke planning of approving authorities.

Article 31: Authority and procedures of licensing for karaoke business

1. Organizations, individuals doing karaoke business outside star or high-class ranked tourist stay facilities which are eligible as stipulated in Article 30 and clauses 1 and 2 Article 31 of this Regulation must obtain the business license from Department of Culture, Sports and Tourism or authorized district agency.
2. Documents and procedures of application for business license in karaoke activity:
 - a) Application documents for license consist of:
 - Application form for business license in karaoke activity, specifying business place, number of rooms, area of each room;
 - Legally valid copy of certificate of business registration;
 - Opinion in writing of adjacent households.
 - b) Within 10 business days of full receipt of valid documents, Department of Culture, Sports and Tourism or authorized district agency is responsible for issuing business license; in the event no license is issued, a written response must be given, specifying reasons.

Article 32: Responsibilities of owners of karaoke business facilities

When doing karaoke business, owners of business facilities must conform to following regulations:

1. Ensure that light in karaoke room is higher than 10 Lux, equivalent to 01 40W-incandescent lamp for 20m²;
2. Ensure that sound out of karaoke room shall not exceed the State regulations on standard allowed maximum noise;
3. Only use songs allowed for popularization; tapes and discs affixed with control labels in accordance with regulations;
4. Do not sell wine or let customers drink wine in karaoke room;
5. Ensure conditions on security and order as stipulated in Decree No. 72/2009/ND-CP dated September 3rd 2009 of the Government;
6. Each karaoke room can use only one server aged 18 or more; if servers are employed, labor contracts must be signed and managed in accordance with legal regulations on labor contracts;
7. Do not operate from 12 pm to 8 am, except for cases stipulated in clause 2 Article 37 of this Regulation;
8. Karaoke facilities in scattered resident areas are not required to conform to the regulations on sound in clause 2 but the regulations in clauses 1, 3, 4, 5, 6 and 7 of this Article.

Article 33: Karaoke activities for non-business purposes

1. Agencies, organizations arranging karaoke activities to meet internal demands of their agencies, organizations are not required to apply for license, but to conform to the regulations in clauses 2 and 3 of Article 31 of this Regulation and to ensure security and order.
2. Facilities offering services and organizing karaoke activities in their business places to meet demands of their employees are not required to apply for license, but those activities must be separated from their business facilities, and they must conform to the regulations in clause 2 and 3 Article 32 of this Regulation and ensure security and order.

Article 34: Prohibited regulations in karaoke activity

It is strictly prohibited to have nude dance performances or other sexy behaviors, to mediate pornography, to sell and purchase, sell, purchase or use drugs in karaoke rooms.

Chapter 9.

ELECTRONIC GAME ACTIVITIES AND OTHER ENTERTAINMENT FORMS

Article 35: Conditions and business in electronic games

1. Organizations, individuals trading in electronic games must meet following conditions:
 - a) Electronic game shops must be 200m or more away from primary school, junior high school, senior high school; ensure order and traffic order;
 - b) Equipment ensures sound and image quality; equipment forms are suitable to Vietnamese aesthetics.
2. Organizations, individuals trading in electronic games must conform to following regulations:
 - a) Contents of electronic games must be healthy, not violates prohibition regulations in Article 3;
 - b) It is strictly prohibited to operate from 10 pm to 8 am.
3. It is strictly prohibited to trade in gambling electronic games.

Article 36: Regulations on other amusing and entertaining activities

Organizations, individuals operating cultural activities, other amusing and entertaining activities not stipulated in Chapter VII, Chapter VIII and Article 35 of this Regulation in public places for business or non-business purposes must conform to Article 1 and 3 of this Regulation and are not permitted to operate from 12 pm to 8 am.

Chapter 10.

IMPLEMENTATION PROVISION

Article 37: Regulations on operation after 12 pm

1. Bars in tourist stay facilities which are ranked 3-star or more or high-class are allowed operating after 12 pm but not later than 2 am.

2. Discotheque, karaoke room in tourist stay facilities which are ranked 4-star or more or high-class are allowed operating after 12 pm but no later than 2 am.

Article 38: Regulations on transition

Discotheques, karaoke restaurant not under tourist stay facilities, issued with business license in accordance with Decree No. 11/2006/ND-CP dated January 18th 2006 of the Government can operate by allowed date. Upon the expiry, to continue operating, these facilities must apply for permission in accordance with this Regulation./.