

THE GOVERNMENT

No: 56/2006/ND-CP

SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom - Happiness

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Ha Noi , 6 June 2006

DECREE

On sanctioning administrative violations in cultural and information activities

THE GOVERNMENT

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the June 14, 2005 Civil Code;

Pursuant to the December 28, 1989 Press Law and the June 12, 1999 Law Amending and Supplementing a Number of Articles of the Press Law;

Pursuant to the June 29, 2001 Cultural Heritage Law;

Pursuant to the December 3, 2004 Publishing Law;

Pursuant to the November 29, 2005 Intellectual Property Law;

Pursuant to the December 28, 2000 Library Ordinance;

Pursuant to the November 16, 2001 Advertisement Ordinance;

Pursuant to the July 2, 2002 Ordinance on Handling of Administrative Violations;

At the proposal of the Minister of Culture and Information,

DECREES:

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

1. Administrative violations in cultural and information activities mean individuals' or organizations' acts of intentionally or unintentionally violating state management regulations in the culture and information domains, which are not serious enough for

penal liability examination but, according to the Ordinance on Handling of Administrative Violations and this Decree, must be administratively sanctioned.

2. Administrative violations in cultural and information domains defined in this Decree include acts of violating state management regulations in press activities; publishing activities; cinematography; performing arts; public cultural activities and cultural services; fine arts, cultural, art and photo exhibitions; copyright of literary and art works and related rights; advertisement, writing and placement of signboards; cultural heritage; library; cultural and art works; import and export of cultural products; and publicization and dissemination of works to foreign countries.

3. For administrative violations in press, publishing, cinematographic activities, the export of cultural products with contents disclosing state secrets, the provisions of law on sanctions against administrative violations related to security and order shall apply.

Article 2. Subjects of application

1. Vietnamese individuals and organizations committing administrative violations in the cultural and information domains shall all be sanctioned under the provisions of this Decree and other relevant provisions of law on the sanctioning of administrative violations.

2. Foreign individuals and organizations committing administrative violations in the culture and information domains in the Vietnamese territory shall be sanctioned like Vietnamese individuals and organizations, except otherwise provided for by treaties to which Vietnam is a contracting party.

3. Minors committing administrative violations in the culture and information domains shall be sanctioned under the provisions of Article 7 of the Ordinance on Handling of Administrative Violations.

Article 3. Statute of limitations for sanctioning

1. The statute of limitations for sanctioning administrative violations in press activities; cinematographic activities; performing arts; public cultural activities and cultural services; fine arts, cultural art and photo exhibitions; advertisement, writing and placement of signboards; cultural heritage; and library shall be one year counting from the date the administrative violation is committed.

2. The statute of limitations for sanctioning administrative violations in publishing activities, import and export of cultural products, and copyright shall be two years counting from the date the administrative violation is committed.

3. Past the time limit specified in Clauses 1 and 2 of this Article, no sanction shall be imposed but other measures stated at Points a, c and d, Clause 3, Article 12 of the Ordinance on Handling of Administrative Violations may apply.

4. Individuals against whom criminal cases had been instituted, who had been prosecuted or against whom decisions on bringing their cases to trial had been issued according to criminal procedures but who later got decisions on stopping the investigation or the cases, shall be administratively sanctioned if their acts show signs of administrative violation; the statute of limitations for sanctioning such administrative violations shall be three months counting from the date the persons with sanctioning competence receive the stoppage decision and the dossier of the violation.

5. Within the time limits stated in Clauses 1 and 2 of this Article, if individuals or organizations commit new administrative violations or deliberately evade or obstruct the sanctioning, the statute of limitations stated in Clauses 1 or 2 of this Article shall not apply. The statute of limitations for sanctioning administrative violations shall be recounted from the time the new administrative violations are committed or the time the acts of evading or obstructing the sanctioning terminate.

Article 4. Sanctioning principles

1. Individuals and organizations shall only be administratively sanctioned when they commit administrative violations prescribed by law. Upon detecting acts of administrative violation, the persons with sanctioning competence shall have to order the immediate stop of such acts. The sanctioning must be carried out in a prompt, just, enlightened and absolute manner strictly according to law. All consequences caused by administrative violations must be overcome strictly according to law.

2. An act of administrative violation shall be sanctioned only once; a person committing many acts of administrative violation shall be sanctioned for every committed act; if many persons jointly commit an act of administrative violation, each of the violators shall be sanctioned.

3. The sanctioning of administrative violations shall be based on the nature and severity of violations, the personal details of violators and the extenuating as well as aggravating circumstances so as to decide on principal sanctions, additional sanctions and remedies prescribed in this Decree.

4. Persons competent to sanction administrative violations in the culture and information domains shall impose sanctions strictly according to their competence; for violations which go beyond their sanctioning competence and violations which show criminal signs, the agencies or persons handling them shall have to make

records thereon, then transfer the records as well as other relevant documents and material evidences and means employed in the violations to agencies with competence to sanction such administrative violations or competent penal agencies for settlement.

5. Sanctions shall not be imposed for administrative violations committed in cases of urgent circumstances, unexpected events or for administrative violations committed by persons suffering from mental disease or other ailments which have deprived them of their capability to cognize or control their acts.

Article 5. Application of sanctioning forms and remedies

1. When sanctioning administrative violations in the culture and information domains, the persons with sanctioning competence may only apply sanctioning forms and remedies prescribed for such acts according to the provisions of law.

2. When imposing a fine, the specific fine level for an act of administrative violation shall be the average level of the fine bracket prescribed for such act; if the violation involves extenuating circumstances, the fine level may be lower than the average level, but shall not be lower than the minimum level of the fine bracket; if the violation involves aggravating circumstances, the fine level may be higher than the average level but shall not exceed the maximum level of the fine bracket.

Extenuating and aggravating circumstances shall comply with the provisions of Articles 8 and 9 of the Ordinance on Handling of Administrative Violations.

3. Additional sanctioning forms and other remedies prescribed in this Decree may only be applied together with the principal sanctioning forms in order to thoroughly handle violations, do away with the causes and conditions for recidivism and overcome all consequences caused by administrative violations.

Chapter II

ACTS OF ADMINISTRATIVE VIOLATION IN CULTURAL- INFORMATION ACTIVITIES, SANCTIONING FORMS AND LEVELS

Section 1. ACTS OF VIOLATION IN THE PRESS DOMAIN, SANCTIONING FORMS AND LEVELS

Article 6. Administrative violations in the press domain

Acts of violation in the press domain include acts of violating regulations in press activities (printed, audio, visual and electronic press), pay television, publishing of special issues, bulletins, documents, leaflets, circulation of press releases, display of news on electronic screens, supply of information, creation of Internet websites, and activities related to the reception of television programs directly from satellite (TVRO).

Article 7. Violations of regulations on press permits

1. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Modifying, erasing permits;

b/ Failing to abide by the provisions of permits;

c/ Relocating the press agency's head office without notifying the state management agency in charge of press thereof.

2. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for acts of publishing bulletins, documents or leaflets without permit.

3. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Circulating press releases, displaying news on electronic screens, creating Internet websites or installing TVRO equipment without permit as prescribed;

b/ Publishing special issues, supplements, specialized issues, launching additional channels or increasing pages or adding programs without permit;

c/ Providing Internet information services without permit.

4. A fine of between VND 20,000,000 and 30,000,000 shall be imposed for publishing printed or electronic newspapers or broadcasting radio or television programs without press licenses as prescribed.

5. Forms of additional sanction:

a/ Stripping of the right to use permits for between 90 days and 180 days, for acts specified at Point a, Clause 1 of this Article;

b/ Confiscating material evidences and means used in the violations, for acts specified at *Point b, Clause 3; and in Clause 4 of this Article.*

Article 8. Violations of regulations on press layouts

1. A fine of between VND 500,000 and 1,500,000 shall be imposed for one of the following acts:

a/ Failing to display fully or correctly the contents according to regulations on press layouts;

b/ Presenting page 1 of newspapers, the front cover of magazines, special issues, bulletins, documents or leaflets in a way inappropriate to their contents;

c/ Making illustrations and headlines irrelevant to the information contents, thus making readers misunderstand the information contents.

2. Form of additional sanction:

Confiscating press products, for acts specified at Points b and c, Clause 1 of this Article, when serious consequences are caused.

Article 9. Violations of regulations on press corrections

1. A fine of between VND 1,000,000 and 2,000,000 shall be imposed for one of the following acts:

a/ Making corrections not in accordance with regulations on position, space, time volume and letter sizes of corrections;

b/ Failing to abide by regulations on carrying statements of organizations and/or individuals related to press articles.

2. A fine of between VND 2,000,000 and 3,000,000 shall be imposed for making corrections not according to regulations on the time for making correction.

3. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Failing to make corrections according to regulations;

b/ Failing to publish or broadcast conclusions of competent state agencies on incorrect press information.

4. Remedies:

a/ Forced correction, for acts specified at Point a, Clause 3 of this Article;

b/ Forced publication or broadcasting, for acts specified at Point b, Clause 3 of this Article.

Article 10. Violations of regulations on information contents

1. A fine of between VND 1,000,000 and 3,000,000 shall be imposed for one of the following acts:

a/ Disclosing personal secrets without the consent of concerned persons or their relatives, unless otherwise provided for by law;

b/ Publicizing individuals' private documents or mails without the consent of the lawful owners of such documents or mails, unless otherwise provided for by law;

c/ Publishing or broadcasting individuals' photos without the consent of such individuals or their relatives, except for cases of seeking relatives of victims, photos of persons against whom criminal cases have been instituted or who are serving prison sentences, and photos of collectives' activities;

d/ Failing to report or explain information contents to the state management agency in charge of press or failing to do so within the prescribed time limit.

2. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Carrying false information, thus causing bad but not serious impacts;

b/ Carrying information on mystical stories without citing their reference source.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Describing in detail obscene actions, horrible killings in news reports, articles or photos;

b/ Publishing or broadcasting pornographic pictures, anti-aesthetic nude, naked body pictures, which are unsuitable to the fine traditions and customs of Vietnam;

c/ Propagating bad or superstitious customs and practices.

4. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for carrying false information, thus causing serious impacts.

5. A fine of between VND 20,000,000 and 30,000,000 shall be imposed for one of the following acts:

a/ Publishing or broadcasting information not permitted for dissemination, which is not serious enough for penal liability examination;

b/ Publishing or broadcasting works subject to circulation ban or confiscation decisions.

6. Forms of additional sanction:

a/ Confiscating press products, material evidences and means used in the violations, for acts specified in Clauses 2, 3, 4 and 5 of this Article;

b/ Striping of the right to use press cards indefinitely, for journalists committing acts specified in Clause 4 of this Article;

c/ Striping of the right to use licenses for between 90 and 180 days, for acts specified in Clause 5 of this Article.

7. Remedy:

Forced correction and apology, for acts specified in Clauses 1, 2 and 4 of this Article.

Article 11. Violations of regulations on provision of information for the press and use of information by press agencies

1. A fine of between VND 1,000,000 and 2,000,000 shall be imposed for acts of violating regulations on organizations' and citizens' right to provide information to the press as provided for in Clause 2, Article 4; and in Article 7 of the Press Law.

2. A fine of between VND 3,000,000 and 7,000,000 shall be imposed for one of the following acts:

a/ Press agencies arbitrarily adding, truncating or wrongly presenting the opinions of their interviewees;

b/ Press agencies or journalists failing to respond to interviewees' request to review the contents of the interviews before they are published or broadcast;

c/ Press agencies adding, truncating or distorting the contents of written conclusions of competent state agencies on given cases or matters when publishing or broadcasting them.

Article 12. Violations of regulations on the use of press cards, professional activities of journalists

1. A fine of between VND 500,000 and 2,000,000 shall be imposed for one of the following acts:

a/ Lending press cards to other persons for carrying out press activities;

b/ Using press cards of others for carrying out press activities;

c/ Using press cards not in accordance with the assigned tasks.

2. A fine of between VND 3,000,000 and 6,000,000 shall be imposed for abusing the journalist's capacity to illegally interfere in or obstruct lawful activities of agencies, organizations or individuals.

3. A fine of between VND 3,000,000 and 7,000,000 shall be imposed for one of the following acts:

a/ Hurting the honor and dignity of journalists or obstructing lawful professional activities of journalists;

b/ Destroying equipment and means used by journalists in their professional activities.

4. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for acts of threatening or intimidating journalists' lives.

5. Form of additional sanction:

Stripping of the right to use press cards indefinitely, for acts specified in Clause 2 of this Article.

Article 13. Violations of regulations on press meetings

1. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for holding press meetings without sending prior notices in writing to the state management agency in charge of the press or with such notices made not in accordance with regulations.

2. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for holding press meetings with contents in violation of the provisions of Clause 4, Article 10 of the Press Law.

3. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Holding press meetings without the approval of the state management agency in charge of the press or in spite of a cancellation order;

b/ Holding press meetings with contents violating the provisions of Clauses 1, 2 and 3, Article 10 of the Press Law.

Article 14. Violations of regulations on deposit of press products

1. A fine of between VND 500,000 and 1,500,000 shall be imposed for failing to deposit press products according to regulations on deposit places, time, quantity or procedures.

2. A fine of between VND 1,500,000 and 3,000,000 shall be imposed for failing to deposit press products.

3. Remedy:

Forced deposit of press products strictly according to the provisions of law for acts specified in Clauses 1 and 2 of this Article.

Article 15. Violations of regulations on circulation of press products

1. A fine of between VND 1,000,000 and 2,000,000 shall be imposed for failing to print selling prices on press products.

2. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for obstructing the lawful distribution of press products or for selling illegally imported press products.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for distributing press products without publishing permit.

4. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for distributing press products not permitted for circulation or subject to withdrawal, confiscation or circulation ban decisions.

5. Form of additional sanction:

Confiscating material evidences and means used in the violations, for acts specified in Clauses 3 and 4 of this Article.

Article 16. Violations of regulations on registration of the supply of decoding sets of foreign television programs, registration of the distribution of decoding sets of foreign television programs, registration of agencies or organizations dealing in the installation and repair of TVRO equipment

1. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Modifying, erasing registration certificates;

b/ Failing to comply with the provisions of registration certificates and other provisions of law on activities related to the reception of television programs from satellite;

c/ Trading in illegally imported TVRO equipment.

2. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for supplying or distributing decoding sets of foreign television programs, dealing in the installation or repair of TVRO equipment without registration certificates granted by competent state agencies.

3. Forms of additional sanction:

a/ Striping of the right to use registration certificates indefinitely, for acts specified in Clause 1 of this Article;

b/ Confiscating press material evidences and means used in the violations for acts specified at Point c, Clause 1; and in Clause 2 of this Article.

Article 17. Violations of regulations on access to, management and provision of information on the computerized information network (Internet)

1. A fine of between VND 200,000 and 500,000 shall be imposed for one of the following acts:

a/ Accessing harmful information or pictures on the computerized information network;

b/ Failing to post operation rules at Internet agents.

2. A fine of between VND 1,000,000 and 3,000,000 shall be imposed for letting customers access harmful information on the computerized information network.

3. A fine of between VND 3,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Disseminating harmful information and pictures from the computerized information network to outside;

b/ Posting harmful information and pictures on the computerized information network, causing consequences which are not serious;

c/ Posting on the computerized information network publications not yet permitted for circulation;

d/ Storing harmful information and pictures on computers at Internet agents.

4. A fine of between VND 10,000,000 and 25,000,000 shall be imposed for posting harmful information and pictures on the computerized information network, causing serious consequences.

5. Forms of additional sanction:

a/ Confiscating material evidences in the violations, for acts specified at Points a and d, Clause 3; and in Clause 4 of this Article;

b/ Striping of the right to use permits for between 90 and 180 days, for acts specified at Point b, Clause 3; and in Clause 4 of this Article.

Section 2. ACTS OF VIOLATION IN THE PUBLISHING DOMAIN, SANCTIONING FORMS AND LEVELS

Article 18. Violations of regulations on presentation and illustration of publications

1. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Writing insufficiently or improperly information which is required to be shown on publications;

b/ Presenting the cover pages of publications or making illustrations inappropriately with the contents of publications.

2. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified at Point b, Clause 1 of this Article, if serious consequences are caused.

Article 19. Violations of regulations on stockpile and distribution of publications

1. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Obstructing the lawful distribution of publications;

b/ Selling illegally published or imported books, newspapers, paintings, pictures, calendars or leasing such books;

c/ Selling books, paintings, pictures or calendars with superstitious contents;

d/ Illegally stockpiling between 50 and under 200 copies of illegally printed or duplicated publications.

2. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Selling publications of not-for-sale or for-internal-use kinds;

b/ Illegally stockpiling between 200 and under 500 copies of illegally printed or duplicated publications;

c/ Selling books, paintings, pictures or calendars or leasing books with contents propagating debauching, obscene lifestyles or inciting violence.

3. A fine of between VND 10,000,000 and 15,000,000 shall be imposed for one of the following acts:

a/ Issuing or stockpiling for the purpose of circulation publications not permitted for circulation or subject to withdrawal or confiscation decisions;

b/ Selling books, newspapers, paintings, pictures and calendars or leasing books subject to withdrawal, confiscation or circulation ban decisions;

c/ Illegally stockpiling 500 copies or more of illegally printed or duplicated publications;

d/ Selling or disseminating publications which have been printed under contracts signed with foreign countries within the Vietnamese territory;

e/ Holding exhibitions or fairs of publications without permit or not according to the permitted contents.

4. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified at Points b, c and d, Clause 1; Points b and c, Clause 2; and in Clause 3 of this Article.

Article 20. Violations of regulations on publishing permits

1. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ A publishing house relocating its head office without notifying in writing such to the state management agency in charge of publishing;

b/ Modifying or erasing publishing permits or publishing decisions.

2. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Failing to comply with the contents of the publishing permit;

b/ Transferring a publishing permit in whatever forms;

c/ A publishing house publishing publications irrelevant to its operation guidelines and objectives;

d/ Importing publications not on the import registration list.

3. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Publishing publications without registering their publishing plan;

b/ Publishing publications without publishing decisions of the director of the publishing house;

c/ Publishing publications without publishing permits of the state management agency in charge of publishing;

d/ Publishing publications subject to appraisal without conducting appraisal;

e/ Importing publications for sale without publications import business licenses;

f/ Importing publications for sale without registering import plans with the state management agency in charge of publishing;

g/ Failing to comply with the provisions of Article 20 of the Publishing Law on association in the publishing domain.

4. A fine of VND 30,000,000 shall be imposed for one of the following acts:

a/ Establishing a publishing house without the permission of a competent state agency;

b/ Foreign publishing houses or distribution organizations opening representative offices in Vietnam without permit or operating such representative offices not in accordance with the contents of their permits.

5. Forms of additional sanction:

a/ Confiscating material evidences in the violations, for acts specified in Clauses 2 and 3 of this Article;

b/ Stripping of the right to use permits, for acts specified at Point b, Clause 2 of this Article.

Article 21. Violations of prohibitions on contents of publications

1. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Publishing publications with contents infringing upon the honor or dignity or disclosing personal secrets of individuals without the consent of such persons or their relatives, unless otherwise provided for by law;

b/ Publishing publications with false contents;

c/ Publishing maps wrongly illustrating administrative boundaries at any level.

2. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Publishing maps wrongly illustrating national sovereignty;

b/ Publishing publications with contents propagating debauching, obscene lifestyles, social vices or superstition, which undermine fine customs and practices.

3. A fine of between VND 20,000,000 and 30,000,000 shall be imposed for one of the following acts:

a/ Publishing publications with contents in violation of the provisions of Clause 1, Article 10 of the Publishing Law;

b/ Publishing publications with contents spreading propaganda about or inciting wars of aggression, causing hatred among nations and peoples of countries; inciting violence; or disseminating reactionary ideas;

c/ Publishing publications with contents disclosing Party, State, military, security, economic, foreign relations or other secrets as provided for by law;

d/ Publishing publications with contents distorting historical truths, negating revolutionary gains, hurting the nation, great public figures or national heroes; slandering or infringing upon the prestige of agencies or organizations.

4. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified at Point c, Clause 1; and in Clauses 2 and 3 of this Article.

Article 22. Violations of regulations on printing activities

1. A fine of between VND 1,000,000 and 3,000,000 shall be imposed for one of the following acts:

a/ Failing to register printing equipment according to the provisions of law;

b/ Photocopying press works or publications subject to circulation ban.

2. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Failing to comply with the contents of the publishing permit;

b/ Transferring printing permits in whatever form;

c/ Modifying, erasing printing permits;

d/ Printing or duplicating establishments failing to promptly report to the state management agency in charge of publishing when detecting that the contents of works ordered for printing are in violation of Article 10 of the Publishing Law.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for printing between 50 and under 500 copies of publications in excess of the quantity written in the printing contract.

4. A fine of between VND 10,000,000 and 15,000,000 shall be imposed for one of the following acts:

a/ Printing, duplicating publications not according to procedures or without contract as prescribed;

b/ Printing between 500 and under 1,000 copies of publications in excess of the quantity written in the printing contract.

5. A fine of between VND 15,000,000 and 30,000,000 shall be imposed for one of the following acts:

a/ Printing, duplicating press works or publications which are subject to withdrawal, confiscation, circulation ban or destruction decisions or which contain contents in violation of the provisions of Article 10 of the Publishing Law;

b/ Establishments printing publications without permit though such publications are subject to permit;

c/ Printing 1,000 copies or more of publications in excess of the quantity written in the printing contract;

d/ Importing color photocopiers without import permit;

e/ Printing products banned by law from circulation in Vietnam, except for permitted printing for foreign countries under contracts.

6. Forms of additional sanction:

a/ Stripping of the right to use permits for between 90 and 180 days, for acts specified at Points b and c, Clause 2; and Point a, Clause 5 of this Article;

c/ Confiscating material evidences and means used in the violations, for acts specified at Point b, Clause 1; Point a, Clause 4; and Points a, d and e, Clause 5 of this Article.

Article 23. Violations of regulations on deposit of publications

1. A fine of between VND 1,000,000 and 3,000,000 shall be imposed for failing to deposit sufficient quantities of publications according to regulations.

2. A fine of between VND 3,000,000 and 7,000,000 shall be imposed for failing to deposit publications according to regulations or for distributing publications within 10 days after depositing publications.

3. Remedy:

Forced depositing of publications according to the provisions of law, for acts specified in Clauses 1 and 2 of this Article.

**Section 3. ACTS OF VIOLATION IN THE CINEMATOGRAPHIC DOMAIN,
SANCTIONING FORMS AND LEVELS**

Article 24. Violations of regulations on production of films and video films

1. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Filming in areas banned from filming or with banned contents specified in Clause 3, Article 2 of the Government's Decree No. 48/CP of July 17, 1995, on cinematographic organization and operation.

b/ Producing films or video films with contents disclosing personal secrets of individuals without the consent of such individuals;

c/ Foreign organizations or individuals producing films in Vietnam failing to comply with the contents of the permits for film or video film production;

d/ Foreign organizations or individuals that are granted permits for film production in Vietnam modifying, erasing or transferring such permits.

2. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Providing film-making services for foreign partners or cooperating in film production with foreign partners not in accordance with the contents of the permits;

b/ Producing films or video films with contents slandering, hurting the prestige of organizations or the honor and dignity of individuals.

3. A fine of between VND 20,000,000 and 25,000,000 shall be imposed for one of the following acts:

a/ Producing films or videos with contents which are debauching, incite violence, encourage social vices, criminal acts or superstition, thus affecting fine traditions and customs as well as ecological environment;

b/ Providing services or conducting cooperation in film making with foreign partners without permit.

4. A fine of between VND 25,000,000 and 30,000,000 shall be imposed for one of the following acts:

a/ Producing films or video films with contents opposing the State of the Socialist Republic of Vietnam or undermining the all-people unity bloc;

b/ Producing films or video films with contents which are debauching, spread propaganda about wars of aggression, sow division among nations and peoples of countries or express reactionary ideas and culture or criminal acts;

c/ Producing films or video films with contents distorting history, negating revolutionary gains or hurting great men or national heroes;

d/ Foreign individuals or organizations producing films in Vietnam without permit.

5. Forms of additional sanction:

a/ Stripping of the right to use permits indefinitely, for acts specified at Point d, Clause 1; and Point a, Clause 2 of this Article;

b/ Confiscating material evidences in the violations, for acts specified in Clauses 1, 2, 3 and 4 of this Article;

c/ Confiscating means used in the violations, for acts specified at Point a, Clause 1; Point a, Clause 3; and in Clause 4 of this Article.

Article 25. Violations of regulations on printing, duplicating and stockpiling films and film tapes and discs

1. A fine of between VND 500,000 and 1,500,000 shall be imposed for illegally stockpiling between 5 and under illegally printed or duplicated 50 copies of films, film tapes or discs.

2. A fine of between VND 1,500,000 and 3,000,000 shall be imposed for illicitly stockpiling between 50 and under 100 illicitly printed or duplicated copies of films, film tapes or discs.

3. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Duplicating under 20 copies of films, film tapes or discs which are not yet permitted for circulation;

b/ Illegally stockpiling between 100 and under 500 copies of illicitly printed or duplicated films, film tapes or discs;

c/ Stockpiling for circulation under 10 films with contents banned from circulation.

4. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Duplicating between 20 and under 100 copies of films, film tapes or discs which are not yet permitted for circulation;

b/ Illegally stockpiling 500 copies or more of illicitly printed or duplicated films, film tapes or discs;

c/ Stockpiling for circulation between 10 and 50 films with contents banned from circulation.

5. A fine of between VND 10,000,000 and 15,000,000 shall be imposed for one of the following acts:

a/ Duplicating 100 copies or more of films, film tapes or discs which are not yet permitted for circulation;

b/ Inserting sounds or images advertising for goods which are banned from advertisement into films, film tapes or discs;

c/ Inserting sounds or images which are debauching, obscene or incite violence into films, film tapes or discs which have been permitted for circulation;

d/ Stockpiling for circulation between 51 and 100 films with contents banned from circulation.

6. A fine of between VND 15,000,000 and 30,000,000 shall be imposed for one of the following acts:

a/ Duplicating films, film tapes or discs subject to withdrawal, confiscation, destruction or circulation ban decisions;

b/ Duplicating films, film tapes or discs with contents which are debauching, obscene or incite violence;

c/ Stockpiling for circulation over 100 films with contents banned from circulation.

7. Forms of additional sanction:

b/ Confiscating material evidences in the violations, for acts specified in Clauses 1, 2, 3, 4, 5 and 6 of this Article;

c/ Confiscating means used in the violations, for acts specified at Point a, Clause 4; in Clauses 5 and 6, or for relapse into acts specified at Point a, Clause 3 of this Article.

Article 26. Violations of regulations on distribution of films, film tapes and discs

1. A fine of between VND 200,000 and 500,000 shall be imposed for one of the following acts:

a/ Buying between 5 and under 20 copies of unlabeled film tapes or discs;

b/ Selling or renting under 20 copies of film tapes or discs not affixed with labels or affixed with fake labels;

c/ Selling or renting film tapes or discs not at the right places indicated in the permits;

d/ Buying or selling 5 or more film tape or disc labels not yet fully printed with prescribed contents;

e/ Buying between 10 and under 50 fake labels of film tapes or discs;

f/ Erasing, modifying labels affixed on film tapes or discs.

2. A fine of between over VND 500,000 and 1,500,000 shall be imposed for one of the following acts:

a/ Selling, renting or circulating under 20 copies of films, film tapes or discs which are not yet permitted for circulation;

b/ Buying, selling or renting between 20 and under 100 copies of film tapes or discs not affixed with labels or affixed with fake labels;

c/ Fraudulently substituting the contents of labeled film tapes or discs for trading;

d/ Transferring permits to other organizations or individuals or using permits of other organizations or individuals for selling or renting film tapes or discs;

e/ Modifying, erasing permits for sale or rent of film tapes or discs.

f/ Buying 50 or more fake film tape or disc labels.

3. A fine of between over VND 1,500,000 and 3,000,000 shall be imposed for one of the following acts:

a/ Buying between 100 and under 500 film tapes or discs not affixed with labels;

b/ Selling or renting between 100 and under 500 film tapes or discs not affixed with labels or affixed with fake labels;

c/ Selling or renting between 20 and under 100 copies of film tapes or discs which are not yet permitted for circulation;

4. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Selling or renting film tapes or discs without permits issued by the state management agency in charge of culture and information;

b/ Transferring permits to other organizations or individuals or using permits of other organizations or individuals for selling or renting films tapes or discs;

c/ Distributing films, film tapes or discs which are not yet permitted for circulation;

d/ Distributing films, film tapes or discs beyond the permitted scope within the country;

e/ Selling or renting between 500 and under 1,000 film tapes or discs not affixed with labels or affixed with fake labels;

f/ Selling or renting 100 copies or more of film tapes or discs which are not yet permitted for circulation;

g/ Producing fake labels of film tapes or discs for sale;

h/ Selling, renting or circulating films, film tapes or discs with debauching, obscene or violence-inciting contents.

5. A fine of between over VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Adding, cutting or falsifying the contents of films already permitted for circulation for sale or rent;

b/ Buying, selling or renting between 1,000 and under 5,000 film tapes or discs not affixed with labels or affixed with fake labels.

6. A fine of between over VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Stockpiling for dissemination films banned from dissemination or subject to withdrawal, confiscation or destruction decisions;

b/ Selling, renting or distributing films, film tapes or discs subject to withdrawal, confiscation, circulation ban or destruction decisions;

c/ Selling, renting or distributing films, film tapes or discs with debauching contents;

d/ Selling or renting 5,000 or more of film tapes or discs not affixed with labels or affixed with fake labels;

e/ Exporting films without dissemination decision though they are required to have a dissemination decision or films which are not yet broadcast on television.

7. Forms of additional sanction:

a/ Stripping of the right to use permits for between 90 and 180 days, for acts specified at Point c, Clause 1; Points d and e, Clause 2; Points b, e, f and h, Clause 4; Point b, Clause 5; and in Clause 6 of this Article;

b/ Confiscating material evidences in the violations, for acts specified at Points a, b, d, e and f, Clause 1; Points a, b, c, and f, Clause 2; in Clause 3; at Points c, e, f, g and h, Clause 4; and in Clauses 5 and 6 of this Article;

d/ Confiscation of means used in the violations, for acts specified at Point g, Clause 4 of this Article.

Article 27. Violations of regulations on film screening

1. A fine of between VND 300,000 and 1,000,000 shall be imposed for one of the following acts:

a/ Screening films at public places, causing noise in excess of the prescribed limit or screening films after 24:00 hrs;

b/ Admitting under-16 children into cinemas to see films which are banned from watching by children under 16 years old.

2. A fine of between VND 500,000 and 1,000,000 shall be imposed for screening unlabelled films at public places.

3. A fine of between VND 1,000,000 and 3,000,000 shall be imposed for screening films which have not yet been permitted for circulation at public places.

4. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for screening films with obscene or violence-inciting contents at public places.

5. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Screening films subject to withdrawal, confiscation, circulation ban or destruction decisions at public places;

b/ Screening films with debauching contents at public places.

6. Forms of additional sanction:

a/ Confiscating material evidences in the violations, for acts specified in Clauses 3, 4 and 5 of this Article;

b/ Confiscating means used in the violations, for acts specified in Clauses 4 and 5 of this Article.

Article 28. Violations of regulations on deposit and archival of cinematographic works

1. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for failing to deposit or archive cinematographic works in sufficient quantities and of proper categories according to regulations.

2. A fine of between VND 5,000,000 and 10,000,000 for failing to deposit or archive cinematographic works according to regulations.

3. Remedy:

Forced deposit or archival of cinematographic works according to the provisions of law, for acts specified in Clauses 1 and 2 of this Article.

Section 4. ACTS OF VIOLATION IN THE DOMAIN OF PERFORMING ARTS, SANCTIONING FORMS AND LEVELS

Article 29. Violations of regulations on duplication of music and theatrical tapes and discs

1. Caution or a fine of between VND 500,000 and 1,000,000 shall be imposed for duplicating between 5 and under 100 copies of music or theatrical tapes or discs not yet permitted for circulation.

2. A fine of between VND 1,000,000 and 2,000,000 shall be imposed for duplicating between 100 and under 300 copies of music or theatrical tapes or discs not yet permitted for circulation.

3. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for duplicating between 300 and under 500 copies of music or theatrical tapes or discs not yet permitted for circulation.

4. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Duplicating between 500 and under 1,000 copies of music or theatrical tapes or discs not yet permitted for circulation;

b/ Duplicating music or theatrical tapes or discs with obscene or violence-inciting contents.

5. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Duplicating music or theatrical tapes or discs subject to circulation ban, withdrawal or confiscation decisions;

b/ Duplicating music or theatrical tapes or discs with debauching contents;

c/ Duplicating between 1,000 and under 5,000 copies of music or theatrical tapes or discs not yet permitted for circulation.

6. A fine of between VND 20,000,000 and 30,000,000 shall be imposed for duplicating 5,000 or more copies of music or theatrical tapes or discs not yet permitted for circulation.

7. Forms of additional sanction:

a/ Confiscating material evidences in the violations, for acts specified in Clauses 1, 2, 3, 4, 5 and 6 of this Article;

b/ Confiscating means used in the violations, for acts specified in Clauses 2, 3, 4, 5 and 6 of this Article.

Article 30. Violations of regulations on production of music and theatrical tapes and discs

1. A fine of between VND 1,500,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Modifying, erasing permits for production of music or theatrical tapes or discs;

b/ Inserting sounds and/or images with obscene, violence-inciting or superstitious contents into music or theatrical tapes or discs already permitted for circulation;

c/ Inserting sounds and/or images not yet permitted for circulation into music or theatrical tapes or discs already permitted for circulation;

d/ Failing to deposit theatrical or music tapes or discs.

2. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Transferring production or distribution permits to other organizations or individuals or using permits of other organizations or individuals for producing theatrical or music tapes or discs;

b/ Producing music or theatrical tapes or discs for business purpose without license.

3. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for producing theatrical or music tapes or discs with obscene or violence-inciting contents or inserting sounds or images with banned contents into tapes or music discs already permitted for circulation for business purposes.

4. A fine of between VND 20,000,000 and 30,000,000 shall be imposed for producing theatrical or music tapes or discs with debauching or banned contents.

5. Forms of additional sanction:

a/ Stripping of the right to use permits indefinitely, for acts specified in Clause 1, at Point a, Clause 2; and in Clauses 3 and 4 of this Article;

b/ Confiscating material evidences in the violations, for acts specified at Points b and c, Clause 1; Point b, Clause 2; and in Clauses 3 and 4 of this Article;

c/ Confiscating means used in the violations, for acts specified at Points b and c, Clause 1; Point b, Clause 2; and in Clauses 3 and 4 of this Article.

Article 31. Violations of regulations on purchase, sale, rent of music or theatrical tapes and discs

1. Caution or a fine of between VND 500,000 and 1,000,000 shall be imposed for one of the following acts:

a/ Selling, renting or circulating under 50 copies of music or theatrical tapes or discs not yet permitted for circulation;

b/ Selling or renting under 50 illicitly printed or duplicated copies of music or theatrical tapes or discs.

2. A fine of between over VND 1,000,000 and 2,000,000 shall be imposed for one of the following acts:

a/ Purchasing, selling or renting between 50 copies and under 100 copies of music or theatrical tapes or discs not yet permitted for circulation;

b/ Purchasing, selling or renting between 50 and under 100 illicitly printed or duplicated copies of music or theatrical tapes or discs.

3. A fine of between over VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Selling or renting under 20 copies of music or theatrical tapes or discs with banned contents;

b/ Purchasing, selling, renting or circulating between 100 and under 300 copies of music or theatrical tapes or discs not yet permitted for circulation;

c/ Purchasing, selling or renting between 100 and under 300 illicitly printed or duplicated copies of music or theatrical tapes or discs.

4. A fine of between over VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Purchasing, selling or renting between 20 and under 50 copies of music or theatrical tapes or discs with banned contents;

b/ Purchasing, selling, renting or circulating between 300 and under 500 copies of music or theatrical tapes or discs not yet permitted for circulation;

c/ Purchasing, selling or renting between 300 and under 500 illicitly printed or duplicated copies of music or theatrical tapes or discs.

5. A fine of between over VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Purchasing, selling or renting between 50 and under 100 copies of music or theatrical tapes or discs with banned contents;

b/ Purchasing, selling, renting or circulating between 500 and under 1,000 copies of music or theatrical tapes or discs not yet permitted for circulation;

c/ Purchasing, selling or renting between 500 and under 1,000 illicitly printed or duplicated copies of music or theatrical tapes or discs.

6. A fine of between over VND 20,000,000 and 30,000,000 shall be imposed for one of the following acts:

a/ Purchasing, selling or renting 100 or more copies of music or theatrical tapes or discs with banned contents;

b/ Purchasing, selling, renting or circulating 1,000 copies or more of music or theatrical tapes or discs not yet permitted for circulation;

c/ Purchasing, selling or renting 1,000 or more illicitly printed or duplicated copies of music or theatrical tapes or discs.

7. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clauses 1, 2, 3, 4 and 5 of this Article.

Article 32. Violations of regulations on stockpiling and dissemination of music and theatrical tapes and discs

1. Caution or a fine of between VND 500,000 and 1,000,000 shall be imposed for disseminating music and theatrical tapes and discs not yet permitted for dissemination at public places.

2. A fine of between VND 1,000,000 and 2,000,000 shall be imposed for one of the following acts:

a/ Disseminating music or theatrical tapes or discs with superstitious contents at public places;

b/ Stockpiling or disseminating under 50 illegally duplicated copies of music or theatrical tapes or discs.

3. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Illegally stockpiling or disseminating under 20 copies of music or theatrical tapes or discs banned from dissemination;

b/ Stockpiling or disseminating between 50 and under 100 illegally duplicated copies of music or theatrical tapes or discs;

c/ Disseminating music or theatrical tapes or discs with obscene or violence-inciting contents at public places.

4. A fine of between over VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Stockpiling or disseminating between 20 and under 100 copies of music or theatrical tapes or discs banned from dissemination;

b/ Illegally stockpiling between 100 and under 300 illegally duplicated copies of music or theatrical tapes or discs;

c/ Stockpiling or disseminating music or theatrical tapes or discs with reactionary or debauching contents;

d/ Distributing music or theatrical tapes or discs not affixed with control marks or affixed with control marks not compatible with the tape or disc contents permitted for distribution.

5. A fine of between over VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Illegally stockpiling 100 copies or more of music or theatrical tapes or discs banned from dissemination;

b/ Illegally stockpiling 300 illegally duplicated copies or more of music or theatrical tapes or discs;

c/ Illegally stockpiling 300 copies or more of music or theatrical tapes or discs banned from circulation.

6. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clauses 1, 2, 3, 4 and 5 of this Article.

Article 33. Violations of regulations on art performances and fashion shows

1. A fine of between VND 1,000,000 and 2,000,000 shall be imposed for one of the following acts:

a/ Arbitrarily modifying the contents, adding or cutting words or lines or adding other performance acts different from those already permitted upon preview, thus causing bad consequences;

b/ Arbitrarily wearing costumes different from those already previewed and permitted by competent authorities, thus causing bad consequences;

c/ Wearing costumes not suitable to fine traditions and customs of Vietnam;

d/ Performers abusing their conversations with audiences to take antisocial acts or utter vulgar or improper words.

2. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Failing to comply with the contents of the permits issued by the state management agency in charge of culture and information;

b/ Artists who are overseas Vietnamese or foreigners delivering performances in Vietnam without permission of the state management agency in charge of culture and information;

c/ Playing soundtracks pre-recorded on tapes, discs or other audio equipment to replace the voice of performers;

d/ Purchasing, selling, transferring, modifying, lending or leasing public performance permits for organizing performances;

e/ Giving performances after 24:00 hrs without permission of a competent state agency;

f/ Having applied and obtained permission for organizing performances for charity purposes but failing to organize performances for such purposes;

g/ Organizing performance of works not yet permitted for dissemination.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Organizing performances by foreign art troupes or artists at public places without public performance permits or performance acceptance papers granted by a competent state management agency in charge of culture and information or not according to the contents of such permits;

b/ Organizing performances by persons who have been banned by the state management agency in charge of culture and information from giving performances;

c/ Organizing performances by Vietnamese art troupes or artists without public performance permits or performance acceptance papers though such performances are subject to public performance permit or performance acceptance paper;

d/ Forging public performance permits for organizing performances.

4. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for performing or organizing performance of works with obscene or violence-inciting contents at public places.

5. A fine of between VND 20,000,000 and 30,000,000 shall be imposed for one of the following acts:

a/ Performing, organizing performance of art works subject to performance ban decisions or works with debauching or reactionary contents;

b/ Performing or organizing performance of art works with contents inciting wars of aggression, sowing division among nations and peoples of countries, or inciting criminal acts;

c/ Performing or organizing performance of art works with contents distorting history, negating revolutionary gains, hurting great persons or national heroes.

6. Forms of additional sanction:

a/ Stripping of the right to use public performance permits, for acts specified at Point d, Clause 2 of this Article;

b/ Confiscating material evidences and/or means used in the violations, for acts specified in Clauses 4 and 5 of this Article.

Section 5. ACTS OF VIOLATION IN THE DOMAIN OF PUBLIC CULTURAL ACTIVITIES AND CULTURAL SERVICES, SANCTIONING FORMS AND LEVELS

Article 34. Violations of regulations on life style

1. Caution or a fine of between VND 200,000 and 500,000 shall be imposed for one of the following acts:

a/ Admitting drunkards in dancing halls, public dancing places or karaoke rooms;

b/ Getting drunk in offices, working places, hotels, restaurants, eateries, dancing halls, public dancing places, karaoke rooms, places of cultural activities or services, on means of transport, and in other public places.

2. A fine of between VND 300,000 and 1,000,000 shall be imposed for one of the following acts:

a/ Conducting superstitious practices such as acting as a medium, fortune telling, necromancy, sortilege, divinatory wands drawing, exorcism, spreading of prophecies and other superstitious practices;

b/ Hoisting the national flags at festive areas not above or more solemnly than other flags;

c/ Taking advantage of beliefs to raise money or other material things.

3. A fine of between VND 1,000,000 and 3,000,000 shall be imposed for restoring bad customs against fine customs and practices of Vietnam.

4. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for taking advantage of ceremonies and festivals to carry out activities causing disorder and insecurity, spreading illegal propaganda or sowing division among the nation.

5. Forms of additional sanction:

a/ Confiscating material evidences and means used in the violations, for acts specified at Point a, Clause 2 of this Article;

b/ Confiscating into public funds illicitly raised money, for acts specified at Points a and c, Clause 2 of this Article.

6. Remedy:

Forced hoisting of the national flags above and more solemnly than other flags, for acts specified at Point b, Clause 2 of this Article.

Article 35. Violations of regulations on conditions for organizing public cultural activities or cultural services

1. A fine of between VND 300,000 and 1,000,000 shall be imposed for one of the following acts:

a/ Using sounds in excess of the permitted maximum noise limit to attract attention to games or services organized at festivals;

b/ Admitting under-18 persons to dance at dancing business places.

2. A fine of between VND 500,000 and 2,000,000 shall be imposed for one of the following acts:

a/ Doing business in electronic games at places located less than 200 m away from a school or after 23:00 hrs until 06:00 hrs;

b/ Failing to ensure sufficient lighting as prescribed for dancing halls, public dancing places and karaoke rooms;

c/ Employing laborers at dancing halls or karaoke bars without labor contracts as prescribed;

d/ Issuing tickets in excess of the number of seats, beyond the accommodating capacity or in excess of the number permitted by a competent agency at places where public cultural activities are organized or cultural services are provided.

3. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Failing to ensure the prescribed areas of dancing halls, public dancing places or karaoke rooms after being licensed to operate;

b/ Covering all the doors and windows or otherwise to prevent viewing the whole karaoke rooms from the outside;

c/ Switching off the lights in dancing halls, public dancing places or karaoke rooms when they are in use; locking the doors of karaoke rooms when they are in use;

d/ Organizing art performances, dancing hall, film screening or karaoke activities which cause noise beyond the prescribed limit.

e/ Employing under-18 persons at dancing halls or karaoke bars.

4. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for installing alarming devices at karaoke bars to cope with inspection activities of competent state agencies

5. Forms of additional sanction:

a/ Stripping of the right to use permits indefinitely, for acts specified in Clause 4 and for relapse into acts specified at Point b, Clause 2 of this Article.

b/ Confiscating material evidences in the violations, for acts specified in Clause 4 of this Article.

Article 36. Violations of regulations on operation permits

1. A fine of between VND 500,000 and 2,000,000 shall be imposed for one of the following acts:

a/ Using loudspeakers or other sounds for advertisement or agitation at public places without permit or not according to the contents of the permits;

b/ Organizing a festival which is required to be reported in writing to a competent state agency without reporting it or organizing such festival even though the reported competent state agency disagrees with the organization of such festival.

2. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Hotels or accommodation establishments of one-star or higher grade doing karaoke business without ensuring requirements on karaoke room doors and space;

b/ Hotels or accommodation establishments of one-star or higher grade doing karaoke business without notifying in writing the local Culture and Information Services thereof.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Conducting business in dancing halls or karaoke bars not according to the contents and within the business scope stated in the permits or not according to the provisions of law;

b/ Transferring permits to other organizations or individuals or using the permits of other organizations or individuals for doing business in dancing halls, karaoke bars, beauty contests or fashion shows;

c/ Organizing electronic and other games for business purposes which have reactionary, debauching, obscene, violence-inciting or gambling contents;

d/ Organizing beauty contests or fashion shows not in accordance with the permitted contents.

e/ Restaurants or bars organizing dancing for customers though they have no dancing activity permits.

4. A fine of between VND 5,000,000 and 15,000,000 shall be imposed for one of the following acts:

a/ Conducting karaoke business without permit;

b/ Organizing beauty contests or fashion shows without permit;

c/ Organizing festivals which are subject to permission without permit.

5. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for conducting dancing activity business without permit.

6. Forms of additional sanctions:

a/ Stripping of the right to use permits indefinitely, for acts specified at Points a, b and d, Clause 3 of this Article;

b/ Confiscating material evidences and means used in the violations, for acts specified at Point a, Clause 1; Point c, Clause 3; Point a, Clause 4, and in Clause 5 of this Article.

Article 37. Violations of regulations on production and circulation of electronic game tapes and discs

1. A fine of between VND 1,500,000 and 3,000,000 shall be imposed for organizing electronic games, selling or renting electronic game tapes or discs with obscene, violence-inciting or other harmful contents.

2. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for organizing electronic games or circulating electronic game tapes or discs with contents banned from circulation at public dancing places, karaoke bars or other places of public cultural activities or services.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Producing or duplicating electronic game tapes or discs with banned contents;

b/ Producing or importing machines, tapes or discs of electronic games with banned contents;

c/ Selling or renting tapes or discs of electronic games with debauching contents.

4. Forms of additional sanction:

a/ Confiscating material evidences in the violations, for acts specified in Clauses 1, 2 and 3 of this Article;

b/ Confiscating means used in the violations, for acts specified at Points a and b, Clause 3 of this Article.

Article 38. Violations of prohibitions on public cultural activities and cultural services

1. A fine of between VND 500,000 and 1,500,000 shall be imposed for one of the following acts:

a/ Organizing games with horrifying or violence-inciting contents at public places;

b/ Drinking alcohol in karaoke rooms;

c/ Conducting electronic game business beyond the permitted hours.

2. A fine of between VND 2,000,000 and 4,000,000 shall be imposed for one of the following acts:

a/ Selling alcohol in karaoke rooms;

b/ Employing 2 or 3 karaoke attendants in a karaoke room;

c/ Selling pictures and photos with debauching, obscene or violence-inciting contents.

3. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Putting up, displaying paintings, pictures, calendars or other objects with debauching, obscene, violence-inciting contents at dancing halls, public dancing places, karaoke bars or other places of cultural activities and cultural services;

b/ Circulating at dancing halls, public dancing places or karaoke bars films, tapes or discs with music or theatrical contents or performing theatrical works, music pieces or dances not yet permitted for circulation;

c/ Employing 4 or 5 karaoke attendants in a karaoke room;

d/ Carrying out karaoke, film screening, art performance or fashion show activities beyond the permitted hours;

e/ Spreading in mobile telephone networks information and images with harmful contents.

4. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Employing obscene modes of service at dancing halls, public dancing places, karaoke bars, or other places of cultural activities or services;

b/ Leasing or lending places for use as dancing halls, public dancing places, karaoke bars or for other cultural activities or cultural services and, though knowing that the leased or lent places are used for prostitution, drug abuse, gambling or other social vices, failing to take measures to prevent or report them;

c/ Employing 6 or more karaoke attendants in a karaoke room;

d/ Operating dancing halls beyond the permitted hours.

5. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Conniving in or covering up debauching, obscene or violence-inciting activities, prostitution, drug abuse, gambling or betting with prizes in cash or in kind at dancing halls, public dancing places, karaoke bars or other public places of cultural activities or services;

b/ Circulating music or theatrical tapes or discs subject to circulation ban, withdrawal, confiscation decisions or with debauching, obscene or violence-inciting contents at dancing halls, public dancing places, karaoke bars or other public places of cultural activities or services.

6. A fine of between VND 15,000,000 and 30,000,000 shall be imposed for circulating films subject to circulation ban, withdrawal, confiscation decisions or with debauching, obscene and/or violence-inciting contents at dancing halls, public dancing places, karaoke bars or other public places of cultural activities or services.

7. A fine of VND 30,000,000 shall be imposed for organizing striptease dances or other debauching activities at dancing halls or public dancing places.

8. Forms of additional sanction:

a/ Stripping of the right to use permits indefinitely, for acts specified in Clauses 4, 5, 6 and 7 and for relapse into acts specified in Clauses 2 and 3 of this Article;

b/ Confiscating material evidences in the violations, for acts specified at Points a and b, Clause 1; Points a and c, Clause 2; Points a, b and e, Clause 3; and in Clauses 5 and 6 of this Article.

Article 39. Violations of prohibitions on cultural activities and cultural services at accommodation establishments and restaurants

1. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for putting up, displaying paintings or pictures with debauching, obscene, violence-inciting contents at accommodation establishments or restaurants.

2. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for using obscene modes of service at accommodation establishments or restaurants.

3. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clause 1 of this Article.

Article 40. Violations of regulations on producing and burning paper votive objects

1. A fine of between VND 300,000 and 500,000 shall be imposed for burning paper votive objects at festival places, historical or cultural relic areas.

2. A fine of between VND 1,500,000 and 3,000,000 shall be imposed for illegally producing paper votive objects; propagating superstition for selling paper votive objects.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for producing paper votive objects under contracts for foreign partners without permission of a competent state agency, or producing paper votive objects under contracts for foreign partners but selling them in the country.

4. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clauses 2 and 3 of this Article.

Article 41. Violations of regulations on music and dancing teaching at non-public music and dancing teaching establishments

1. A fine of between VND 500,000 and 1,000,000 shall be imposed for teaching music or dancing without registration though such teaching is subject to registration with local Culture and Information Services.
2. A fine of between VND 1,000,000 and 2,000,000 shall be imposed for organizing music or dancing teaching or employing music or dancing teachers without meeting all prescribed conditions.
3. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for teaching music or dancing with banned contents.

**Section 6. ACTS OF VIOLATION IN THE DOMAINS OF FINE ARTS,
CULTURAL AND ART EXHIBITION AND PHOTOGRAPHY;
SANCTIONING FORMS AND LEVELS**

Article 42. Violations of regulations on operation permits, operation registration

1. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for organizing cultural or art exhibitions without registration though such exhibitions are subject to registration with a competent state agency or without complying with the registered contents.
2. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:
 - a/ Constructing monuments or grandiose murals without permission;
 - b/ Organizing cultural or art exhibitions without permit though such exhibitions are subject to permission or without complying with the permitted contents;
 - c/ Organizing cultural or art exhibitions with banned contents or though such exhibitions are not permitted by a competent state agency;
 - d/ Owners of exhibition venues allowing the organization of cultural and exhibitions by organizations or individuals that have no exhibition registration paper or exhibition permit granted by a competent state agency.

3. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified at Point c, Clause 2 of this Article.

4. Remedy:

a/ Forced dismantlement of illegally constructed works, for acts specified at Point a, Clause 2 of this Article;

b/ Forced removal of exhibitions specified at Point c, Clause 2 of this Article.

Article 43. Violations of prohibitions in the domains of fine arts, cultural and exhibitions and photography

1. A fine of between VND 500,000 and 1,000,000 shall be imposed for one of the following acts:

a/ Taking photos in areas with no-camera signboards;

b/ Inserting photos, thus causing bad consequences to other persons' relations or hurting individuals, families, agencies or organizations.

2. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Duplicating Ho Chi Minh President's statues for business purposes though such statues have not yet been appraised and permitted by a competent state agency;

b/ Producing and trading in President Ho Chi Minh's statues without ensuring proper appreciation and honor of the leader.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for creating fine-art or photographic works, translating books or newspaper articles with harmful contents for dissemination or stockpiling for dissemination purposes.

4. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for exhibiting publications, fine-art or photographic works or other cultural and art works not yet permitted for dissemination.

5. A fine of between VND 20,000,000 and 30,000,000 shall be imposed for one of the following acts:

a/ Constructing monuments or grandiose murals with contents inciting violence, wars of aggression, sowing hatred among nations and peoples of countries, or expressing reactionary ideology or culture, obscene or debauching lifestyle or criminal acts;

b/ Constructing monuments or grandiose murals with contents distorting history, negating revolutionary gains or hurting great men or national heroes;

c/ Constructing monuments or grandiose murals with harmful contents other than those defined at Points a and b of this Clause.

6. Forms of additional sanction:

a/ Confiscating material evidences in the violations, for acts specified in Clause 1; at Point a, Clause 2; and in Clauses 3 and 4 of this Article;

b/ Confiscating means used in the violations, for acts specified in Clause 1 of this Article.

7. Remedy:

Forcible dismantlement of constructed works, for acts specified in Clause 5 of this Article.

Section 7. ACTS OF VIOLATION IN THE DOMAIN OF COPYRIGHT OF LITERARY AND ART WORKS AND RELATED RIGHTS, SANCTIONING FORMS AND LEVELS

Article 44. Violations of regulations on copying, duplication, publishing, re-publishing, and dubbing of works, products and programs

1. Caution or a fine of between VND 200,000 and 500,000 shall be imposed for dubbing music or theatrical tapes and discs for business purposes without the written consent of copyright owners.

2. A fine of between VND 1,500,000 and 3,000,000 shall be imposed for one of the following acts:

a/ Duplicating, copying, dubbing for duplication musical or theatrical tapes and discs for business purposes without the written consent of their copyright owners;

b/ Copying plastic art works for non-business purposes without the consent of their copyright owners;

c/ Connecting cable television without contract with copyright owners.

3. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for copying applied plastic art or fine-art works for business purposes without the written consent of their owners.

4. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Duplicating broadcast television and radio programs for dissemination for business purposes without the written consent of the program owners;

b/ Copying or duplicating or mixing for copying or duplicating film tapes or discs for business purposes without the written consent of the work owners;

c/ Trading in illicitly copied software.

5. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Copying, duplicating, publishing or republishing written works for business purposes without the written consent of their owners;

b/ Copying computer software without the written consent of their owners;

c/ Copying architectural works without the written consent of their owners.

6. A fine of between VND 50,000,000 and 70,000,000 shall be imposed for copying or duplicating films for business purposes without the written consent of their owners.

7. Forms of additional sanction:

a/ Confiscating material evidences in the violations, for acts specified in Clauses 1, 2, 3, 4, 5 and 6 of this Article;

b/ Confiscating means used in the violations, for acts specified at Point a, Clause 2; in Clause 4; at Point b, Clause 5; and in Clause 6 of this Article.

Article 45. Violations of regulations on the right to have one's name shown on or to name one's work, protection of works' integrity, modification, quotation, addition

or cutting, translation, compilation, adaptation, transformation, selection, collection or annotation of works

1. Caution or a fine of between VND 200,000 and 500,000 shall be imposed for one of the following acts:

a/ Quoting other persons' works and including them in one's own works without citing the authors' names and source of works.

b/ Quoting works but distorting the authors' intention.

2. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for translating, compiling, adapting, transforming, selecting, collecting or annotating works without the written consent of the owners of the original works.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Assuming another's name or changing the title of a work for duplication for business purposes;

b/ Adding, cutting or altering the contents of literary or art works without the consent of their authors.

4. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clauses 2 and 3 of this Article.

Article 46. Violations of regulations on publicization, dissemination or performance of works

1. A fine of between VND 1,500,000 and 3,000,000 shall be imposed for using works the use of which is subject to a charge payable to their owners but failing to pay such charge according to regulations, except for the case specified at Point b, Clause 3 of this Article.

2. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for audio-recording or video-recording or live broadcasting performances without the written consent of performers, unless otherwise permitted by law.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Publicizing or disseminating for the first time works without the written consent of their owners;

b/ Performing theatrical works the performance of which is, according to regulations, liable to a emolument payable to their owners but failing to pay such emolument according to regulations.

4. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Broadcasting films or video films without the written consent of their owners;

b/ Publicizing or disseminating in the country works banned from publicization or dissemination or works of authors banned from publicizing or disseminating their works.

5. Form of additional sanction:

Confiscating material evidences and means used in the violations, for acts specified in Clauses 2 and 4 of this Article.

Article 47. Violations of regulations on import and export of copyright-violating works, products and programs

1. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for importing or exporting for business purposes films, film tapes and discs, music and theatrical tapes and discs, radio and television programs, written works, applied plastic art works, fine-art works or computer software which have been duplicated, re-published, copied or dubbed in violation of copyrights.

2. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clause 1 of this Article.

Section 8. ACTS OF VIOLATION IN THE DOMAINS OF ADVERTISEMENT, WRITING AND PLACEMENT OF SIGNBOARDS, SANCTIONING FORMS AND LEVELS

Article 48. Violations of regulations on advertising permits

1. A fine of VND 200,000 shall be imposed for each advertisement banderole without permit.

2. A fine of between VND 500,000 and 1,500,000 shall be imposed for one of the following acts:

a/ Advertising with goods boxes of 0.5 m² or more in area mounted on motorbikes without permit;

b/ Failing to remove advertisement banderoles after the advertisement duration indicated in the permits;

c/ Advertising with posters which do not display the names of the publishers and printing establishments.

3. A fine of between VND 1,000,000 and 2,000,000 shall be imposed for each square meter of advertisement billboards in excess of the space stated in advertisement permits.

4. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Failing to show the advertisement permit number and duration and the name of the advertisement permit applicant on advertisement billboards or similar forms;

b/ Advertising profitable businesses, products or services without business registration certificates as prescribed;

c/ Advertising on illuminated billboards or boxes of under 40 m² in size, luminescent objects, aerial objects or aquatic objects without advertisement permit;

d/ Foreign advertisement service business organizations or individuals failing to send written notices to provincial/municipal Culture and Information Services of the localities where they are located after they are granted investment licenses and before they start their operation;

e/ Advertisement service business organizations or individuals opening their branches or representative offices in other provinces or cities but failing to inform such to provincial/municipal Culture and Information Services of the localities where they open such branches or representative offices.

5. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Making advertisements in the health domain in violation of the provisions of Clause 4, Article 17 of the Government's Decree No. 24/2003/ND-CP of March 13, 2003;

b/ Making advertisements in the agricultural domain in violation of the provisions of Clause 6, Article 17 of the Government's Decree No. 24/2003/ND-CP of March 13, 2003;

c/ Failing to remove advertisement billboards after the advertising duration indicated in the permits;

d/ Making advertisements on means of transport and similar moving objects without permit;

e/ Making advertisements on films, film tapes or discs, music or theatrical tapes or discs without permit;

f/ Transferring advertisement permits to other organizations or individuals or using permits of other organizations or individuals to make advertisement;

g/ Failing to send advertisement products to local Cultural and Information Services according to regulations before putting them on electronic screens.

6. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Hanging, erecting, placing or fixing advertisement billboards of 40 m² or more in size or placing advertisement screens without advertisement permit;

b/ Representative offices or branches of foreign advertisement service business organizations or individuals changing their names, the nationalities and full names of their representative persons, the number of foreign employees working at their representative offices or branches but failing to inform the permit-granting agencies thereof.

7. A fine of between VND 20,000,000 and 30,000,000 shall be imposed for one of the following acts:

a/ Foreign organizations or individuals dealing in advertisement services or making advertisements in Vietnam without permission of a competent Vietnamese state management agency;

b/ Representative offices or branches of foreign advertisement service business organizations or individuals keeping operating after the operation duration indicated in their permits.

8. Forms of additional sanction:

a/ Confiscating material evidences in the violations, for acts specified in Clause 1; at Point b, Clause 2; Point c, Clause 4; Point e, Clause 5; and Point a, Clause 6 of this Article;

b/ Stripping of the right to use permits indefinitely, for acts specified at Point f, Clause 5 of this Article.

9. Remedies:

a/ Forced dismantlement or erasure of advertisement products, for acts specified in Clause 1, at Points a and b, Clause 2; Point c, Clause 4; Points c and d, Clause 5; and Point a, Clause 6 of this Article;

b/ Forced writing of full information on advertisement billboards, for acts specified at Point a, Clause 4 of this Article.

Article 49. Violations of regulations on forms of advertisement

1. Caution or a fine of between VND 50,000 and 300,000 for using sounds in excess of the prescribed level to advertise newspaper sale, peddling, causing noise at public places.

2. A fine of between VND 300,000 and 1,000,000 for using mannequins or the like to display and advertise goods in an anti-aesthetic manner.

3. A fine of between VND 1,000,000 and 2,000,000 shall be imposed for forcing advertisement in any form.

4. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Advertising goods made by foreign organizations or individuals not operating in Vietnam without signing advertisement contracts with Vietnamese organizations or individuals that provide advertisement services;

b/ On an advertisement product with words in Vietnamese, a language of an ethnic minority living in Vietnam and a foreign language, the foreign words are written

before the words in Vietnamese or the language of an ethnic minority living in Vietnam or the size of the words in the foreign language or the language of an ethnic minority living in Vietnam is larger than the size of Vietnamese words;

c/ Advertisements denigrating, making comparison or causing confusion with other persons' goods or service business activities;

d/ Using lottery operations for advertisement in contravention of the regulations of the Finance Ministry;

e/ Making advertisements using the names or images of other organizations or individuals without the consent of such organizations or individuals;

f/ Failing to clearly show the kinds of goods or services which need to be advertised and are not banned by law from advertisement when advertising the common logo or trademark of many kinds of goods or services of which some are banned from advertisement;

g/ Using sounds for advertisement in excess of the permitted noise level according to Vietnamese standards.

5. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Using sounds for advertisement from 23:00 hrs to 05:00 hrs;

b/ Using sounds for advertisement on outdoor electronic screens;

c/ Hanging, placing, sticking, putting up advertisement products of financial sponsors in excess of the permitted quantity at cultural or sport activities, conferences or workshops.

6. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clause 1; at Point g, Clause 4; Point a, Clause 5, or for relapse into the violation specified in Clause 2 of this Article.

7. Remedy:

Forced removal of advertisement products, for acts specified at Points b and f, Clause 4; and Point c, Clause 5 of this Article.

Article 50. Violations of regulations on advertisement locations and positions

1. Caution or a fine of between VND 50,000 and 100,000 shall be imposed for each advertisement poster, leaflet or handbill placed not at the right place as prescribed.

2. Caution or a fine of between VND 100,000 and 200,000 shall be imposed for each advertisement banderole placed not at the right place as indicated in the permit.

3. A fine of between VND 500,000 and 1,000,000 shall be imposed for one of the following acts:

a/ Making advertisements affecting the solemn atmosphere at working offices of state agencies;

b/ Advertising telephone numbers and addresses of service providers not at the right places as prescribed; writing or drawing advertisements on walls, trees, electricity poles and other objects, badly affecting the urban view or environmental landscape.

4. A fine of between VND 1,500,000 and 3,000,000 shall be imposed for one of the following acts:

a/ Hanging, erecting, placing or fixing advertisement billboards not at the right places indicated in the permits;

b/ Hanging, erecting, placing or fixing advertisement billboards within traffic safety corridors or protection areas of traffic projects, electricity grids, telecommunications works or dikes, thus affecting traffic order and safety, safety of electricity grids, telecommunications works or dikes.

5. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for advertising at no-advertisement places.

6. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clauses 4 and 5 of this Article.

7. Remedies:

a/ Forced removal or erasure of advertisement products badly affecting the scenic view, for acts specified in Clauses 1, 2, 3, 4 and 5 of this Article;

b/ Cutting off telephone communication, for acts specified at Point b, Clause 3 of this Article.

Article 51. Violations of regulations on advertisement contents

1. Caution or a fine of between VND 200,000 and 500,000 shall be imposed for each picture, photo, poster, leaflet, handbill, parasol, trolley, flag string and the like used for advertising goods or products which are banned from advertisement.

2. A fine of between VND 500,000 and 1,500,000 shall be imposed for each banderole advertising profitable goods or service business with the color of the national flag as its background or hung across roads.

3. A fine of between VND 1,500,000 and 3,000,000 shall be imposed for one of the following acts:

a/ Advertising with posters, leaflets, handbills and the like with contents banned from advertisement;

b/ Trading in goods that advertise other goods or services banned from advertisement;

c/ Making unclear, unclean advertisements, affecting the public beautiful view;

d/ Advertising with the use of improper words.

4. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Making alterations falsifying the advertisement contents already approved in the permits;

b/ Advertising goods not yet permitted for trading or for services not yet permitted for provision at the time of advertisement;

c/ Advertising goods or services banned from advertisement on goods boxes mounted on motorbikes, means of transport or other moving objects, at festivals, conferences, workshops, art performances, fashion shows, cultural exchanges or sport competitions;

d/ Using logos or trademarks presented in any forms to advertise goods or services banned from advertisement;

e/ Advertising alcohol of over 15o in proof;

f/ Making advertisements with violence-inciting or horrible contents.

5. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Advertising with advertisement billboards of shapes, color or forms of presentation similar to traffic signs or public signboards;

b/ Advertising with the use of the image of Vietnamese currency;

c/ Advertising without using spoken and written Vietnamese, except for the case specified in Clause 1, Article 8 of the Advertisement Ordinance.

6. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Making false advertisements not true to the registered goods quality;

b/ Taking advantage of advertising to hurt the honor or dignity or infringe upon legitimate rights and interests of organizations or individuals;

c/ Advertising with the use of comparisons degrading the prestige or quality of commodities of other organizations or individuals;

d/ Producing goods that advertise other goods or services banned from advertisement;

e/ Making advertisements which are racist or infringe upon freedom of belief and religion;

f/ Advertising with the use of the national flag, national anthem, national emblem, leader's pictures, the Party flag or the Internationale song;

g/ Advertising goods and services banned from advertisement, except for cases specified in Clause 1; at Points a and b, Clause 3; Points c and d, Clause 4 of this Article; and Point c, Clause 4, Article 52 of this Decree.

7. A fine of between VND 15,000,000 and 30,000,000 shall be imposed for making advertisements disclosing state secrets, causing harm to national independence, sovereignty, defense, security or social safety.

8. Forms of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clauses 1, 2 and 3; at Points d and e, Clause 4; Points a and b, Clause 5; and in Clauses 6 and 7 of this Article.

9. Remedy:

Forced dismantlement of advertisement products, for acts specified in Clauses 1, 2, 3, 4, 5, 6 and 7 of this Article.

Article 52. Violations of regulations on advertisement in the press domain

1. A fine of between VND 1,500,000 and 3,000,000 shall be imposed for one of the following acts:

a/ Carrying advertisements on radio or television in excess of the permitted number or time volume per channel per day;

b/ Carrying advertisements on the press, radio or television in excess of the permitted number of days per advertisement drive or with insufficient time and interval between advertisement drives;

c/ Carrying advertisements on the press in excess of the permitted 10% space;

d/ Carrying advertisements on radio or television without oral or written information clearly expressing the advertisement program;

e/ Carrying advertisements right after the theme song or image of a radio or television program other than film, letters and arts, sports or entertainment programs;

f/ Carrying advertisements on the press not on separate parts or pages or in sections not clearly indicated as reserved for advertisements; failing to separately number the pages of specialized advertisement supplements; advertisement supplements being of a size different from that of the principal newspaper or issued not together with the principal newspaper; specialized advertisement supplements having more pages than permitted.

2. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Carrying advertisements more than twice during a feature film program on television stations; carrying advertisements more than four times during a radio or television entertainment program; carrying an advertisement longer than 5 minutes during a feature film or entertainment program on radio or television; carrying an

advertisement of a product more than 10 times per day on a radio or television channel;

b/ Failing to notify viewers or listeners of the time volume of a specialized advertisement radio or television channel or program, which has been permitted by the Ministry of Culture and Information, right at the beginning of the program;

c/ Carrying advertisements intermingledly with news reports and articles in the press;

d/ Broadcasting advertisements of sanitary napkins, condoms, skin-disease medicines, vermifuge or women hygiene liquids on radio or television from 18:00 hrs to 20:00 hrs every day;

e/ Carrying advertisements of a goods or service for more than 5 consecutive days, for periodicals; carrying two advertisement drives less than 5 days apart, for dailies, or less than 4 consecutive issues apart, for periodicals;

f/ Posting advertisement products on websites without sending in advance them to the state management agency in charge of advertisement according to regulations.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Carrying advertisements on page 1 of newspapers, the front cover of magazines, except for specialized advertisement newspapers, magazines or issues; broadcasting advertisements during current news radio or television programs;

b/ Conducting advertisement service business on websites without permission of the state management agency in charge of advertisement.

4. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Advertising goods or services banned from advertisement on the Internet;

b/ Advertising goods or service business activities of an advertiser or an advertisement service provider in excess of 50% of the time volume of an advertisement break on radio or television;

c/ Advertising on the press or billboards goods or services banned from advertisement.

Article 53. Violations of regulations on advertisements on publications

1. A fine of between VND 1,500,000 and 3,000,000 shall be imposed for one of the following acts:

a/ Placing on pupil notebooks advertisements of products not related to pupils' study;

b/ Placing advertisements of publications, films, film tapes or discs, music or theatrical tapes or discs or art works not yet permitted for publishing, circulation, dissemination or public performance.

2. A fine of between VND 3,000,000 and 10,000,000 shall be imposed for placing advertisements on publications in violation of the provisions of Clauses 1 and 2, Article 29 of the Publishing Law.

3. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for placing advertisements with banned contents on publications.

4. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clause 3 of this Article.

Article 54. Violations of regulations on advertisements in the domain of art performance, fashion shows, cultural activities, physical training and sport competitions

1. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Advertising at festivals, conferences, seminars, art performances, fashion shows, cultural exchanges, physical training and sport competitions or entertainment television programs on the backdrops or performance stages on which financial sponsors' products are hung, put up, placed or fixed but there is no title of such program or there is the title of such program but it is placed at the same height or lower than advertisement products or is written in letters smaller than those of advertisement products;

b/ Advertising in the form of art performance or during art performances, with contents different from those already permitted or not yet previewed and permitted by a competent state management agency;

c/ Advertising performances in the false names of actors or actresses or professional art troupes; advertising with information on actors or actresses not true to their titles or art achievements awarded or recognized by the State or a functional agency.

2. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for advertising goods or services banned from advertisement during art performance, fashion or entertainment, physical training or sport competition programs, except for the case specified in Clause 3 of this Article.

3. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for advertising goods or services banned from advertisement during national festivals, art performances, fashion shows, cultural exchange activities, physical training or sport competitions.

Article 55. Violations of regulations on writing and placement of signboards

1. A fine of between VND 500,000 and 1,000,000 shall be imposed for one of the following acts:

a/ Hanging, erecting, placing or fixing signboards not close to the gates or fronts of the offices of agencies, organizations, hotels, restaurants, stores, shops to which such signboards belong;

b/ Failing to write correctly or fully Vietnamese names on signboards.

2. A fine of between VND 1,500,000 and 3,000,000 shall be imposed for one of the following acts:

a/ Signboards of Vietnamese agencies or organizations showing only words in foreign language but not in Vietnamese;

b/ Signboards showing the name, shortened name, international transaction name in foreign language above the name in Vietnamese;

c/ Signboards showing the name, shortened name, international transaction name in foreign language in a size bigger than that of the name in Vietnamese;

d/ Signboards showing advertisements.

3. A fine of between VND 3,000,000 and 5,000,000 shall be imposed on organizations or individuals making business registration but having no signboard.

4. Remedies:

a/ Forced removal of signboards, for acts specified in Clauses 1 and 2 of this Article;

b/ Forced making of signboards, for acts specified in Clause 3 of this Article.

**Section 9. ACTS OF VIOLATION IN THE DOMAINS OF CULTURAL
HERITAGE, LIBRARY, CULTURAL AND ART WORKS, SANCTIONING
FORMS AND LEVELS**

Article 56. Violations of regulations on the protection of cultural and art works, the protection of cultural heritages

1. Caution or a fine of between VND 50,000 and 200,000 shall be imposed for tarnishing cultural or historical relics, scenic places or cultural and art works.
2. A fine of between VND 500,000 and 2,000,000 shall be imposed for one of the following acts:
 - a/ Polluting the environment in areas where exist cultural or historical relics, scenic places, cultural and art works;
 - b/ Propagating, disseminating information or putting on performances distorting the contents and values of intangible historical or cultural heritages;
 - c/ Propagating and introducing information distorting the contents and values of historical and cultural relics.
3. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:
 - a/ Damaging exhibits valued at under VND 20,000,000 in museums, historical or cultural relics;
 - b/ Failing to register national treasures with competent agencies or changing hands of national treasures without notifying competent authorities thereof according to regulations;
 - c/ Modifying, erasing historical or cultural relic rank certificate;
 - d/ Making duplicates of relic objects, antiques or national treasures without permit.
4. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:
 - a/ Damaging cultural or historical relics, scenic places, cultural or art works but not to a serious extent;

b/ Modifying original elements of cultural heritages.

5. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Damaging exhibits valued at VND 20,000,000 or more in museums; heavily damaging cultural or historical relics, scenic places, cultural or art works;

b/ Encroaching upon and illegally using cultural or historical relics, scenic places or cultural and art works for any purpose;

c/ Carrying illegal construction in protective zones of cultural or historical relics or scenic places.

6. A fine of between VND 20,000,000 and 30,000,000 shall be imposed for destroying historical or cultural relics, cultural or art works.

7. Remedies:

a/ Forced restoration to the original state, for acts specified in Clauses 1 and 4; at Point c, Clause 5; and in Clause 6 of this Article;

b/ Forced dismantlement of illegally constructed works; recovery of encroached areas, for acts specified at Points b and c, Clause 5 of this Article;

c/ Forced remedy of pollution, for acts specified at Point a, Clause 2 of this Article.

Article 57. Violations of regulations on archeological excavations, rehabilitation and embellishment of cultural and historical relics

1. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Carrying out archeological excavations not in accordance with the contents of the permits;

b/ Preserving, rehabilitating and embellishing cultural or historical relics not in accordance with the approved contents and technical designs.

2. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Carrying out archeological excavations without permit; carrying out illegal unearthing, salvage at archeological sites;

b/ Rehabilitating and embellishing cultural or historical relics without written permission of competent state agencies.

3. A fine of between VND 10,000,000 and 20,000,000 shall be imposed on overseas Vietnamese or foreign organizations or individuals collecting or studying intangible culture in Vietnam without permission of competent Vietnamese state agencies or not accordance with the permitted contents.

4. Forms of additional sanction:

a/ Stripping of the right to use permits indefinitely, for acts specified in Clauses 1 and 3 this Article;

b/ Confiscating material evidences and means used in the violations, for acts specified in Clause 2 of this Article.

Article 58. Violations of regulations on discovery, protection, declaration and handing over of cultural relics (relic objects, antiques and national treasures)

1. A fine in proportion to the specific value of each cultural relic shall be imposed for discovering cultural relics without voluntarily declaring them for deliberate appropriation as follows:

a/ A fine of between 25% and 30% shall be imposed for relic objects, antiques or national treasures valued at under VND 10,000,000;

b/ A fine of between 20% and 25% shall be imposed for relic objects, antiques or national treasures valued at between VND 10,000,000 and under VND 20,000,000;

c/ A fine of between 15% and 20% shall be imposed for relic objects, antiques or national treasures valued at between VND 20,000,000 and under VND 50,000,000;

d/ A fine of between 10% and 15% shall be imposed for relic objects, antiques or national treasures valued at between VND 50,000,000 and under VND 100,000,000;

e/ A fine of between 7% and 10% shall be imposed for relic objects, antiques or national treasures valued at between VND 100,000,000 and under VND 200,000,000;

f/ A fine of between 5% and 7% shall be imposed for relic objects, antiques or national treasures valued at between VND 200,000,000 and under VND 500,000,000, with the maximum fine not exceeding VND 30,000,000.

2. A fine of VND 30,000,000 shall be imposed for discovering cultural relics valued at VND 500,000,000 or more without voluntarily declaring them for deliberate appropriation.

3. A fine shall be imposed for damaging cultural relics discovered but not voluntarily handed over as follows:

a/ A fine of between VND 2,000,000 and 5,000,000 shall be imposed for damaging cultural relics valued at under VND 100,000,000;

b/ A fine of between VND 5,000,000 and 10,000,000 shall be imposed for damaging cultural relics valued at between VND 100,000,000 and under VND 300,000,000;

c/ A fine of between VND 10,000,000 and 20,000,000 shall be imposed for damaging cultural relics valued at between VND 300,000,000 and under VND 500,000,000;

d/ A fine of between VND 20,000,000 and 30,000,000 shall be imposed for damaging cultural relics valued at VND 500,000,000 or more.

4. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clauses 1, 2 and 3 of this Article.

Article 59. Violations of regulations in the domain of library

1. Caution or a fine of between VND 30,000 and 200,000 shall be imposed for damaging or appropriating library documents valued at under VND 500,000.

2. A fine of between VND 200,000 and 500,000 shall be imposed for one of the following acts:

a/ Damaging or appropriating library documents valued at between VND 500,000 and under VND 1,000,000;

b/ Illicitly copying library documents;

c/ Illegally using library documents with contents specified in Article 5 of the Library Ordinance and other documents classified for restricted use;

d/ Failing to register library operations with competent state agencies.

3. A fine of between VND 500,000 and 1,000,000 shall be imposed for damaging or appropriate library documents valued at between VND 1,000,000 and under VND 3,000,000.

4. A fine of between VND 1,000,000 and 2,000,000 shall be imposed for heavily damaging or destroying library documents valued at between VND 3,000,000 and under VND 7,000,000.

5. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for heavily damaging or destroying library documents valued at between VND 7,000,000 and under VND 15,000,000.

6. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for heavily damaging or destroying library documents valued at between VND 15,000,000 and under VND 30,000,000.

7. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for heavily damaging or destroying library documents valued at between VND 30,000,000 and under VND 50,000,000.

8. A fine of between VND 20,000,000 and 30,000,000 shall be imposed for heavily damaging or destroying library documents valued at VND 50,000,000 or more.

9. A fine of between VND 5,000,000 and 7,000,000 shall be imposed for illegally stockpiling documents with contents specified in Clause 1, Article 5 of the Library Ordinance or publications which have been withdrawn by competent state agencies.

10. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clause 9 of this Article.

11. Remedies:

a/ Forced payment of expenses for restoration of damaged documents, for acts specified at Point a, Clause 2; and in Clauses 3, 4, 5, 6, 7 and 8 of this Article;

b/ Forced return of appropriated library documents, for acts specified in Clause 1; at Point a, Clause 2; and in Clause 3 of this Article.

Section 10. ACTS OF VIOLATION IN THE DOMAINS OF IMPORT AND EXPORT OF CULTURAL PRODUCTS; PUBLICIZATION AND DISSEMINATION OF WORKS TO FOREIGN COUNTRIES, SANCTIONING FORMS AND LEVELS

Article 60. Violations of regulations on procedures for import and export of cultural products

1. A fine of between VND 500,000 and 1,000,000 shall be imposed for falsely declaring, hiding under 10 copies of cultural products subject to declaration according to regulations when carrying out import or export procedures.

2. A fine of between VND 1,000,000 and 2,000,000 shall be imposed falsely declaring, hiding 10 copies or more of cultural products subject to declaration according to regulations when carrying out import or export procedures.

3. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clauses 1 and 2 of this Article.

Article 61. Violations of regulations on permits for import and export of cultural products

1. A fine of between VND 1,000,000 and 2,000,000 shall be imposed for one of the following acts:

a/ Importing between 10 and under 30 copies of cultural products in excess of the quantity stated in the permit;

b/ Modifying, erasing permits for import or export of cultural product.

2. A fine of between VND 2,000,000 and 5,000,000 for one of the following acts:

a/ Importing between 10 and under 30 copies of cultural products not on the list stated in the permits;

b/ Importing 30 copies or more of cultural products in excess of the quantity stated in the permit;

c/ Importing without permit under 30 copies of cultural products subject to permit according to regulations.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Importing without permit between 30 and under 300 copies of cultural products subject to permit according to regulations;

b/ Exporting cultural relics subject to permit without permit.

4. A fine of between VND 10,000,000 and 20,000,000 shall be imposed for importing without permit 300 or more copies of cultural products subject to permit according to regulations.

5. A fine shall be imposed for importing without permit printing equipment subject to permit according to regulations as follows:

a/ A fine of between VND 10,000,000 and 20,000,000 shall be imposed for violations involving material evidences valued at under VND 500,000,000;

b/ A fine of between VND 20,000,000 and 30,000,000 shall be imposed for violations involving material evidences valued at VND 500,000,000 or more.

6. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clauses 1, 2, 3 and 4 of this Article.

Article 62. Violations of prohibitions on import or export of cultural products

1. A fine of between VND 2,000,000 and 3,000,000 shall be imposed for importing or exporting under 10 copies of cultural products, including drafts, banned from import or export.

2. A fine of between VND 3,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Importing or exporting between 10 and under 100 copies of cultural products, including drafts, banned from import or export;

b/ Using cultural products imported not for business purposes and valued at between VND 5,000,000 and under VND 20,000,000 for business purpose;

c/ Changing the use purpose of imported cultural products without permission of competent state agencies.

3. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Importing or exporting 100 copies or more of cultural products, including drafts, banned from import or export;

b/ Using cultural products imported not for business purposes and valued at VND 20,000,000 or more for business purposes.

4. A fine shall be imposed for exporting relic objects, antiques or national treasures without permission as follows:

a/ A fine of between VND 5,000,000 and 10,000,000 shall be imposed for violations involving material evidences valued at under VND 10,000,000;

b/ A fine of between VND 10,000,000 and 15,000,000 shall be imposed for violations involving material evidences valued at between VND 10,000,000 and under VND 20,000,000;

c/ A fine of between VND 10,000,000 and 20,000,000 shall be imposed for violations involving material evidences valued at between VND 20,000,000 and under VND 50,000,000;

d/ A fine of between VND 15,000,000 and 30,000,000 shall be imposed for violations involving material evidences valued at VND 50,000,000 or more.

5. Form of additional sanction:

Confiscating material evidences in the violations, for acts specified in Clauses 1, 2, 3 and 4 of this Article.

6. Remedy:

Forced re-export or destruction of material evidences in cases of non-confiscation, for acts specified in Clauses 1 and 2; and at Point a, Clause 3 of this Article.

Article 63. Violation of regulations on publicization and dissemination of works to foreign countries

1. A fine of between VND 2,000,000 and 5,000,000 shall be imposed for one of the following acts:

a/ Publicizing, disseminating without permit photographic works to foreign countries;

b/ Publicizing, disseminating without permit fine-art works to foreign countries.

2. A fine of between VND 5,000,000 and 10,000,000 shall be imposed for one of the following acts:

a/ Publicizing, disseminating without permit press works to foreign countries;

b/ Publicizing, disseminating without permit theatrical works to foreign countries;

c/ Publicizing, disseminating without permit music works to foreign countries;

d/ Supplying to foreign press information banned from publicization or dissemination in foreign countries.

3. A fine of between VND 10,000,000 and 15,000,000 shall be imposed for one of the following acts:

a/ Publicizing, disseminating without permit publication works to foreign countries;

b/ Publicizing, disseminating without permit cinematographic works to foreign countries.

4. A fine of between VND 15,000,000 and 20,000,000 shall be imposed for one of the following acts:

a/ Publicizing, disseminating to foreign countries cinematographic works banned from publicization or dissemination;

b/ Publicizing, disseminating to foreign countries fine art works banned from publicization or dissemination.

5. A fine of between VND 20,000,000 and 25,000,000 shall be imposed for one of the following acts:

a/ Publicizing, disseminating to foreign countries press works banned from publicization or dissemination;

b/ Publicizing, disseminating to foreign countries musical works banned from publicization or dissemination;

c/ Publicizing, disseminating to foreign countries theatrical works banned from publicization or dissemination.

6. A fine of between VND 25,000,000 and 30,000,000 shall be imposed for one of the following acts:

a/ Publicizing, disseminating to foreign countries publications banned from publicization or dissemination;

b/ Publicizing and/or disseminating to foreign countries cinematographic works banned from publicization or dissemination.

Chapter III

COMPETENCE AND PROCEDURES FOR SANCTIONING ADMINISTRATIVE VIOLATIONS IN THE CULTURE AND INFORMATION DOMAINS

Article 64. Competence of People's Committees at different levels to sanction administrative violations

1. Presidents of provincial-level People's Committees shall be entitled to sanction in accordance with Article 30 of the Ordinance on Handling of Administrative Violations administrative violations in the culture and information domains defined in this Decree in their respective localities.

2. Presidents of district-level People's Committees shall be entitled to sanction in accordance with Article 29 of the Ordinance on Handling of Administrative Violations administrative violations in the culture and information domains defined in this Decree in their respective localities.

3. Presidents of commune-level People's Committees shall be entitled to sanction in accordance with Article 28 of the Ordinance on Handling of Administrative Violations administrative violations in the culture and information domains defined in this Decree in their respective localities.

Article 65. Competence of specialized inspectorates to sanction administrative violations

1. Specialized culture-information inspectors on duty shall be entitled to sanction in accordance with Article 38 of the Ordinance on Handling of Administrative Violations administrative violations in the culture and information domains defined in this Decree.

2. Specialized culture and information chief inspectors at all levels shall be entitled to sanction according to their competence defined in Article 38 of the Ordinance on Handling of Administrative Violations administrative violations in the culture and information domains defined in this Decree.

3. Specialized inspectors and chief inspectors at all levels of culture and information-related branches shall be entitled to sanction according to their competence defined in Article 38 of the Ordinance on Handling of Administrative Violations acts of violation in the culture and information domains defined in this Decree falling within the scope of management of their respective branches.

Article 66. Competence of border guards and customs offices to sanction administrative violations

Border guard and customs forces shall be entitled to sanction according to their competence defined in Articles 32 and 34 of the Ordinance on Handling of Administrative Violations acts of violation related to import and export of cultural products as provided for in this Decree.

Article 67. Competence of the people's police to sanction administrative violations

The people's police force shall be entitled to sanction according to the competence defined in Article 31 of the Ordinance on Handling of Administrative Violations administrative violations in the culture and information domains defined in this Decree and related to social order and safety under its managerial competence.

Article 68. Competence of market control agencies to sanction administrative violations

The market control force shall be entitled to sanction, according to the competence defined in Article 37 of the Ordinance on Handling of Administrative Violations acts of violation related to doing business in services on cultural and information products as defined in this Decree.

Article 69. Sanctioning procedures

The procedures for sanctioning administrative violations in the culture and information domains shall comply with the provisions of Chapter VI of the Ordinance on Handling of Administrative Violations and Chapter IV of the Government's Decree No. 134/2003/ND-CP of November 14, 2003, detailing the implementation of a number of articles of the Ordinance on Handling of Administrative Violations.

Article 70. Collection and payment of fines

Individuals and organizations committing administrative violations in the culture and information domains and being fined shall have to pay fines at places prescribed by law. The procedures for collection and payment of fines shall comply with the guidance of the Finance Ministry.

Article 71. Procedures for confiscating and handling material evidences and means used in violations

1. When applying the form of confiscating material evidence and/or means used in administrative violations in the culture and information domains, persons with sanctioning competence shall have to carry out the procedures prescribed in Article 60 of the Ordinance on Handling of Administrative Violations.
2. Persons who issue confiscation decisions shall have to organize the preservation of confiscated material evidences and means. Within 10 days after confiscating material evidences and/or means, they shall have to transfer the sanctioning decisions, confiscation records and all confiscated material evidences and/or means to competent agencies for holding auctions as provided for in Article 61 of the Ordinance on Handling of Administrative Violations, except for recorded tapes and discs and cultural products containing some content.
3. For material evidences being relic articles, antiques or national treasures, decision-issuing persons shall report them to the Ministry of Culture and Information for the Minister of Culture and Information to assign them to appropriate agencies for management and use.

For all cases of transfer of material evidences to come under state ownership, the procedures for transfer and management of such material evidences shall comply with the provisions of Clause 2, Article 32 of the Government's Decree No. 134/2003/ND-CP of November 14, 2003, detailing the implementation of a number of articles of the Ordinance on Handling of Administrative Violations.

4. The proceeds from the sale of confiscated material evidences and means, after deducting expenses as provided for by law, shall be remitted into the State budget.

Article 72. Procedures for stripping of the right to use permits

The procedures for stripping of the right to use permits of various kinds in the culture and information domains shall be carried out in accordance with the provisions of Article 59 of the Ordinance on Handling of Administrative Violations.

Article 73. Procedures for destruction of harmful cultural products

1. For confiscated cultural products that are subject to destruction decisions of competent state agencies, a handling council shall be set up for the destruction thereof. Such a council shall be composed of representatives of the state management agency in charge of culture and information, the police office, the finance agency and related agencies of the same level.
2. When carrying out the destruction of harmful cultural products, the responsible bodies shall have to make records thereon. Such a record shall be signed for certification by members of the handling council. In case of necessity, representatives of concerned agencies and organizations may be invited to witness the destruction.
3. The Ministry of Culture and Information shall guide in detail the procedures for destruction of cultural products subject to destruction as provided for in this Decree.

Chapter IV

COMPLAINTS, DENUNCIATIONS AND HANDLING OF VIOLATIONS

Article 74. Complaints, denunciations

1. Citizens shall be entitled to denounce to competent state agencies administrative violations committed by organizations or individuals in the culture and information domains as defined in this Decree or denounce violations committed by persons with competence to sanction administrative violations in the culture and information domains in accordance with the provisions of law.
2. Individuals and organizations sanctioned for administrative violations or their lawful representatives may complain about decisions on sanctioning administrative violations in accordance with the provisions of law on complaints and denunciations.
3. The initiation of administrative lawsuits against decisions on sanctioning administrative violations shall comply with the provisions of Article 119 of the Ordinance on Handling of Administrative Violations.
4. The order and procedures for making complaints and denunciations and the competence to settle complaints and denunciations about administrative violations in the culture and information domains shall comply with the December 2, 1998 Law on Complaints and Denunciations and other relevant provisions on complaints and denunciations.

Article 75. Handling of violations committed by persons with competence to sanction administrative violations in the culture and information domains

1. If persons who have competence to sanction administrative violations in the culture and information domains harass, tolerate, cover up violators, fail to handle or handle violations not in time, improperly, not according to or beyond their prescribed competence, they shall, depending on the nature and severity of their violations, be disciplined or examined for penal liability.

2. If persons who have competence to sanction administrative violations in the culture and information domains commit acts of appropriating, illegally using the money, material evidences and/or means used in violations, which have been confiscated, they shall, depending on the nature and severity of their violations, be disciplined or examined for penal liability and have to compensate for damage according to the provisions of civil law.

Chapter V

IMPLEMENTATION PROVISIONS

Article 76. Effect of the Decree

1. This Decree takes effect as from July 1, 2006; to annul the Government's Decree No. 31/2001/ND-CP of June 26, 2001, on sanctioning administrative violations in the culture and information domain.

2. The Government's regulations and the provisions in other documents on sanctioning administrative violations in the culture and information domains which are contrary to this Decree shall all be annulled.

Article 77. Responsibility to implement the Decree

Ministers, heads of ministerial-level agencies, heads of government-attached agencies and presidents of provincial/municipal People's Committees shall have to implement this Decree.