

**LAW**

**AMENDING AND SUPPLEMENTING A NUMBER OF ARTICLES OF THE PRESS  
LAW**

**(No. 12/1999/QH10 on the 12 of June, 1999)**

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam;

This Law amends and supplements a number of Articles of the Press Law passed by the National Assembly of the Socialist Republic of Vietnam on December 28, 1989.

*Article 1.* To amend and supplement the Preamble and a number of Articles of the Press Law as follows:

1. The Preamble is amended and supplemented as follows:

"To ensure the citizens right to freedom of the press and freedom of speech in the press in conformity with interests of the State and the people;

To bring into play the press's role in the cause of construction and defense of the Socialist Vietnam Fatherland along the renewal line of the Communist Party of Vietnam;

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam;

This Law prescribes the press regime".

2. Article 3 is amended and supplemented as follows:

*"Article 3.- Types of press*

The press referred to in this Law is the Vietnamese press, including: the printed press (newspapers, magazines, news bulletins, newsletters), the voice press (radio programs), the visual press (television programs, audio-visual news programs effected by various technical means) and the electronic press (transmitted on the computerized information network) in Vietnamese language, dialects of different ethnic minority groups of Vietnam and/or foreign languages".

3. Article 6 is amended and supplemented as follows:

*"Article 6.- Tasks and powers of the press*

The press shall have the following tasks and powers:

1. To convey true information on the domestic and world situation in conformity with the interests of the country and the people;
2. To disseminate, popularize and contribute to the elaboration and protection of, the Party's lines, directions and policies, the State's laws and achievements of the country and the world, according to the guiding principles and objectives of the press bodies; to contribute to the political stabilization, raising the people's knowledge, meeting the people's healthy cultural needs, protecting and bringing into play the nation's fine traditions, building and promoting the socialist democracy, strengthening the entire people's unity bloc, building and defending the Socialist Fatherland Vietnam;
3. To reflect and guide public opinion; to act as a forum for people to exercise the right to freedom of speech;
4. To discover and display examples of good people, good deeds and good factors; to prevent and combat acts of law violations and other negative phenomena in the society;
5. To contribute to preserving the purity and clarity of Vietnamese language and dialects of ethnic minorities of Vietnam;
6. To broaden the mutual understanding between the countries and peoples, take part in the world people's cause for peace, national independence, democracy and social progress."

4. Article 9 is amended and supplemented as follows:

*"Article 9.- Corrections on the press*

1. If the press conveys untrue or distorted information, slanders or infringes upon the prestige of organizations, the honor or dignity of individuals, it shall have to issue or broadcast a correction or apology of its own or of the press work's author. In cases where there is a conclusion of the competent State agency, the concerned press body shall have to publish or broadcast such conclusion.
2. Organizations and individuals shall have the right to make written speeches on the contents of information on the press if having grounds to believe that the press has given untrue or distorted information, slandered or infringed upon them. The concerned press body shall have to publish or broadcast such organizations and individuals speeches on the information already carried or transmitted on their own press.

Organizations and individuals speeches must not infringe upon the press bodies, the author's honor and dignity.

After receiving speeches of organizations or individuals, within 5 days for daily newspapers, radio stations and television stations, 10 days for weekly newspapers and in the latest issue for

magazines, the press bodies shall have to publish or broadcast such speeches.

3. Corrections or apologies of the press bodies and press works authors as well as speeches of organizations and individuals stipulated in Clauses 1 and 2 of this Article must be published or broadcast corresponding to the information already released by the press under the Government's stipulations.

4. Where the press bodies fail to make corrections or apologies or make corrections or apologies in contravention of this Law; fail to publish or broadcast organizations or individuals speeches, such organizations or individuals shall have the right to lodge complaints to the parent agencies of such press bodies or the State management agencies in charge of the press or initiate a lawsuit at court".

5. Article 12 is amended and supplemented as follows:

*"Article 12.- Parent agencies of the press bodies*

Parent agencies of the press bodies are organizations applying in their own names for press activity permits and directly managing the press bodies.

Parent agencies of the press bodies shall have the following tasks and powers:

1. To determine and direct the materialization of the guiding principles and objectives; the objects of their service and the main scope of distribution; the broadcasting capacity, time, frequencies and range, and the languages used by the press bodies as prescribed in their permits;

2. To direct the press bodies to fulfill their tasks, orientations and operation plans, organize their apparatus and build the contingent of journalists;

3. To appoint, dismiss or demote the heads of their dependent press bodies after consulting with the State management agencies in charge of the press;

4. To inspect the press bodies activities;

5. To create necessary conditions for operation of the press bodies;

6. To be answerable before law within the ambit of their tasks and powers for violations by their dependent press bodies."

6. Article 15 is amended and supplemented as follows:

*"Article 15.- Rights and obligations of journalists*

1. The journalists shall have the following rights:

a/ To carry out journalistic activities on the territory of the Socialist Republic of Vietnam; or

overseas according to the Government's stipulations;

b/ To exploit and be provided with information in the journalistic activities in accordance with the provisions of law;

c/ To refuse to compile or to participate in the compilation of the journalistic works in contravention of the provisions of the press legislation;

d/ To enjoy professional training and fostering to raise their journalistic skills; and be entitled to a number of priorities necessary for their journalistic activities according to the Government's stipulations;

e/ To be protected by law in their professional activities. No one is allowed to threaten or menace the journalists life, infringe upon their honor and dignity, destroy, seize or confiscate their means of operation and/or documents or prevent them from carrying out lawful professional activities.

2. The journalists shall have the following obligations:

a/ To convey true information on domestic and world situation in conformity with the interests of the country and the people; to reflect the people's opinions and legitimate aspirations, contributing to the exercise of citizens right to freedom of the press and freedom of speech in the press;

b/ To defend the Party's lines, directions and policies and the State's laws; to discover and defend positive factors; to prevent and combat erroneous ideas and acts;

c/ To regularly study and train themselves in order to raise the political consciousness, moralities and journalistic skills; to refrain from abusing the journalist's title to hassle others and commit acts of law violation;

d/ To make corrections or apologies if giving untrue information, making distortion or slanders or infringing upon the prestige of organizations and/or the honor and dignity of individuals;

e/ To be answerable before law and the heads of the press bodies for the contents of their press works as well as for their acts of violating the press legislation."

7. Article 17 is amended and supplemented as follows:

"*Article 17.*- Contents of State management over the press

The contents of State management over the press shall include:

1. Elaborating and directing the implementation of the strategy, planning and plans for development of the press;

2. Promulgating and organizing the implementation of legal documents on the press; elaborating

the press-related regimes and policies;

3. Organizing the provision of information for the press; managing the press's information;
4. Training, fostering and raising the political and professional skills as well as the professional ethics of the contingent of journalists;
5. Organizing and managing scientific and technological activities in the journalistic field;
6. Granting or withdrawing the press activity permits and journalists cards;
7. Managing international journalistic cooperation as well as the overseas activities of the Vietnamese press and foreign press activities in Vietnam;
8. Inspecting the depository of the press; managing the press depository warehouses;
9. Organizing and directing the commendation and reward in the press activities;
10. Guiding, examining and inspecting the implementation of the regimes, policies, planning and plans for development of the press as well as the observance of the press legislation; taking measures to prevent unlawful press activities; settling complaints, denunciations and handling violations in the press activities".

8. To add the following Article 17a:

"Article 17a.- State management agencies in charge of the press

1. The Government shall exercise the unified State management over the press.
2. The Ministry of Culture and Information shall take responsibility before the Government for the State management over the press.
3. The ministries, ministerial-level agencies and agencies attached to the Government shall, within the ambit of their tasks and powers, have to exercise the State management over the press in accordance with the Government's stipulations.

The Government shall specify the responsibilities of ministries, ministerial-level agencies and agencies attached to the Government in the coordination with the Ministry of Culture and Information for the exercise of the unified State management over the press.

4. The People's Committees of the provinces and centrally-run cities shall exercise the State management over the press in their respective localities according to the assignment of responsibilities by the Government".

9. To add the following Article 17b:

*"Article 17b.- International relations in the press activities*

The State shall expand international relations in the press activities on the principle of respect for each other's national independence and sovereignty, equality and mutual benefit.

The Government shall stipulate in detail international relations in the press activities".

10. To add the following Article 17c:

*"Article 17c.- Finance of the press bodies*

1. The State shall adopt the policies of budgetary support and create conditions for the press to develop.

The parent agencies of the press bodies shall have to arrange necessary financial resources for the operation of the press bodies.

The press bodies shall be entitled to receive and use for the right purposes and efficiently voluntary aids from organizations and individuals according to the Government's stipulations.

2. The press bodies shall be entitled to organize business and service activities compatible with their professional activities according to the Government's stipulations and other provisions of law so as to create more sources of revenue for investment in the press development. The press bodies shall have to fulfill tax obligations regarding their business and service activities.

The press bodies shall enjoy tax and fee preferences for their publication and press activities as prescribed by law.

3. The press bodies shall have to abide by the accountancy, statistical, financial examination and inspection regimes as prescribed by law."

11. To add the following Article 17d:

*"Article 17d.- Press publication and distribution in service of a number of objects:*

The State shall work out the budgetary support policies to create conditions for the press publication and distribution to people in the areas facing difficult socio-economic conditions and areas meeting with exceptionally difficult socio-economic conditions as well as to the overseas Vietnamese community".

12. To add the following Article 17e:

*"Article 17e.- Press inspectorate*

Press inspectorate is the specialized press inspectorate.

The organization and operation of the specialized press inspectorate shall be defined by the Government".

13. Article 19 is amended and supplemented as follows:

*"Article 19.- Granting permits for press activities*

1. The granting of press activity permits must be based on the conditions defined in Article 18 of the Press Law and conform with the press development planning.

The Ministry of Culture and Information shall grant permits for press activities.

The dossiers of application for press activity permits shall be stipulated by the Ministry of Culture and Information.

2. The press bodies shall operate only after obtaining permits from the State management agencies in charge of the press. In case of refusal to grant the permit, the involved State management agency in charge of the press shall, within 30 days after receiving the dossier of application for press activity permit, have to reply in writing, clearly stating the reasons therefore. The rejected press body may lodge a complaint to the competent agency or initiate a lawsuit at court".

14. To add the following Article 19a:

*"Article 19a.- Establishment of representative and permanent offices of the press bodies*

1. Press bodies wishing to establish their representative offices or permanent offices inside the country shall have to meet all conditions on personnel, offices and get written consent from the People's Committees of the provinces and centrally-run cities where such representative offices or permanent offices are to be set up and have to notify the Ministry of Culture and Information thereof.

2. The Government shall specify the establishment of the Vietnamese press's representative offices and permanent offices overseas as well as the establishment of foreign press's representative offices and permanent offices in Vietnam".

15. Article 21 is amended and supplemented as follows:

*"Article 21.- Performing other types of press, publishing other press publications, broadcasting special programs or additional programs*

1. Press bodies shall only be allowed to perform other types of press in conformity with their functions and tasks when they meet all conditions stipulated in Article 18 of the Press Law and are granted permits by the Ministry of Culture and Information.

2. Organizations wishing to publish special issues of their publications or press bodies wishing to

publish additional issues, supplements, special issues of their publications or broadcast special programs or additional programs must be granted permits by the Ministry of Culture and Information".

16. Article 22 is amended and supplemented as follows:

"*Article 22.-* Printing the press, broadcasting radio and television programs, launching electronic press on the computerized information network

Printing houses shall have to execute contracts, ensuring the distribution time of the press; they are not allowed to print press publications without permits or re-print press works which have been banned from circulation by order of the State management agencies in charge of the press.

Technical establishments broadcasting radio and television programs shall have to ensure the broadcasting range as prescribed.

Radio stations, television stations and establishments making audio-visual news programs are not allowed to broadcast the contents of those press works which, by issued orders, have been banned from circulation or confiscated.

The electronic press shall operate on the computerized information network in accordance with the Government's stipulations".

17. Article 28 is amended and supplemented as follows:

"*Article 28.-* Handling of violations

1. Press agencies violating the regulations on press activity permits; on matters not to be published on the press as stipulated in Article 10 of the Press Law; or corrections on the press and other provisions of the press legislation shall, depending on the nature and seriousness of their violations, be subject to warning, fines, withdrawal or confiscation of publications and audio-visual tapes and/or discs, temporary suspension of publication or withdrawal of permits as prescribed by law.

The parent agencies of the press bodies shall, within their tasks and power, take responsibility before law for violations of their dependent press bodies.

Press bodies, journalists, organizations and/or individuals providing information harmful to the legitimate interests of other organizations and/or individuals shall have to pay compensation for the latter in accordance with the provisions of the civil legislation.

2. Heads of the press bodies, journalists and other persons engaged in press activities, who violate the provisions of Clause 1, this Article, shall, depending on the nature and seriousness of their violations, be disciplined, have their journalists cards withdrawn, be administratively sanctioned or examined for penal liability.



3. Any person violating the regulations on the supply of information, responses on the press, establishment of the press bodies, press distribution, advertisements or press conferences; obstructing press activities; threatening or menacing the life, infringing upon the honor or dignity of journalists; destroying, damaging their means and/or documents, or violating other provisions of the press legislation shall, depending on the nature and seriousness of their violations be disciplined, administratively sanctioned or examined for penal liability".

**Article 2.**

1. In the Press Law, phrase "the Council of Ministers" is now replaced by word "the Government", and phrase "the Chairman of the Council of Ministers" is now replaced by word "the Prime Minister".

2. To annul Article 30 of the Press Law.

To change Article 31 of the Press Law into Article 30.

**Article 3.** This Law takes effect from September 1st, 1999.

The earlier regulations contrary to the provisions of this Law are all now annulled.

The Government shall amend and/or supplement the documents detailing and guiding the implementation of the Press Law in conformity with this Law.

*This Law was passed by the 10th National Assembly of the Socialist Republic of Vietnam on June 12, 1999 at its 5th session.*

**THE NATIONAL  
ASSEMBLY  
CHAIRMAN**  
*(signed)*

**Nong Duc Manh**