LEGAL UPDATE

DECREE 27 ON THE USE OF INTERNET SERVICES AND ONLINE INFORMATION

Decree No. 27/2018/ND-CP (**Decree 27**) amends and supplements Decree 72/2013/ND-CP (**Decree 72**) and entered into force on 15 April 2018.

Decree 27 intends to create an investment environment that will increase online activities ranging from online gaming, social networks and website creation. At the same time, it will regulate the management of social network sites.

We set out the key points of the Decree below.

1. Requirements

Decree 27 amends several things, such as licencing conditions for online video games, operation conditions for websites and social network platforms, documents required to register for provision of online video games, and the creation of websites and social network platforms, the management of applications providing integrated websites, and the procedure of termination and revocation of the license to establish websites, social networking sites, online games in case of severe violations; and the decision time to grant licences is reduced.

2. Terms and conditions and data protection

A social network needs to post the terms and conditions on the provision and use of social networks on its homepage. Users are required to agree with them before they can use the services and utilities on the social network. Furthermore, social network providers need to put a system in place that protects the user's information and ensure that only the user can give permission that his or her information can be shared with others.

3. Content management

When a new website is put online a content management procedure needs to be put in place. At least one employee, either a Vietnamese citizen or a foreign national with a temporary residence permit valid for at least 6 months, will be responsible for content management. This will allow verification of the accuracy of information before and after it is published. The social network needs to remove inaccurate information within 3 hours after it has learned about this inaccuracy or after the request of relevant authorities has been received.

4. Domain name

Decree 27 also gives guidance on the use of domain names. It provides for protection of Vietnam's interests in the registration and use of new generic top-level domains (gLTD) and second-level domain under new gTLDs. Further to this, social network pages must use at least 1 domain name with the 'vn'-extension, and international domain names must have certificates on the use of domain names. Important is also that a news website and its social network website cannot use the same domain name. At the time of application, a domain name must remain valid for at least 6 months.

5. Technical requirements

Social network pages must save information about accounts, time of login and logout, IP-addresses of users and a log of processed information for at least 2 years and store on servers with Vietnamese IP-addresses.

6. Application

Some new provisions are related to the development and management requirements, and supplement the management of an application, social network and video games.

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