

Regulations on Film and Movie Inspection

(issued under Decision 2455/QD-DA on 9 August 1997

by the Minister of Culture and Information)

Chapter I

General Provisions

Article 1. Purposes to inspect movies and video tapes (hereinafter collectively called “movie inspection”)

To inspect films and movies before popularization is to realize the State management of cinema activities in order to meet the following requirements:

1. To ensure the work’s ideological and artistic content in favor of State’s guidelines and

policies, the Vietnamese nation's traditional ethics and good customs, and the society's and citizens' spiritual interests.

2. To supervise, adjust and balance movie programs available to the whole society, to prevent the uncontrolled production, import and popularization of films and movies which can disturb the cinematic market and raise negative impacts on the development of national cinema.

3. To protect legal rights and interests of legal cinema artists, producers, importers and dealers as well as the audience's interests.

Article 2. Competence of movie inspection

1. All films and movies produced at home or imported from other countries shall have to be permitted by competent governmental authorities to be widely popularized as specified herein:

a. The Cinema Bureau shall inspect and allow the popularization of movies, video tapes, feature films produced or imported by domestic entities, movies and video tapes of all kinds produced by the units administered by the Ministry of Culture and Information, and movies and video tapes ordered or funded by the Ministry of Culture and Information.

b. The Services of Culture and Information of provinces and centrally-administered cities shall inspect and allow the popularization of movies or video tapes (music, stage, *cai luong*-renovated opera, documentary, science, cartoons, sports, karaoke, fashion, foreign language teaching) produced or imported by the units with legal status and having

headquarters within the provinces and centrally-administered cities .

2. All movies and video tapes (replacing or attached to books) shall be produced by publishers

under the Law on Publication.

3. The broadcast of movies or video tapes on television shall be done under the Law on the Press and Item 4, Chapter III of Decree 48/CP on 17 July 1995 by the Government on cinematic organizations and activities.

4. The license to popularize movies and video tapes shall be issued by the Cinema Bureau (the Ministry of Culture and Information) or the Services of Culture and Information and shall be valid throughout the country.

5. Video tapes which are allowed to be popularized shall be labeled by the Cinema Bureau. The video tapes labeled by the Cinema Bureau shall be able to be put into nationwide circulation.

Article 3. Movie inspection councils

1. The counselors for the Head of the Cinema Bureau (the Ministry of Culture and Information) for inspecting movies and films shall be the Central Movie Inspection Councils which are established by the Minister of Culture and Information.

2. The counselors for the Directors of the Services of Culture and Information for inspecting movies and films shall be the Provincial Movie Inspection Councils which are established by the Chairpersons of the People's Committee of the provinces and centrally-administered cities.

3. The above-mentioned councils shall be established and operated under the regulations set

by the Ministry of Culture and Information.

4. In the opinions of the Movie Inspection Councils, the Head of the Cinema Bureau and the Directors of the Services of Culture and Information shall consider and permit or not permit the popularization of movies or video tapes and shall be responsible for their decision. The objectives and scope of popularization shall be clearly announced in the decision on movie popularization.

Article 4. The following movies or films shall not be popularized:

1. Having contents against the Socialist Republic of Vietnam or undermining the all-people's unity;
2. Inciting violence, aggressive war; sowing hatred between nations and peoples; popularizing reactionary thoughts, obscenity, vice or criminal acts, social evils, superstition, to the destruction of good habits and customs and the ecological environment;
3. Disclosing Party and State secrets, either military, security, economic, foreign relations and other secrets as set out by laws;
4. Distorting history, disclaiming revolutionary achievements, slandering against great celebrities and national heroes, infringing upon the prestige of organizations or the honor and dignity of individuals;
5. Exploiting images, languages, voices, actions to incite obscenity, immorality and incest; depicting sexual actions between people and people, or between people and animals; describing self-abuse or sexual organs, lewd scenes;

6. Exploiting images, languages, voices, actions to depict savage scenes of murder or torture and other acts injuring people's life and dignity, ruthless behavior to animals, scenes of beheading and cutting up body parts, scenes of the satisfaction and pleasure of crime-doers and not aimed at denouncing crimes and protecting justice, contrary to the humane and peace-loving traditions of the Vietnamese nation;

7. Movies and films of low technical and artistic quality;

8. Movies and films allowed to be popularized but their contents are unsuitable for a particular locality and its situation at the date of circulation may be temporarily postponed from popularization for a certain time by the Services of Culture and Information after obtaining the agreement of the Cinema Bureau.

Article 5. In cases where the cinematic works' themes have a humane nature or denounce crimes and highlight justice, and the contents specified in Clauses 5 and 6 of Article 4 are necessary, they shall be permitted by the Movies Inspection Councils, the Ministry of Culture and Information, or the Services of Culture and Information. However, these scenes must be expressed briefly and without explicit emphasis.

Article 6. Movies which are popularized in any manner (introduction, banquet, press conference) without inspection and permit by the Cinema Bureau or the Services of Culture and Information shall be considered illegal. The said movies shall be withdrawn and the violators shall be responsible to the laws.

Article 7. Organizations and individuals with movies or films for inspection shall have the right to complain to the Minister of Culture and Information if they disagree with the decision by the Head of the Cinema Bureau or the Directors of the Services of Culture and Information.

Chapter II

Procedure of Movie Inspection

Article 8. Movies and video tapes for inspection must be complete works (both content and technique) produced or imported legally and proposed by a unit with legal status. The works produced on specific materials (celluloid film, video tape, VCD) must be inspected on the same material. If the original material cannot be inspected, the same contents of the inspected version must be maintained for display.

For the works produced by foreigners but not yet dubbed with Vietnamese subtitles, an accurate Vietnamese translation of the foreign-language dialogue shall be required. The translator's name shall be presented for the reason of accuracy of the translation.

Article 9. Procedures to register for movie inspection

1. The entities with movies or films for inspection shall submit a registration form of movie and video tape inspection (see Annex 1 hereto) to the Cinema Bureau, for the case specified in

Point (a) Clause 1, or to the local Services of Culture and Information, for the case set out in Point (b) Clause 1 Article 2 of the Regulations.

2. For inspection, imported movies must be attached with a certificate of legal import and copyright. Meanwhile, domestically produced movies must be attached with a written assessment from the producers on content, thought, and artistic and technical quality. These documents shall be confirmed and signed by the heads of the parent agencies of the producers.

3. On the basis of the registration for movie inspection, the Cinema Bureau or the Services of Culture and Information shall plan the working programs of the Movies Inspection Councils and give a notice to the concerned party about the time of inspection within one week after receiving the said registration.

Article 10. Movies and films that need to be edited after inspection

a. After inspection, those movies or films that must be reedited shall register for re-inspection after repair.

b. For those movies or films that are not allowed to be popularized or banned from popularization, the owners shall be responsible to destroy or carefully manage them. In case of illegal popularization in any mode, the owners shall be fully responsible to the laws.

Article 11.

1. The Cinema Bureau shall be responsible to make public, monthly or quarterly, the list of permitted or banned movies or films, so that the management agencies at all levels and everybody throughout the country can know, examine and prevent all breaches.

2. The Services of Culture and Information of provinces and centrally-administered cities shall be responsible to make public, monthly or quarterly, the list of permitted or banned movies or films, so that the local management agencies and everybody can know, examine and prevent all breaches. The said list shall be submitted to the Cinema Bureau, the Inspector of the Ministry of Culture and Information, A25 (Ministry of Internal Affairs), General Cinema Bureau, and give a monthly notice to all localities throughout the country for joint examination and management.

Article 12. All expenses or costs for movie inspection shall be paid by the entities with movies for inspection. The collection rates and the use of charges for movies inspection shall be stipulated by the current laws.

Chapter III

Implementation Provisions

Article 13. Central and local movies inspection councils, producers, importers and movie or

video tape popularizing units shall strictly execute the Regulations.

Article 14. The Cinema Bureau, Services of Culture and Information of provinces and centrally-administered cities shall have obligations to instruct the implementation of the Regulations and supervise, discover and deal with any breach.

Article 15. These Regulations shall replace the Regulations on Inspection of Cinematic Works (issued under Decision 619/QD on 21 July 1990 by the Minister of Culture, Information, Sports and Tourism) and shall come into effect within 15 days after the issuance day.

All previous regulations contrary to these Regulations shall be abrogated.

On behalf of the Minister of Culture and Information
Deputy Minister

Nguyen Trung Kien

(signed)

