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Hanoi, August 18, 2015

**CIRCULAR**

**GUIDING THE MANAGEMENT AND USAGE OF INTERNET RESOURCES**

Pursuant to the November 23, 2009 Law on Telecommunications;

Pursuant to the June 29, 2006 Law on Information Technology;

Pursuant to the Government’s Decree No. 132/2013/ND-CP of October 16, 2013, defining the functions, tasks, powers and organizational structure of the Ministry of Information and Communications;

Pursuant to the Government’s Decree No. 72/2013/ND-CP of July 15, 2013, on management, supply and use of Internet services and online information;

The Ministry of Information and Communications promulgates the Circular on management and use of internet resources.

**I. GENERAL PROVISIONS**

**Article 1. Scope of regulation and subject of application**

This Circular provides the management and use of Internet resources, covering the registration, allocation, assignment, use, return, temporary suspension and revocation, and dispute resolution with respect to agencies, organizations and individuals involved in Internet-related activities in Vietnam.

**Article 2. Interpretation of terms**

In this Circular, the terms below are construed as follows:

1. ICANN is an acronym for the Internet Corporation for Assigned Names and Numbers, the international domain names and number management organization competent to manage the global system of top-level domain names.
2. VNNIC is an acronym for the Vietnam Internet Network Information Center, an affiliation to the Ministry of Information and Communications.
3. Domain name registrar refers to an organization providing domain name registration and maintenance services. Domain name registrars include .VN domain name registrars and international domain name registrars in Vietnam.
4. *Domain name* means a name used to identify an Internet address of the server, composed of a several sequences of characters separated from one another by a dot “.”. Domain name consists of:
  - a) Domain name using the characters from ASCII table, referring as ASCII domain name

b) Domain name using the characters from the national language of one country, referring as internationalized domain name (IDN)

5. *Top level domain name*: refers to the last set of scripts and symbols in the global domain name syntax. Top-level domain names (TLD) shall be categorized into the followings:

a) The generic top-level domain name (gTLD) refers to domain names, such as ".com"; ".net"; ".edu"; ".org"; ".int"; ".biz"; ".info"; ".name"; ".pro"; ".aero"; ".museum"; ".coop", and other gTLDs;

b) The country code top-level domain name (ccTLD) refers to top-level domain names particularly intended for specific countries and territories in uniformity with international standards for country codes (ISO-3166), including “.vn” identifying the top-level domain name of Vietnam.

6. *New gTLDs* refers to gTLDs to be expanded for direct assignment to worldwide organizations or individuals under the New gTLD program.

7. “.VN” *Country code Top level domain name* refers to the collection of lower-level domains below Vietnam top-level domains like “.vn” (hereinafter referred to as “.vn” domain) and other lower-level domains below top-level domains under Vietnam’s management

8. *International domain names* refers to lower-level domains below gTLDs and lower-level domains below other ccTLDs, except for Vietnam domain names.

9. *Domain name at different levels (secondary, third, etc. level)* refers to the set of scripts and symbols forming domain names arranged hierarchically below top-level domain names.

10. *Internet address (IP)* refers to the network address of devices or servers, including IP address generations like IPv4, IPv6 and the next generations of the IP address

11. *Autonomous system number (ASN)* refers an identifier for a collection of IP networks and routers under the control of one entity

12. *Domain name system (DNS)* refers to the collection of servers connected together to respond to the query for an IP address corresponding to a domain name. National DNS refers to the DNS under VNNIC’s direct management that serves IP address queries for lower-level domains below the “.vn” domain

13. “.VN” *management and maintenance services* refers to the service provided by ".vn" domain registrars for organizations or individuals in order to enable them to create, update, maintain and manage lower-level domain names below the “.vn” domain in the database and the national DNS, including the following activities:

a) Register and maintain domains; ensure the security of domain names and domain name database;

b) Record, report and provide information on domain names and information of organizations or individuals applying for the domain registration;

c) Withhold domain registration, suspend and revoke domain names;

d) Collect, pay domain fees and charges.

14. *Registrant* refers to organizations or individuals going through the process for application for domain registration and granted the right to use the “.vn” domain.

### **Article 3: Principles of management and use of Internet resources**

1. Internet resources shall be uniformly managed according to a master plan so as to ensure safe, reliable and effective Internet activities in Vietnam.
2. Internet resources related to national sovereignty, benefits and security; or related to Party and state agencies and organizations and socio-economic organizations shall be prioritized for protection and may not be infringed upon.
3. The management and usage of Internet resources must be for proper purposes, serve proper subjects, and comply with regulations and may not infringe upon lawful rights and interests of other organizations or individuals.
4. International cooperation should be enhanced and international treaties and agreements on management and use of Internet resources should be strictly implemented and respected.
5. Internet resources shall be put into operation or maintained for continuing operations only after users of Internet resources pay fees and charges according to regulations.

### **Article 4: VNNIC’s responsibilities**

1. To conduct public information on, instruct, organize, inspect, and supervise the management and usage of Internet resources in an effective and lawful manner.
2. To ensure the safe management and use of Internet resources and the confidentiality of information of organizations, individuals using Internet resources according to regulations.
3. To invest in, manage and operate the national DNS servers and technical systems so as to ensure effective, safe and lawful management and use of Internet resources.
4. To report and collect the statistics related to the management and use of Internet resources.
5. To draft and submit to the Ministry of Information and Communications for approval of standard contract to be signed with “.VN” domain name registrars; and standard contracts to be signed with enterprises providing domain name registration service for lower-level domains below new gTLDs in each period of time in conformity with practical requirements and regulations of international organizations of which Vietnam is a member.
6. To negotiate and sign contracts with ".vn" domain registrars, with enterprises providing domain name registration service for lower-level domains below new gTLDs in accordance with the master plan and regulations on management of Internet resources.

7. To guide, inspect and supervise the operation of ".vn" domain registrars and enterprises providing domain name registration service for lower-level domains below new gTLD, ensuring compliance with legal regulations and contracts signed between the two parties.

8. To protect “.vn” domain names relating to the national sovereignty, interest and security.

## **II. MANAGEMENT AND USE OF VIETNAM COUNTRY CODE TOP LEVEL DOMAIN NAME**

### **Article 5: Structure of “.VN” namespace**

1. “.VN” domain name consists of domain name without accent marks, and the Vietnamese domain name:

a) ASCII domain name Domain names without Vietnamese characters and accent marks, formed from characters and symbols defined in the table of ASCII characters and symbols, including lower-level domain names without accent marks below “.vn” domain names;

b) Vietnamese internationalized domain names (IDN) formed by characters defined in the table of Vietnamese characters and symbols or expanded Vietnamese characters and symbols according to the TCVN 6909:2001 standard and the hyphen “-”, including lower-level Vietnamese domain names under ".vn" domain names.

2. ASCII domain names include:

- ASCII generic second-level domain (gSLD) names
- ASCII second-level domain names by administrative boundary
- ASCII specific second-level domain name
- ASCII third-level domain names under gSLD

3. ASCII generic second-level domain (gSLD) names mean domain names classified by sectors, including the following domain names:

a/ COM.VN: For organizations and individuals involved in commercial activities.

b/ BIZ.VN: For organizations and individuals involved in business activities, equivalent to domain name ".COM.VN".

c/ EDU.VN: For organizations and individuals involved in education and training activities.

d/ GOV.VN: For central- and local-level State agencies and organizations.

e/ NET.VN: For organizations and individuals involved in the establishment and provision of online services.

f/ ORG.VN: For organizations involved in political, cultural and social activities.

g/ INT.VN: For Vietnam-based international organizations.

h/ AC.VN: For organizations and individuals involved in research activities.

i/ PRO.VN: For organizations and individuals involved in highly-specialized domains.

j/ INFO.VN: For organizations and individuals involved in the creation, distribution and supply of information.

k/ HEALTH.VN: For organizations and individuals involved in pharmaceutical and medical activities.

l/ NAME.VN: For proper names of individuals involved in Internet-related activities.

m/ And other domain name categories to be regulated by the Ministry of Information and Communication.

4. ASCII second-level domain names by administrative boundary are domain names under generic second level domain name given to the centrally run cities and provinces (eg: .haiphong.vn...)

5. ASCII specific second-level domain name specifically intended for organizations or individuals applying for the domain registration for private purposes.

6. ASCII third-level domain names are ASCII domain names under ASCII gSLDs, ASCII second-level domain names by administrative boundary, and ASCII specific second-level domain name specifically intended for organizations or individuals

7. Vietnamese domain names include generic secondary-level Vietnamese domain names classified by geographical entities, specific secondary-level Vietnamese domain names and third-level domain names below secondary-level domain names classified by geographical entities.

a) Generic secondary-level Vietnamese domain names classified by geographical entities refer to the domain names coined after names of centrally-affiliated cities or provinces and commonly used by and not allocated particularly to organizations or individuals (such as hanoi.vn, haiphong.vn, etc.);

b) Specific secondary-level Vietnamese domain names refer to Vietnamese domain names specifically intended for organizations or individuals applying for the domain registration to meet private demands;

c) Third-level Vietnamese domain names refer to Vietnamese domain names which are below generic secondary-level Vietnamese domain names classified by geographical entities, and are intended for organizations or individuals applying for the domain registration to meet private demands.

#### Article 6: Registration

1. The principles of registration are equality, non-discrimination, “first come-first served”, except the following:

a) Domain names under protection as stated in the section 1 Article 8 of this Circular

b) Domain names under the auction list of the Ministry of Information and Communications

2. Domain names are available for individuals and organizations to register, but must follow the requirements:

- a) Do not contain words or phrases intruding upon the national sovereignty, interest and security, or violating social ethics, fine traditional customs and values;
- b) Be clear and serious and avoid causing any confusion or misunderstanding by abusing polysyllabic and polysemantic attributes and omitting accent marks in Vietnamese language;
- c) Have at least one or a set of character(s) under top-level domain “.vn”;
- d) Contain alphabetical characters from a to z, numerical characters from 0 to 9; Vietnamese symbols defined in the table of Vietnamese letters, and all characters and symbols accepted by domain name servers. Lowercase or uppercase letters and symbols do not matter;
- e) Contain hyphen "-" but do not begin or end a domain name with this symbol and do not use two hyphens placed next to each other in a domain name;
- f) At each level of domain name, no more than 63 characters (for Vietnamese IDN, the length of the string would be after converted into ASCII string);
- g) For .name.vn, the string must be the name, surname, middle name, place of birth, date of birth (bearing the meaning of personal name).

#### Article 7: Usage

1. Domain name registrants must bear responsibilities of managing and using the domain names in accordance with Internet resource regulations.
2. Organizations, institutions can only allocate domain names under the registered domain name to member organizations, individuals working for those organizations and institutions and
3. Online newspaper, online portals and information portals affiliated to the Party and the State must use at least 01 domain name “.vn” and store information in servers identified by IP addresses in Vietnam.
4. Information portal and social online networks must use at least 01 domain name “.vn” and store information in servers identified by IP addresses in Vietnam.

#### Article 8: Protection

1. All domain names relating to the national sovereignty. Interest and security under protection:
  - a) Names represent important regions in the proximity of borders, names of islets, islands, oceans or waters of Vietnam;
  - b) Names in the list of Vietnamese geographic names accredited by UNESCO as the world's cultural relics;
  - c) Names of the Communist Party's organizations, state organs, socio-political institutions (like Vietnamese Fatherland Front, Vietnam Trade Union, Communist Youth Union of Ho Chi Minh City, Vietnam Women's Union, Vietnam Veteran's Union, etc.);
  - d) Names regarding national security, defense and diplomatic activities;

e) Other domains that need to be protected in accordance with regulations laid down by the Ministry of Information and Communications.

2. Organizations or agencies engaged in domain names stipulated in Clause 1 of this Article shall be responsible for filing applications for domain registration and reservation to the Ministry of Information and Communications (VNNIC).

3. The Ministry of Information and Communications shall issue the list of domain names prioritized to be protected.

4. VNNIC shall reserve and protect domain names defined in the approved list.

5. All organizations and individuals unrelated to protected domain names stipulated in Clause 1 of this Article shall not be registered as protected domain names.

#### Article 9: Provision of “.VN” registration and renewal services

##### 1. “.VN” Registrar

“.VN” domestic registrars which are enterprises established in accordance with Vietnamese laws will be eligible for providing the registration and maintenance services of “.VN” in Vietnam and overseas. When providing those services overseas, besides complying with Vietnamese regulations on Internet, the domestic registrars must also comply with the local regulations of the host country.

2. “.VN” foreign registrars which are enterprises having contract with an accredited registrar of ICANN will be eligible for providing the registration and maintenance services of “.VN” outside Vietnam. When providing those services overseas, besides complying with the local regulations of the host country, the domestic registrars must also comply with Vietnamese regulations on Internet.

3. If the enterprise wants to provide the registration and maintenance services of “.VN”, it is required to submit the application form for provision of registration and maintenance services of “.VN” (see Annex 1) to VNNIC. VNNIC will consider, negotiate and sign the contract for provision of registration and maintenance services of “.VN” with the registrar, based on the following criteria:

a) Demand for the provision of registration and maintenance services of “.VN”;

b) Plan for Internet resource management;

c) Compliance with Section 2 Article 14 of the Government’s Decree No. 72/2013/ND-CP dated July 15, 2013 on management, supply and use of Internet services and online information.

4. The contract for provision of registration and maintenance service of “.VN” between VNNIC and the enterprise must consist of specific contents stipulated in Annex 2 enclosed herein.

5. When providing the “.VN” registration and renewal services, “.VN” domain registrars are entitled to commissions under regulations by the Ministry of Information and Communications.

6. When providing the “.VN” registration and renewal services, “.VN” domain registrars must not:

a) Violate and harm legal rights and interests of applicants and other “.VN” domain registrars;

b) Abuse the advantage granted to domain name registrars to arrogate, prevent or find the way to prevent registrants from legal registration and use of domain names.

#### Article 10: The procedures of registration, updating information, returning of domain name

##### 1. Registration application documents:

In order to complete the procedure for registering, updating the registration information and returning “.VN” domain names, applicants must submit the domain registration form, the request form for updating to domain registration information or the request form for domain return. The domain registration form, the request form for change to domain registration information or the request form for domain return shall be provided by “.vn” domain registrars on their website and must include all required information according to the form stipulated in Appendix 3, 4 and 5 enclosed herein.

##### 2. Registration address:

a) Registration dossiers must be submitted to “.vn” domain registrars defined in the list publicly posted on [www.nhadangky.vn](http://www.nhadangky.vn);

b) Request for changing registration information and returning “.vn” domain names must be submitted to in-charge “.vn” domain registrars.

##### 3. Method of submitting application for domain registration, registration information change and domain return:

a) Directly submit application to “.vn” domain registrars’ offices. Individuals who are applicants, or those who act on behalf of agencies, organizations or enterprises to apply for domain registration, registration information change and domain return, are required to present ID cards (or passports, if individuals are foreigners);

b) Submit application to “.vn” domain registrars’ offices by post. Individuals who are applicants, or those who act on behalf of agencies, organizations or enterprises to apply for domain registration, registration information change and domain return, are required to attach the authenticated copy of ID card (or passports, if individuals are foreigners);

c) Submit application online via the electronic information page of “.vn” domain registrar if applicants have held digital signatures.

4. Within a permitted period of 03 (three) working days, as from the date of receipt of the valid application for domain registration, registration information change and domain return, “.vn” domain registrars must notify applicants of the application processing result. In case of refusal, clear reasons must be stated as well.

5. Domain names which are not structured in the same manner as those stipulated in Article 5, or in breach of regulations on domain registration as prescribed in Article 6, or violate regulations on domain name protection as prescribed in Article 8, shall not be allowed.

6. Change made to the name of applicants for domain registration shall not be permitted, except for the cases in which agencies, organizations or enterprises transfer to new names in accordance with the



decisions granted by competent authorities, or individuals change their full names in accordance with the decisions made by competent state agencies.

7. If applicants are allowed to change their name as stated in Clause 6 of this Article, in addition to submitting the request form for change made to domain registration information, agencies, organizations or individuals must present the original or attached authenticated copy of the decision on change made to the name of agencies or organizations, or the decision on change made to the full name of individuals in conformity with methods of submitting application stated in Clause 3 of this Article.

8. Return of domain names which are in the process of handling violations, or making final judgments of competent authorities shall not be allowed.

## Article 11: Suspension

### 1. Foundation

a) The written request which has been made by the investigation agency to serve the purpose of preventing threats to the information security to maintain the national security, social safety and order on time in accordance with legal regulations;

b) The written request which has been made by competent information and communications authorities to serve the purpose of carrying out inspection, examination and violation handling activities, or collaborating with competent inspectorates of other Ministries or industrial authorities in immediately preventing violations against regulations on information and communications as stipulated by laws;

c) After 05 (five) days from the expiry date of a domain name, applicants' failure to pay the fee for domain name maintenance.

### 2. Under the circumstance of part a) and b) section 1 of this Article:

a) Within a permitted period of 03 (three) working days from the date of receipt of the written request made by competent authorities, the Ministry of Information and Communications shall carry out the temporary suspension of domain operations through orders sent to the national domain server system; concurrently, request ".vn" domain registrars to send the written notification of temporary suspension to related agencies, organizations or individuals within 02 (two) working days from the date on which VNNIC issues the notification of temporary suspension of domain operations;

b) The duration of temporary suspension of domain operations shall not exceed 45 (forty five) days. After the duration of temporary suspension ends, VNNIC shall be responsible for restoring such domain name to normal operations if this domain name is not falling within cases in which revocation is required as stipulated in Article 12 hereof.

### 3. Under the circumstance of part c) section 1 of this Article:

a) After the stated duration, operations of the domain name of which the maintenance fee has not been paid shall be temporarily suspended;

b) Within 30 (thirty) days from the date on which the temporary suspension of domain operations starts, if applicants pay the domain maintenance fee in accordance with regulations, they shall be allowed to continue using registered domain names.

#### Article 12: Revocation

1. “.VN domain name would be revoked in the following cases:

a) The successful conciliation record of parties involved in disputes, or the Arbitration’s decision that has taken effect, or the Court’s verdict that has taken effect during the process of resolving domain name disputes, serves as the basis;

b) The written request of the Ministry of Information and Communications is applied to the case in which domain names are revoked as stipulated in Point a, b Clause 2 Article 50 of the Law on Telecommunications;

c) The decision on penalties for administrative violations of inspectorate specializing in information and communications activities in which the remedy takes the form of revoking domain names, or imposing supplementary penalties by forfeiting devices at fault serves as the basis in the event that use of domain names violates regulations on management, supply and use of Internet service and online information;

d) The written request of investigation authorities or competent state agencies stipulated by laws in charge of information security and high technology crimes serves as the basis in the event that use of domain names causes harm to the national security, social order and safety in accordance with laws;

e) After 30 (thirty) days from the date on which the temporary suspension of domain operations starts as prescribed in Point c Clause 1 Article 11 hereof, applicants have not paid the statutory domain maintenance fee;

f) Other cases in accordance with Government’s regulations.

2. Upon receiving the documents as stated in part a), b), c), d) section 1 of this Article, Ministry of Information and Communications (VNNIC) will:

a) Issue the decision on domain name revocation;

b) Stop operating revoked domain names on the national server system of domain names;

c) Request domain name registrars to send the written notification of domain name revocation to involved organizations, individuals within 02 (two) working days from the date on which VNNIC issued the notification of temporary suspension of domain name operations.

3. Within 02 (two) years from the date on which domain names were revoked, organizations or individuals whose domain names have been revoked under the provisions of Point c, d Clause 1 of this Article shall not be entitled to apply for registration of revoked domain names.

4. Under the circumstance of part d) section 1 of this Article

a) After obtaining the electronic notification "List of domain names with unpaid maintenance fee" certified by digital signatures of ".vn" domain registrars, VNNIC shall decide to revoke domain names by sending the written notification "List of domain names with unpaid maintenance fee" certified by VNNIC's digital signature to related domain name registrars;

b) VNNIC shall carry out the temporary suspension of operations of revoked domain names on the national domain name server and request ".vn" domain registrars to send the written or electronic notification of revocation of domain names to involved agencies, organizations or individuals within 05 (five) working days from the date on which VNNIC decided to revoke domain names.

5. After review if revoked domain names do not fall within the cases in which they are in breach of regulations on registration of ".vn" domain names stated in Article 6 hereof, VNNIC shall restore revoked domain names to the available status so that agencies, organizations or individuals who have demands will register these domain names for use.

#### Article 13: Registration and usage of ".gov.vn"

In addition to the regulations in Article 6, 7, 8, 9, 10, 11, 12 of this Circular, the registration and usage of domain names under ".gov.vn" must follow the below:

1. Entities eligible for registration and use of lower-level domain names below ".gov.vn" domain names shall include:

a) Central and local state agencies stipulated in Laws on Organization of the National Assembly, Government, People's Council, People's Committee, People's Procuracy, People's Court, or Government's Decrees on defining the functions, tasks, powers and organizational structure of Ministries, Ministry-level agencies and Government agencies;

b) Units that belong to state agencies as stipulated in Point a Clause 1 of this Article.

2. The ".gov.vn" domain name must be named after the name of agencies or units in the manner of being specific, explicit and easily distinguishing this domain name from others as well as being relevant to functions and tasks of these agencies or units as stipulated by instruments issued by authorities competent to regulate functions, tasks, powers of agencies or units applying for registration of ".gov.vn" domain names.

3. Persons in charge of managing ".gov.vn" domain names must be competent or authorized ones that belong to agencies or units applying for registration of lower-level domain name below ".gov.vn" domain names under the provisions of Appendix 6 enclosed herein.

4. As for domain names which are protected under the provisions of Clause 1 Article 8 hereof, registration and change of registration information and return of ".gov.vn" domain names must comply with the following regulations:

a) This procedure shall be implemented by the help of domestic ".vn" domain registrars;

b) Within a permitted period of 01 (one) working day, domestic ".vn" domain registrars shall be responsible for transferring registration applications to VNNIC for consideration and decision. Within

a permitted period of 02 (two) working days, VNNIC shall send the notification of application processing result to ".vn" domain registrars by emails in order to collaborate in implementation process and request domain name registrars to send the notification of application processing result to relevant agencies, organizations or individuals.

5. The temporary suspension or revocation of “.gov.vn” domain names and those which are protected under the provisions of Clause 1 Article 8 hereof shall be subjected to consideration and decision of the Ministry of Information and Communications.

#### Article 14: WHOIS database

1. “.vn” lookup system (Whois VN) is the system for publicly and electronically providing information about “.vn” domain names and domain name applicants.

2. “.vn” lookup system (Whois VN) includes the Whois VN system provided by VNNIC at the address whois.vn and Whois VN systems provided by ".vn" domain registrars.

3. Information available on Whois VN shall comprise:

- a) Domain names;
- b) Registration date, expiry date;
- c) Name of agencies, organizations or full names of individuals;
- d) Domain name registrars in charge of managing domain names;
- dd) Information about transferring domain name server.

4. Information available on Whois VN stipulated in Clause 3 of this Article shall be publicly provided on Internet and assist management and use of “.vn” domain names.

#### Article 15: “.VN” domain name transfer

1. Transfer to other ".vn" domain registrars shall be carried out when all parties involved in such transfer enter into agreement, including:

- a) The applicant for management and use of domain names;
- b) The domain name registrar currently managing domain names;
- c) The domain name registrar to whom the applicant is wishing to transfer their domain names.

2. Transfer to other domain name registrar shall not be allowed under the following circumstances:

- a) Within 60 (sixty) days from the date on which new registration of domain name was made, this shall not be allowed to happen;
- b) Within 30 (thirty) days before the expiry date of domain names, this shall not be allowed to happen;
- c) Domain names are in the process of handling violations;
- d) Domain names are subjected to the temporary suspension;
- dd) Domain names are in dispute.

3. In case the ".vn" domain registrar has not had capability of managing their domain names, these domain names shall be put under control of other ".vn" domain registrars as agreed upon between two domain name registrars within a permitted period of 60 (sixty) working days on receipt of the written approval from the Ministry of Information and Communications , or according to the written request made by the Ministry of Information and Communications (VNNIC).

#### Article 16: Management of “.VN” domain name in dispute settlement process

1. In the course of dispute resolution, VNNIC or the domain name registrar shall maintain the status quo of registration and use of domain names according to the written request made by agencies or organizations competent to resolve disputes in accordance with legal regulations.
2. After obtaining the written request for maintenance of the status quo of domain names from parties involved in disputes, VNNIC shall consider proper solutions in accordance with legal regulations.
3. If the plaintiff is allowed to apply for registration of domain names which are in dispute and revoked as defined in the successful conciliation record, the arbitration’s effective decision or the effective verdict or judgment of the Court, the plaintiff shall be given priority to register such domain names within a permitted period of 15 (fifteen) working days from the date on which these record, decision, verdict entered into force. After this period, such domain names shall be available for registration.

#### Article 17: Rights and obligations of “.VN” registrants

1. Register and use “.vn” domain names in accordance with legal regulations.
2. File complaints, make accusations and bring legal proceedings against any illegal intrusion or infringement upon registration and use of ".vn" domain names.
3. Choose domain name registrars within the system of ".vn" domain registrars in order to register domain names or transfer to other domain name registrar.
4. Provide adequate and accurate information when registering domain names in accordance with regulations; bear responsibility to manage domain name information; disseminate and update information under the guidance of domain name registrars whenever there is any change made information, and assume responsibility to check and provide accurate updated information upon the request made by domain name registrars or VNNIC.
5. Engage in or collaborate in preventing domain names from being used for law-breaking purposes upon the request of competent state agencies.
6. Apply technical measures to ensure the safety for domain names and attached information provided along with domain names which are being registered and used.

#### Article 18: Registration and usage of new gTLDs in Vietnam

1. Registration and use of New gTLDs
  - a) In order to be eligible for using New gTLDs, agencies, organizations or enterprises must complete and send the information registration form according to the form stipulated in Appendix 7 issued together with this Circular to the Ministry of Information and Communications;

b) The Ministry of Information and Communications shall give their written opinions on use of New gTLDs within 30 (thirty) working days of receipt of applications from agencies, organizations or enterprises;

c) These written opinions obtained from the Ministry of Information and Communications shall be used by these agencies, organizations or enterprises as the basis for completing procedures for registration of New gTLD with ICANN. After 30 (thirty) working days of receipt of applications from agencies, organizations or enterprises, if the Ministry of Information and Communications does not give any response, these agencies, organizations or enterprises shall be allowed to proceed to complete the procedure for registration of New gTLDs;

d) Within a permitted period of 05 (five) days from the date on which ICANN officially transfers New gTLDs, agencies, organizations or enterprises must send the written notification to the Ministry of Information and Communications (VNNIC);

dd) New gTLDs registered and used by agencies, organizations or enterprises in Vietnam shall be managed by the Ministry of Information and Communications in accordance with legal regulations on Internet resources.

## 2. Lower-level domain names below New gTLDs:

a) Agencies, organizations or enterprises shall be granted lower-level domain names below New gTLDs that they have registered to be used by affiliations or affiliated individuals of these agencies or organizations;

b) Agencies, organizations or enterprises wishing to assign lower-level domain names below New gTLDs that they have registered to organizations or individuals other than member units or affiliated individuals of such agencies or organizations must send the written request to the Ministry of Information and Communications;

c) Within 30 (thirty) working days from the date on which the Ministry of Information and Communications granted the written approval, agencies, organizations or enterprises shall sign the contract with VNNIC for registration and maintenance of lower-level domain names below New gTLDs in Vietnam;

d) Assignment of lower-level domain names below New gTLD must comply with legal regulations on management of Internet resources.

## III. REGISTRATION AND USAGE OF GENERIC TOP LEVEL DOMAIN NAMES IN VIETNAM

### Article 19:

#### 1. Registration application:

The registration form for international domain name is stipulated by international domain name registrar in Vietnam on the electronic information page of the domain name registrar, but is required to provide adequate information and meet requirements set out in the form stipulated in Appendix 8 enclosed herein.

## 2. Registration address:

The list and contact addresses of international domain name registrars in Vietnam shall be publicly posted at the address [www. domain. vn](http://www.domain.vn) in the section “International domain name registrars in Vietnam”.

## 3. Registration method:

- a) Directly submit the registration application to international domain name registrars’ offices in Vietnam. Individuals who are applicants, or those who act on behalf of agencies, organizations or enterprises to apply for domain name registration are required to present ID cards (or passports, if individuals are foreigners);
- b) Send the registration application to international domain name registrars’ offices in Vietnam by post. Individuals who are applicants, or those who act on behalf of agencies, organizations or enterprises to apply for domain name registration are required to attach the authenticated copy of ID cards (or passports, if individuals are foreigners);
- c) Apply online via the electronic information page of international domain name registrar in Vietnam if applicants have held digital signatures.

## Article 20: Notification of usage

1. Notification time: Before organizations or individuals bring international domain names which have been registered into operation.
2. Notification shall be posted at the address [www. domain. vn](http://www.domain.vn).

## 3. Notification contents:

- a) With regard to agencies or organizations: Name of the agency or organization defined in the establishment decision, the corporate registration certificate (or other valid certificates issued before the effective date of the 2014 Enterprise Law), the certificate of registration of representative office operations; main office address, telephone number, electronic mailbox; full name of the manager of domain names together with the address, telephone number, electronic mailbox, ID card or Passport number if (s)he is a foreigner;
- b) With regard to individuals: full name; permanent residence address; telephone number; electronic mailbox; number, issue date and place of ID card or passport, if these individuals are foreigners;
- c) Domain names brought into operation.

## 4. Information change:

- a) Whenever there is any change to provided information, individuals using international domain names must log into the website [www. domain. vn](http://www.domain.vn) with granted passwords in order to supplement, change or remove information regarding international domain names which are currently in use;
- b) If passwords have been forgotten or lost, or domain names have been used by others, applicants must send the written request to VNNIC in order for them to re-grant passwords and adjust information.

#### Article 21:

1. Not later than 15 (fifteen) days from the date on which international domain name registration and maintenance service was provided for the public, international domain name registrars in Vietnam must send a performance report on provision of such service to the Ministry of Information and Communications (VNNIC) by using the form stipulated in Appendix 9 issued together with this Circular, enclosed herewith the authenticated copy of the investment certificate or the establishment decision or the corporate registration certificate (or the authenticated copy of other valid certificates issued before the effective date of the 2014 Enterprise Law); the notarized translation of the contract with ICANN or the contract with accredited registrars of ICANN with the aim of being eligible for furnishing international domain name registration service in Vietnam.

2. By the 15<sup>th</sup> day of the first month of each quarter, international domain name registrars in Vietnam must send the online report of updated list of international domain names put under its management to VNNIC according to the specific instructions stated on [www.thongbaotenmien.vn](http://www.thongbaotenmien.vn).

#### IV. INTERNET ADDRESSES AND AUTONOMOUS SYSTEM NUMBERS

##### **Article 22: Principles of the assignment, allocation and usage of IP address**

1. Agencies, organizations or enterprises with demands for setting up connection network to the Internet shall have the right to request for allocation and assignment of IP address for internal use or reassignment to clients who have connection to the network server of these agencies, organizations or enterprises. IPv6 address is encouraged.

2. IP address shall be assigned, allocated based on practical demands, and shall be valid all over Vietnam. Agencies, organizations or enterprises involved in Internet activities must adhere to the following principles:

a) Routing to IP addresses zones in Vietnam under the guidance of the Ministry of Information and Communications (VNNIC);

b) No routing to IP address zones outside of the list of IP addresses under the management of the Ministry of Information and Communications (VNNIC), except for connection to international gateways;

c) Collaborating with VNNIC on technical issues and routing policies in order to ensure that the national DNS, Internet exchange points, Vietnam's Internet operate in a safe and effective manner;

d) Planning to promote IPv6 address to use in uniformity with the national action plan for IPv6.

3. After a period of 06 (six) months from the date of assignment and allocation, IP addresses that have not been put into use yet will be revoked, without any reasonable explanation of purpose of using them on networks.

4. Agencies, organizations or enterprises that have no longer have demands for IP addresses must return these addresses in written documents to the Ministry of Information and Communications



(VNNIC). IP address zones shall be re-assigned and re-allocated to any other agency, organization or enterprise in need.

5. During the IPv4 address exhaustion phase:

- a) New assignment, allocation of IPv4 address shall conform to the policy for restricted assignment by Asia Pacific Network Information Centre (APNIC) on the website [www.apnic.net](http://www.apnic.net);
- b) Receipt of IP addresses directly from international organizations must comply with regulations which are promulgated by international IP address resource management organizations and stated in Article 27 hereof. IP address zones, upon completion of receipt procedure of IP address into Vietnam, shall be considered as Internet resources and governed by legislative documents on Internet resources;
- c) Re-assignment, re-allocation of revoked or returned IPv4 address zones from agencies, organizations or enterprises must comply with regulations and procedures stated in Article 24 hereof.

**Article 23: Procedure for assignment and allocation of IP address**

1. Application documents for assignment and allocation of IP address shall be composed of the followings:

- a) “IP address registration form” according to the form stipulated in Annex 10 enclosed herein;
- b) Decision of establishment or business registration certificate (or other valid certificates issued before the effective date of the 2014 Enterprise Law) (the authenticated copy or the attached copy of certificates with the original);
- c) The copy of the license to provide Internet services (if any).

2. Application address:

Agencies, organizations or enterprises applying for assignment and allocation of IP address shall send their application documents to the Ministry of Information and Communications (VNNIC).

3. Application procedure:

- a) Direct submission at VNNIC’s office: individuals who act on behalf of agencies, organizations or enterprises to apply for assignment and allocation of IP address are required to present ID cards (or passports, if these individuals are foreigners);
- b) Submission by post to VNNIC’s office: Individuals who act on behalf of agencies, organizations or enterprises to apply for assignment and distribution of IP address are required to attach the authenticated copy of ID cards (or passports, if these individuals are foreigners);
- c) Online application at the address [www.diachiip.vn](http://www.diachiip.vn) if digital signatures are available.

4. The maximum duration of grant of the application processing result or the decision on assignment and allocation of IP address to agencies, organizations or enterprises is 20 (twenty) working days from the date of receipt of all valid required documents. In case of rejecting application for assignment and allocation of IP address, the Ministry of Information and Communications shall send the written notification in which clear reasons for such rejection should be stated.

## **Article 24: Re-assignment, re-allocation of returned or revoked IPv4 address zones**

1. Re-assignment, re-allocation of returned or revoked IPv4 address zones in Vietnam shall not be governed by regulations part a Clause 5 Article 22 hereof.

2. IPv4 address zones of agencies, organizations or enterprises in Vietnam after being revoked or returned shall be re-assigned, re-allocated to any other agency, organization or enterprise in need according to the following principles:

a) “First come, first served”;

b) Have yet to be assigned IPv4 address, or if have already assigned IP address, the agencies, organizations or enterprises could explain that they have used at least 80% of IPv4 address zones assigned or allocated previously;

c) Demonstrate the degree of necessity and possibility of immediate use of IP address zones;

d) If assignment and distribution of IPv4 address zones is accepted, agencies, organizations or enterprises applying for assignment and distribution of IP address must fulfill their obligation to pay fees or charges for use of IP address in Vietnam in accordance with regulations by the Ministry of Finance.

3. Process for re-assignment and re-allocation:

a) Whenever there is any revoked or returned IPv4 address zones of agencies, organizations or enterprises, VNNIC shall announce about such zones and the time of receipt of application for assignment and redistribution of IP address zones on the website [www.diachiip.vn](http://www.diachiip.vn);

b) Receipt and processing of application for re-assignment and re-allocation of IP address shall adhere to principles stated in Clause 2 of this Article;

c) Within 03 (three) working days from the date of completion of processing of application for re-assignment and re-allocation of IP address, VNNIC shall issue the decision on re-assignment and re-allocation of IP address and post it on the website [www.diachiip.vn](http://www.diachiip.vn) to announce the final result of each case.

## **Article 25: Principles of assignment, allocation and usage of ASN**

1. Depending on the practical demand raised by agencies, organizations or enterprises, those who have been assigned or allocated IP addresses by VNNIC shall be entitled to apply for assignment and allocation of ASN.

2. ASN shall be used to enter into IP address zones of Vietnam with independent routing policies, or linked with service providers with different routing policies.

3. Agencies, organizations or enterprises that obtain assigned or allocated ASNs must only use these numbers within their networks.

4. After a period of 06 (six) months from the date of assignment and allocation, any ASN that has not been put to use yet will be revoked, without any reasonable explanation of the purpose of using them on networks.

5. Agencies, organizations or enterprises that have no longer had demands for ASN must return these numbers in written documents to the Ministry of Information and Communications (VNNIC). Returned network numbers shall be re-assigned and re-allocated to any other agency, organization or enterprise in need.

6. Receipt of ASN directly from international organizations must comply with regulations which are promulgated by international resource management organizations and stated in Article 27 hereof. ASN, upon completion of procedure for import into Vietnam in accordance with regulations, shall be considered as Internet resources, and governed by legislative documents on Internet resources.

#### **Article 26: Procedure for assignment and allocation of ASN**

1. Registration application:

“Network number registration form” according to the form stipulated in Annex 11 enclosed herein;

2. Application address:

Agencies, organizations or enterprises applying for assignment and distribution of network numbers shall send their application to the Ministry of Information and Communications (VNNIC).

3. Application procedure:

a) Direct submission at VNNIC’s office: individuals who act on behalf of agencies, organizations or enterprises to apply for assignment and allocation of ASN are required to present ID cards (or passports, if these individuals are foreigners);

b) Submission by post to VNNIC’s office: Individuals who act on behalf of agencies, organizations or enterprises to apply for assignment and distribution of ASN are required to attach the authenticated copy of ID cards (or passports, if these individuals are foreigners);

c) Online application at the address [www.diachiip.vn](http://www.diachiip.vn) if digital signatures are available.

4. The maximum duration of grant of the application processing result or the decision on assignment and allocation of ASN to agencies, organizations or enterprises is 20 (twenty) working days from the date of receipt of all valid required documents. In case of rejecting application for assignment and allocation of ASN, the Ministry of Information and Communications shall send the written notification in which clear reasons for such rejection should be stated.

#### **Article 27: Direct receipt of IP address or ASN from international organizations**

Agencies, organizations or enterprises in Vietnam wishing to receive IP addresses or ASN directly from international organizations must follow the procedure:

1. Make a report on receipt of IP address zone or network number by using the form stipulated in Appendix 12 enclosed herein in order to put IP address zones or network numbers into the list of IP addresses or network numbers subject to VNNIC's concentrated management.
2. Pay fees that may arise in accordance with regulations laid down by international IP address management organizations in order to transfer IP address zones or network numbers to the list of IP addresses and network numbers subject to the VNNIC's concentrated management.
3. Pay fees for maintenance of IP address zones or network numbers as stipulated by the Ministry of Finance.

#### **Article 28: Revocation of IP address and network number**

IP addresses and network numbers shall be revoked under the following circumstances:

1. The written request of the Ministry of Information and Communications is applied to the case in which IP addresses, network numbers are revoked as stipulated in Point a, b Clause 2 Article 50 of the Law on Telecommunications.
2. The decision on penalties for administrative violations of inspectorate specializing in information and communications activities in which the remedy takes the form of revoking IP addresses, network numbers, or imposing supplementary penalties by forfeiting devices at fault serves as the basis in the event that use of IP addresses and network numbers violates regulations on management, supply and use of Internet service and online information.
3. The written request of investigation authorities or competent state agencies stipulated by laws in charge of information security and high technology crimes serves as the basis in the event that use of IP addresses, network numbers causes harm to the national security, social order and safety in accordance with laws.
4. IP addresses or network numbers are in breach of regulations laid down in Clause 3 Article 22 and Clause 4 Article 25 hereof.
5. After 30 (thirty) days from the date on which IP address zones, network numbers expired, agencies, organizations or enterprises fail to pay the maintenance fee in accordance with applicable regulations.
6. With regard to the case in which IP addresses, network numbers are revoked as stipulated in Clause 1 through Clause 5 of this Article, the Ministry of Information and Communications (VNNIC) shall issue the decision on revocation of IP addresses and network numbers; send a notification to involved agencies, organizations or enterprises. If IP addresses subject to revocation fall within IP address zones already issued to clients by Internet service providers, these Internet service providers shall be responsible for carrying out revocation of such IP address zones.

#### **Article 29: Rights and obligations of agencies, organizations or enterprises**

1. Agencies, organizations or enterprises to which IP addresses are assigned or allocated shall be recognized as IP address members of VNNIC.

2. IP address members will on their own establish their routing policy for assigned or allocated IP address zones which is relevant to the current status of their networks and does not obstruct the legal routing promotion of IP address zones.
3. IP address members shall be responsible for disclosing and updating information used for IP address zones and network numbers which have been assigned upon the request of the Ministry of Information and Communications (VNNIC).
4. IP address members shall be responsible for immediately verifying and dealing with IP addresses, network numbers under their management which may be involved in violations against regulations when they receive the notification from the Ministry of Information and Communications (VNNIC) or other competent agencies.
5. Only IP address members licensed to provide Internet service shall be eligible for re-distributing IP addresses to other clients or organizations.

#### IV. IMPLEMENTATION PROVISIONS

1. This Circular takes effect from 10/10/2015.
2. This Circular replaces the following documents:
  - a) Circular No. 19/2014/TT-BTTTT dated 05/12/2014 by Minister of Information and Communications guiding the management and usage of Internet resources;
  - b) Article 1 Circular No. 09/2011/TT-BTTTT dated 08/04/2015 by Minister of Information and Communications
  - c) Circular No. 10/2008/TT-BTTTT dated 24/12/2008 by Minister of Information and Communications guiding the settlement of “.VN” domain name dispute
  - d) Circular No. 09/2008/TT-BTTTT dated 24/12/2008 by Minister of Information and Communications guiding the management and usage of Internet resources.
3. Any problems arising in the course of implementation should be promptly reported to the Ministry of Information and Communications for consideration, supplementation and amendment.