
No. 06/2019/TT-BTTTT

Hanoi, July 19, 2019

CIRCULAR

Amending and supplementing a number of articles of the Minister of Information and Communications' Circular No. 24/2015/TT-BTTTT of August 18, 2015, on management and use 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 April 5, 2016 Press Law;

Pursuant to the Government's Decree No. 17/2017/ND-CP of February 17, 2017, 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 the management, provision and use of Internet services and information on the network; and Decree No. 27/2018/ND-CP of March 1, 2018, amending and supplementing a number of articles of Decree No. 72/2013/ND-CP and Decree No. 150/2018/ND-CP of November 7, 2018, amending a number of decrees relating to investment and business conditions and administrative procedures in the field of information and communications;

The Ministry of Information and Communications promulgates the Circular amending and supplementing a number of articles of the Minister of Information and Communications' Circular No. 24/2015/TT-BTTTT of August 18, 2015, on management and use of Internet resources.

Article 1. To amend and supplement a number of articles of the Minister of Information and Communications' Circular No. 24/2015/TT-BTTTT of August 18, 2015, on management and use of Internet resources (below referred to as Circular No. 24/2015/TT-BTTTT), as follows:

1. To add the following Clause 15 to Article 2:

“15. *Internet protocol (IP) member* means an agency, organization or enterprise that is assigned or allocated an IP address by the Ministry of Information and Communications (the VNNIC)”.

2. To amend Point m, Clause 3, Article 5 as follows:

“m/ NAME.VN: for organizations and individuals registering their full names, abbreviated names, commercial names, or secret names as domain names;”.

3. To amend and supplement Clause 2, Article 6 as follows:

a/ To amend Point g as follows:

“g/ Refraining from violating Clause 1, Article 23b of the Government's Decree No. 72/2013/ND-CP of July 15, 2013, on the management, provision and use of Internet services and information on the network, which is amended and supplemented under the Government's Decree No. 27/2018/ND-CP of March 1, 2018;”.

b/ To add the following Point h:

“h/ Not including phrases likely to cause misunderstanding that it is a website or social network in case the domain name-registering entity is not the one eligible for grant of a license for development of a website or social network in accordance with law.”.

4. To amend Article 10 as follows:

a/ To amend Clause 3 as follows:

“3. Method of submission of dossiers for registration of, change of registered information on, or return of, domain names “.vn”:

a/ Submitting dossiers at establishments of domain name “.vn” registrars. For a domain name-registering person carrying out procedures for registration of, change of registered information on, or return of, a domain name, he/she shall also produce his/her people's identity card or citizen identity card (or passport, for a foreigner);

b/ Sending dossiers to establishments of domain name “.vn” registrars. A dossier for registration of, change of registered information on, or return of, a domain

name shall be enclosed with a certified copy of the people's identity card or citizen identity card of the domain name-registering person (or passport, for a foreigner);

c/ Submitting dossiers via registrars' online applications for registration and management of domain name dossiers (not applicable to dossiers for change of registered information on, or return of, domain names):

A domain name-registering entity shall submit the dossier via a registrar's online application for registration and management of domain name dossiers and complete the required registration information on the registrar's website. The registrar shall verify the information provided by such entity. The list of registrars is issued by VNNIC at www.nhadangky.vn.”

b/ To amend Clause 6 as follows:

“6. The name of a domain name-registering entity shall be changed in the following cases:

a/ The entity being an organization is renamed under a competent authority's decision;

b/ The entity being an agency or organization is merged or consolidated or has its functions and tasks changed under a competent state agency's decision, which leads to the change in the right to use the domain name;

c/ The entity being an enterprise is reorganized under the Law on Enterprises, which leads to the change in the right to use the domain name;

b/ The entity being an individual changes his/her first name or last name under a competent state agency's decision.”

c/ To amend Clause 7 as follows:

“7. For a case in which the name of a domain name-registering entity is allowed to be changed under Clause 6 of this Article, in addition to a written request for change of domain name registration information, the entity must also produce a duplicate from the master register or a copy compared with the original or a certified copy of the competent state agency's decision or document on enterprise reorganization in accordance with the Law on Enterprises, or a paper proving the change of the right to use the domain name according to the methods of dossier submission prescribed in Clause 3 of this Article.”

5. To amend and supplement Article 11 as follows:

a/ To add the following Point d to Clause 1:

“d/ Cases where entities are unidentifiable because they use others’ names for registration of domain names or domain names contain incorrect information, and cases in which entities being organizations are dissolved or no longer exist.”.

b/ To add the following Clause 4:

“4. For cases prescribed at Point d, Clause 1 of this Article:

a/ Past 30 (thirty) days from the date the VNNIC or the registrar requests the updating and supplementation of information, if the domain name-registering entity fails to do so, its/his/her domain name will be suspended from operation in the national DNS system. The registrar shall notify the operation suspension of such domain name to the entity within 2 (two) working days after the suspension.

b/ Within 30 (thirty) days after the operation suspension of the domain name, if the domain name-registering entity updates, supplements or completes the relevant information, the domain name will be reactivated.”

6. To amend and supplement Article 12 as follows:

a/ To amend Point a, Clause 1 as follows:

“a/ Such is provided in the written record of successful conciliation in accordance with the law on conciliation; or an arbitral decision or award under the law on arbitration, or a legally effective court judgment or ruling in the settlement of the domain name dispute;”

b/ To amend Point e, Clause 1 as follows:

“e/ The domain name violates the principle of naming prescribed in Clause 2, Article 6; or regulations on protection of domain names in Article 8; or the entity fails to supplement, update or complete the registration information past 30 (thirty) days from the date of operation suspension of the domain name as prescribed at Point d, Clause 1, Article 11, of this Circular;”

c/ To add the following Point g to Clause 1:

“g/ Other cases as prescribed by the Government.”

d/ To amend Clause 2 as follows:

“2. In case of revocation of domain names as prescribed at Point a, b, c, d, or e, Clause 1 of this Article, the Ministry of Information and Communications (the VNNIC) shall:

a/ Suspend the operation of the revoked domain names in the national DNS system;

b/ Request the domain name registrar to issue a written notice of revocation of the domain name to domain name-registering entity within 2 (two) working days after the VNNIC issues the notice of revocation of the domain name.”

7. To amend Clause 1, Article 15 as follows:

“1. The transfer of a domain name “.vn” from a registrar to another shall be effected at the request of the domain name-registering entity and after it is so agreed by the registrar currently managing the domain name and the registrar to which the entity wishes to transfer its/his/her domain name. Upon receiving the request, the registrar currently managing the domain name shall carry out procedures to transfer the domain name to another registrar and may not hinder the latter when he/she/it has fulfilled all obligations in the agreement with the registrar on the registration and maintenance of the domain name “.vn”. In case of refusal, the registrar currently managing the domain name shall send a written reply to the entity, clearly stating the reason.”

8. To amend Clause 3, Article 16 as follows:

“3. In case a written successful conciliation prescribed by the law on conciliation; an arbitral decision or award prescribed by the law on arbitration; a court judgment or ruling states that the disputed domain name shall be revoked and allows the plaintiff to register such domain name for use, the judgment creditor (the plaintiff in the dispute resolution case) may register such domain name within 45 (forty five) days after the effective date of such written conciliation, decision, award, judgment or ruling. Past this time limit, the domain name shall be released for free registration.”

9. To amend and supplement Clause 1, Article 22 as follows:

“1. Agencies, organizations and enterprises wishing to establish Internet-connected networks may apply for IP addresses (the registration and use of IPv6 addresses are encouraged) for internal use or sub-assignment to end-users connected to their service provision networks (in case they are eligible to provide Internet services) and may request the renaming of the IP-registering entity in the following cases:

a/ The entity being an agency or organization is renamed under a competent authority’s decision;

b/ The entity being an agency or organization is divided, split up, merged or consolidated or has its functions and tasks changed under a competent state agency’s decision, leading to the change in the management organization and operation of networks and IP address space-using services;

c/ The entity being an enterprise is reorganized in accordance with the Law on Enterprises, leading to the change of the organization directly managing and operating networks and IP address space-using services.”

10. To amend and supplement Article 23 as follows:

a/ To amend Clause 1 as follows:

“1. A dossier of request for assignment or allocation of an IP address must comprise:

a/ A written request for an IP address, made according to the form provided in Appendix 10 to this Circular;

b/ A certified copy or a copy enclosed with the original for comparison of the establishment decision or another valid certificate granted before the effective date of the 2014 Law on Enterprises Law, or enterprise code;

c/ In case of assignment or allocation of an IP address due to the renaming of the IP-registering entity as prescribed in Clause 1, Article 22 of this Circular, in addition to the papers prescribed at Points a and b of this Clause, agencies, organizations and enterprises shall also submit the original or a certified copy of the competent state agency’ decision or document on enterprise reorganization in accordance with the Law on Enterprises and lawful papers proving the change in the right to use IP addresses.”

b/ To amend Clause 3 as follows:

“3. Methods of dossier submission:

a/ Submitting dossiers at the head office of the VNNIC;

b/ Sending dossiers by post to the head office of the VNNIC;

c/ Sending dossiers online to www.diachiip.vn.”

c/ To amend Clause 4 as follows:

“4. The time limit for notifying the dossier processing result or issuing a decision on the assignment or allocation of an IP address is 20 (twenty) days after the receipt of a complete and valid dossier. In case of refusal, the Ministry of Information and Communications (the VNNIC) shall issue a written reply clearly stating the reason.”

11. To amend and supplement Clause 1, Article 25 as follows:

“1. Based on practical demands of agencies, organizations and enterprises, those having been assigned or allocated IP addresses by the VNNIC may request the

assignment or allocation of ASNs and change of the name of the ASN-registering entity in the following cases:

a/ The entity being an agency or organization is renamed under a competent authority's decision;

b/ The entity being an agency or organization is divided, split up, merged or consolidated or has its functions and tasks changed under a competent state agency's decision, leading to the change in the management organization and operation of networks and ASN-using services;

c/ The entity being an enterprise is reorganized in accordance with the Law on Enterprises, leading to the change in the organization directly managing and operating networks and ASN-using services. ”.

12. To amend and supplement Article 26 as follows:

a/ To amend Clause 1 as follows:

“1. Registration dossier:

a/ The ASN registration declaration made according to the form provided in Appendix 11 to this Circular.

b/ In case of the assignment of an ASN due to the renaming of the ASN-registering entity as prescribed in Clause 1, Article 25 of this Circular, in addition to the papers prescribed at Point a of this Clause, agencies, organizations and enterprises shall also submit a duplicate granted from the master register, a copy compared with the original or a certified copy of the competent state agency' decision or a document on enterprise reorganization in accordance with the Law on Enterprises and papers proving the change in the right to use ASN. ”

b/ To amend Clause 3 as follows:

“3. Methods of dossier submission:

a/ Submitting dossiers at the head office of the VNNIC;

b/ Sending dossiers by post to the head office of the VNNIC;

c/ Sending dossiers online to www.diachiip.vn.”

13. To add the phrase “Enterprise code” to Section 4, Appendix 3 on Declaration for registration of domain names for agencies, organizations and enterprises to Circular No. 24/2015/TT-BTTTT.

14. To amend and supplement Appendix 10 to Circular No. 24/2015/TT-BTTTT as follows:

a/ To add the phrase “Business code” to Section 1;

b/ To amend Section 2 as follows: To replace the phrase “The highest leader of an agency/organization/enterprise” with the phrase “An at-law representative or a person authorized to act as an at-law representative of an agency/organization/enterprise”.

c/ To annul the following in Section 3:

Note: if applying for assignment of IPv4, an organization may not apply for more than prefix/22 for this period.”

d/ To annul the following in Section 5:

“(Applicable to agencies/organizations/enterprises that are not ISPs, have multicast connection, and need to provide information for at least 2 connection directions).

e/ To add the following below the place reserved for the registrar’s certification:

“+ At-law representative or person authorized to act as at-law representative, signature and seal;

+ Note: In case of requesting the renaming of IP address space-using entity, it is required to obtain certification of the agency, organization or enterprise currently managing the IP address space under its name”.

15. To amend and supplement Appendix 11 to Circular No. 24/2015/TT-BTTTT as follows:

a/ To add the following after Section 2:

“2a. ASN for which the entity’s name is requested for change: In case of requesting the change of the name of the ASN-using entity, the requesting ASN provider shall conduct the transfer here”.

b/ To annul the phrase “at least 2 directions” prescribed in Section 3 (for policies on both inbound routing and outbound routing):

c/ To add the following below the place reserved for the registrar’s certification:

“+At-law representative or person authorized to act as at-law representative, signature and seal;

+ Note: In case of requesting the renaming of the ASN-using entity, it is required to obtain certification of the agency, organization or enterprise currently managing the ASN under its name”.

Article 2. Effect

1. This Circular takes effect on September 15, 2019.

2. Any problems arising in the course of implementation of this Circular should be promptly reported to the Ministry of Information and Communications for consideration, supplementation and revision.-

Minister of Information and Communications

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