

2024 AVIA Regulating for Growth – Pay TV Matrix for Vietnam

Questions	Pay TV	Foreshadowed Changes?
1. How regulated? <i>Details of regulator/s</i>	<ul style="list-style-type: none"> Pay TV is regulated by Decree No. 06/2016/ND-CP issued by the Vietnamese Government on 18 January 2016 (as amended and supplemented by Decree No. 71/2022/ND-CP, Decree 06). According to Decree 06, pay TV is defined as a type of service provided to users by licensed providers to which technologies for control, management and limitation of signal reception are applied. The Ministry of Information and Communication (MIC) is the primary operational regulator. The Administration for Broadcasting and Electronic Information (ABEI) under the MIC oversees pay TV. A competitive domestic system sees multiple players jostle for broadcast rights in the most popular telecast areas. 	N/A
2. Copyright protection?	<ul style="list-style-type: none"> The legal framework of copyright and related (neighbouring) rights (collectively referred to as "copyright") meets basic international standards and includes protection of broadcasts. In practice, copyright enforcement and compliance are gradually improving. Although Vietnam is among 20 "watch list" countries in the 2024 Special 301 Report of the Office of the United States Trade Representative, it is not among the "priority watch list" of seven countries. While online piracy in Vietnam remains at very high levels with a number of high-profile pirate services based in Vietnam serving international audiences, Vietnamese authorities have demonstrated efforts in dealing with piracy infringements by both heightened regulatory measures and improved effective enforcement actions, including but not limited to establishing a specialised IP court. In particular, the enforcement actions taken by the Hanoi police in August 2024 against Fmovies (described as the biggest pirate streaming operator in the world) in coordination with an MPA-led antipiracy group, demonstrate collaboration with international rightsholders to combat infringement. Channels that serve essential political and propaganda information tasks shall be entitled to be completely transmitted and broadcasted on pay TV services in Vietnam via the agreement on location of receipt of signals between the 	<ul style="list-style-type: none"> The specialised IP court is governed by the Law No. 34/2024/QH15 on Organisation of People's Courts, which was issued on 24 June 2024 and will come into effect on 01 January 2025.

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	<p>press agency that has been licensed to operate radio and television and the pay TV services provider.</p> <ul style="list-style-type: none"> • Other programme channels on Pay TV must meet copyright requirements, including: <ul style="list-style-type: none"> ○ maintaining documentary evidence of legitimate copyright for broadcast content; and ○ preserving the integrity of broadcast content, with the exception of adding the name and logo of the pay TV service provider. • On-demand radio and television content and value-added service content on Pay TV shall satisfy the following copyright requirements: <ul style="list-style-type: none"> ○ maintaining documentary evidence of legitimate copyright for broadcast content; ○ ensuring the integrity of programmes and films that have been broadcast on the channel, including the name and logo of the channel; and ○ complying with the contract or written agreement on copyright; and ensuring the integrity of programme content after the content has been edited and categorised as required by law. • Since 1 January 2023, several new regulations related to copyright management and the provision and use of radio and television services have come into effect. Notably, the IP Law was amended in 2022, and Decree 17/2023/ND-CP (Decree 17) was enacted to further detail the IP Law concerning copyrights and related rights. These measures have significantly strengthened the rights of owners by imposing stringent regulations on infringement and outlining the corresponding remedial actions. • In cases of copyright and related rights infringement, the offending organisations and individuals may be subject to civil, administrative, or criminal sanctions, contingent upon the severity and nature of the violation. • Decree 17 regulates the legal liabilities of businesses that provide intermediary services. In particular, companies that offer services of digital storage of information to be provided on demand are mandated to delete or block access to digital content when requests are made by copyright owners, related rights holders, or competent authorities. 	

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3. Convergence and new technologies	<ul style="list-style-type: none"> • The Vietnamese authorities license and regulate content transmissions via all technologies, including: <ul style="list-style-type: none"> ○ Digital terrestrial TV service; ○ Cable TV service, including analogue cable TV, digital cable TV and Internet protocol TV (IPTV); ○ Satellite TV service; ○ Mobile TV service, including mobile terrestrial TV, mobile satellite TV and mobile terrestrial telecommunications network; or ○ Internet television service (OCC TV). 	N/A
4. Licensing of foreign channels <i>Allowed, prohibited or unregulated?</i>	<ul style="list-style-type: none"> • Each pay TV foreign channel will need a landing licence (obtained through a local agent) and an editing licence (obtained through a local editing agency). • Free foreign TV channels do not need a landing licence, but an editing licence for relevant programmes on these channels may be required, depending on category of the programmes if they are offered on pay TV services in Vietnam (see section 9(a) on content regulation for further information). • Foreign channels broadcast on Pay TV must meet the following requirements: <ul style="list-style-type: none"> ○ the numbers of foreign channels cannot exceed 30% of the total channels; ○ content must be healthy and compatible with Vietnamese culture, and must not violate the Law on Press; ○ content must be broadcast pursuant to a legitimate copyright/ copyright licence; ○ broadcasts must not include add-on advertisements inserted in foreign countries. Advertisements must be inserted in Vietnam and be edited by a press organisation which has been granted a certificate for editing; and ○ broadcasts must satisfy extensive and burdensome licensing requirements, including a licence for retransmission of foreign channels, a licence for editing/translating foreign channels, a licence for press operation, and designation of an authorised agent in Vietnam for satisfaction of financial obligations. • Licences for retransmission of foreign channels (as required by the regulations) are not routinely granted; the application process is time-consuming and non-transparent, which has substantially reduced overall channel availability and prevented some channels from obtaining licences. 	N/A

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5. Licence fees and taxation	<ul style="list-style-type: none"> Licence fees are regulated by Circular No. 307/2016/TT-BTC issued by the Ministry of Finance on 15 November 2016 (as amended and supplemented by Circular No. 94/2020/TT-BTC and Circular 127/2021/TT-BTC, Circular 307). Circular 307 mandates a fee of VND 5 million (equivalent to US\$220) for a landing licence and VND 2.5 million (equivalent to US\$110) for an amendment to the licence. According to Article 5.1.b of Circular 307, each Pay TV operator must pay a fee of 0.3% of total subscription revenue on a quarterly basis, paid no later than the 20th day of the following quarter. From 1 January 2023 onwards, the revenue which is the basis for fee calculation is total revenue arising from all contracts with subscribers in the billing period (excluding value added tax). 	N/A
6. Rate regulation <i>Including wholesale and retail rate regulation and whether there are any price controls on eg. basic tier</i>	<ul style="list-style-type: none"> There are no legal provisions regulating subscription rates or price control. Pay TV service providers must publish their rates with specific information and basic technical specifications of those services/service packages. 	N/A
7. Programme packaging <i>Including tiering, bundling, any mandatory a la carte</i>	<ul style="list-style-type: none"> The regulations establish different types of programme packages for pay TV as follows: <ul style="list-style-type: none"> Basic service package: including national and local channels serving essential political and propaganda information tasks; may have other domestic and foreign channels as decided by the pay TV operator; Pro service package: including Vietnamese and foreign channels as decided by the pay TV operator; On-demand package: including programmes and movies that have been broadcast on channels. The on-demand radio and television content must be categorised and edited in accordance with Decree 06. All programme packages (except for an on-demand package of OCC TV) must include national and local channels serving essential political and propaganda information tasks. Beyond that, it is up to the pay TV operators to determine their packages. For provision of on-demand radio and television services on the internet (OCC TV), it is not necessary to provide channels that serve essential political and propaganda information tasks of the country and local areas to subscribers. 	N/A

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	<ul style="list-style-type: none"> In addition, there are value-added services which may be provided along with the mentioned packages. These value-added services must comply with provisions on categorisation and editing of content as with on-demand packages. 	
8. Restrictions on advertising <i>Including localisation rules, revenue and minutage restrictions</i>	<ul style="list-style-type: none"> Advertisement on Pay TV is permitted. However, there are some products, goods and services that are prohibited from advertising (e.g., tobacco products, alcoholic beverages with 15% alcohol content, or prescription drugs.) Advertising content must be truthful, accurate and clear and must not cause loss or damage to producers, business persons and advertising recipients. Advertising is limited to 5% of airtime over a 24-hour period, excluding specialised advertising programmes/channels, with no more than two ad breaks (with a maximum of 5 minutes each) per film programme, and four ad breaks (with a maximum of 5 minutes each) per entertainment programme. Advertisements are not permitted within news programmes or live radio or television programmes showing special political events or ceremonies of nationally important events. Advertisements on Pay TV must not include advertising information already inserted from foreign programmes/channels. All advertising must be inserted in Vietnam. The press agency that was granted the Editorial Licence is the focal point for advertising installation, responsible for the duration and content of advertising, and ensuring compliance with legal regulations on advertising as for Pay TV. If an advertisement is in both Vietnamese and a foreign language, then the size of the foreign language is not to be larger than 3/4 the size of the Vietnamese text, and must be placed under it. If the advertisement is presented in visual or audio-visual form, then the Vietnamese version is required to precede the foreign language version (i.e., it must be shown or read first). Other restrictions applicable to all kinds of television also apply to Pay TV. 	<ul style="list-style-type: none"> The draft law on Amendments of certain articles of the Law on Advertising (the Draft Amendment) has been published for comments. The Draft Amendment may be subject to further change before enactment, and it is expected to be effective on 1 January 2026. The Draft Amendment provides that advertising would be limited to two ad breaks (a maximum of 5 minutes each) per film under 30 minutes, with one extra ad break permitted for every additional 15 minutes of broadcast time. Cross-border advertising may be managed more strictly, with clearer regulations on rights, obligations and procedures to handle illegal advertising.

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<p>9. (a) Content regulation <i>Including local content quotas, content control and insertion of classification and other content labels into international feeds</i></p>	<ul style="list-style-type: none"> • Content broadcast on foreign channels must be edited and controlled to ensure compliance with Vietnamese culture and the Law on Press by “content providers” that have a licence for press operation and a licence for editing foreign programme channels on Pay TV. There must be warnings for content consistent with regulations on children, cinema and other laws. Foreign channels must demonstrate that they have contractual and physical arrangements for programme review and editing before distribution is permitted. • The number of foreign channels must not exceed 30% of the total number of channels on a pay TV operator's network. • The amended Decree 06 divides content into 3 categories of on-demand radio and television content with regards to content control. Article 20a of Decree 06 as amended regulates on-demand radio and television content, but not channels. On-demand radio and television content includes movies/films, domestic programmes and foreign programmes. Under Decree 06: <ul style="list-style-type: none"> ○ news, programmes for politics, national defence, security, economy and society are required to obtain an editing licence. These contents must be produced and edited by a press agency that has been licensed to operate radio and television, before the news and programmes are broadcast; ○ films do not need to be edited by duly licensed service providers, but before providing these services, the service provider must ensure that film rating rules have been followed according to the Cinema Law and its implementing rules and take responsibility for content and film rating results according to the rating criteria prescribed by the Ministry of Culture, Sports and Tourism. If the service provider has not yet satisfied conditions for film rating, it is required to request the Ministry of Culture, Sports and Tourism or an agency authorised by the Ministry of Culture, Sports and Tourism to rate the films that have not been granted a Film Rating Licence or a Broadcast Decision; ○ Regarding sports and entertainment programmes, the service provider is responsible for editing and classifying these contents on its own. Notices must be displayed throughout the broadcast in order to ensure that the programmes do not violate local laws or regulations. Service providers shall edit and classify content according to the principles of editing, 	<p>N/A</p>

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	<p>classification and content warnings in accordance with regulations of the Ministry of Information and Communications and relevant laws.</p> <ul style="list-style-type: none"> The Law on Cinema and its implementing decree provide that Vietnamese films must be prioritised for broadcast within the timeframe from 6:00PM to 10:00 PM. The broadcast of Vietnamese films must comply with the following guidelines: <ul style="list-style-type: none"> From 1 January 2023 to 31 December 2025: Vietnamese films must comprise 15% of broadcast time relative to total broadcast time for films on local channels, except for OCC TV. From 1 January 2026: Vietnamese films must comprise 20% of broadcast time relative to total broadcast time for films on local channels, except for OCC TV. Films for children are prioritised to be broadcast from 6:00PM to 10:00 PM. Broadcast time for films with a target audience of children under 16 years old must comprise at least 5% relative to total broadcast time for films on local channels. 	
9. (b) Content regulation <i>Including languages, dubbing/subtitling and captioning</i>	<ul style="list-style-type: none"> Translation requirements (through either dubbing or subtitling) in the original Decree 06 were dropped. Decree 06 (as amended by Decree 71) now only requires that any subtitle or dub-title must preserve the purity of Vietnamese language. 	N/A
10. Programme supply restrictions <i>Including must provide rules and other restrictions on exclusivity and anti-siphoning rules</i>	<ul style="list-style-type: none"> There are no legal restrictions on exclusivity nor “anti-siphoning” rules. 	N/A
11. Restrictions on FDI <i>Including platforms and wholesale supply of programming and cross-media ownership restrictions</i>	<ul style="list-style-type: none"> FDI enterprises must have their policies adopted by the Prime Minister. There is no expressly stipulated limit for FDI in Pay TV platforms. Provincial investment departments consider Pay TV proposals on the same basis as other investments. Limits for wholesale distribution are the same as for retail distribution platforms. 	N/A

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12. Retransmission arrangements <i>Including must carry and remuneration</i>	<ul style="list-style-type: none"> Pay TV service providers (except for OCC TV) must broadcast channels serving essential political and propaganda information tasks. 	N/A
13. Consumer protection <i>Including cooling-off period, termination rights and payment mechanism</i>	<ul style="list-style-type: none"> The current regulations do not clearly stipulate a “cooling-off period”. However, they do grant subscribers the right to: <ul style="list-style-type: none"> refuse to use a part or a whole of Pay TV services; and complain on price and service quality. Under the regulations on Pay TV, subscribers also have rights to: <ul style="list-style-type: none"> choose their Pay TV service providers; request Pay TV service providers to provide essential information related to using Pay TV services, the providers and the contract; use the Pay TV services consistently with the quality, price and other specifications in the contract; expect private information to be treated confidentially; obtain compensation if the Pay TV service is inconsistent with the contract; and complain or take other actions to protect their rights. In addition, Pay TV subscribers generally benefit from consumers' rights as provided in the Law on Protection of Consumers’ Rights. Enforcement of consumer protection provisions is generally weak. 	N/A
14. Entering a new market: FAST TV	<ul style="list-style-type: none"> To obtain a licence for provision of pay TV services, an applicant: <ul style="list-style-type: none"> must be a Vietnamese enterprise or foreign joint venture following policies adopted by the Prime Minister; must have a verified ".vn" domain name or defined URL; must have plans on (i) provision of Pay TV services consistent with the national plan on broadcasting area, (ii) human resources, (iii) technical equipment, (iii) business, fees, investment and operation expenses for at least two years, (iv) development of broadcasting stations for local and foreign channels and (v) applying modern technology consistent with Vietnamese regulations; must have an estimated list of local and foreign channels, on-demand content and value-added content; must have an agreement on locations of channels’ receivers; 	N/A

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	<p>Applications will be submitted to the MIC and handled within 30 working days, according to current regulations. In practice, this may be significantly longer. A licence is valid for 10 years, renewable once for five years and can be withdrawn if no Pay TV service is provided after one year.</p> <ul style="list-style-type: none"> • To obtain a Certificate for Registration of List of Channels on Pay TV: <ul style="list-style-type: none"> ○ the first Certificate for Registration of the List of Channels on Pay TV will be obtained contemporaneously with the Licence for Provision of Pay TV Services; and ○ subsequent Certificates for Registration of the List of Channels on Pay TV will be issued by the ABEI. • To obtain a Licence for Production of Vietnamese Channels, an applicant: <ul style="list-style-type: none"> ○ must have a Licence for Press Operation in Broadcasting Industry; and ○ must present a plan for production of Vietnamese channels. <p>Applications will be submitted to the MIC and handled within 30 working days, according to current regulations. In practice, this may be significantly longer. A licence is valid for 10 years (or less depending on the term of the corresponding Licence for Press Operation in Broadcasting Industry).</p> • To obtain a Certificate of Registration for Provision of Foreign Channels on Pay TV, an applicant: <ul style="list-style-type: none"> ○ must be a Vietnamese enterprise and an authorised agent of the foreign channels' producers; and ○ must ensure that its authorised agent registers for provision of foreign channels on Pay TV with the MIC. <p>Applications submitted to the MIC should be processed within 30 working days, according to the current regulations. In practice, this may be significantly longer. A certificate is valid for five years (or less depending on the term of the authorisation agreement with the foreign channel's producers).</p> • To obtain a Licence for Editing and Translation of Foreign Channels on Pay TV, an applicant. must have a Licence for Press Operation in Broadcasting Industry, adequate human resources, and technical and financial capacity, etc. An application submitted to the MIC and should be processed within 30 working days, according to current regulations. In practice, this may be significantly longer. A licence is valid for 10 years (or less depending on the term of the corresponding Licence for Press Operation in Broadcasting Industry). 	

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	<ul style="list-style-type: none"> Although enforcement monitoring and actions may be inconsistent, the authorities typically take action if violations are brought to their attention by third parties such as competitors. 	
15. Data handling	<ul style="list-style-type: none"> For Pay TV under the form of internet television services provided through “specialised application websites”, a service provider must have at least one server system in Vietnam for the inspection, storage, and provision of information at the request of competent authorities, and settlement of customer service complaints in accordance with MIC regulations. Recently, Vietnam has tightened the regulations on protection of personal data by issuance of Decree No. 13/2023/ND-CP (Decree 13) and the new Law on Protection of Consumer Rights, each addressing the protection of consumer data. Accordingly, any consumer-facing business, such as a provider of pay TV services, is obligated to protect consumer information by preparing internal rules on protection of consumer data, giving notification upon collection and use of consumer data, and obtaining consent from consumers upon any change of purpose or scope in using and storing consumer data. Decree 13 also requires filing of detailed dossiers on personal data impact assessment and overseas transfer with the Ministry of Public Security. 	N/A
Other country-specific information not already covered	N/A	