

Legal Update: New Circular on Online Games in Vietnam

VIETNAM, January 2015 — After a long period of tightening control and a temporary suspension of licensing of online games in Vietnam, the Ministry of Information and Communication (MIC) has put forward a new Circular on online games which has been greatly anticipated by the gaming industry. This new Circular was issued on December 29, 2014, and will enter into effect on February 12, 2015.

The Circular requires enterprises to self-classify online games into three age-based categories: (i) games for adults (18+), (ii) games for teenagers (12+), and (iii) games for all (00+). Some other noteworthy obligations of online game providers are:

1. The payment management system must be located in Vietnam and connected to Vietnamese enterprises providing payment support services.
2. The person responsible for management of service provision must be a university graduate.
3. The providers must report certain information to the Authority of Broadcasting and Electronic Information (ABEI) of the MIC twice a year and at the competent authority's requests on an extraordinary basis.

New entrants with business registration certificates or investment certificates specifying a business line of providing online game services must first obtain a license to provide G1 game services (games in which multiple players interact simultaneously with each other and with the game server, such as massively multiplayer online role-playing games) or a certificate of registration to provide G2, G3, or G4 game services (G2 games have multiple players' interactions with the game server without interaction with each other; G3 games have multiple players' interactions with each other without interaction with the game server; G4 games are downloaded games with no interactions with other players or any game server).

Game services classified as G1 are subject to stricter regulations than other game services. Providers of G1 games require an approval of content and scenarios for each game, while providers of G2, G3, and G4 games are only required to send a notification dossier to ABEI for each game. The conditions for licensing G1 game service provision include, among others, capability of storing and updating complete information of players, display of game classification based on age, and control of playing time of a player under the age of 18 to no more than three hours per day.

Enterprises which had been providing online games before the issuance of this Circular must apply for the applicable license or certificate of registration within 180 days of the effective date of this Circular. For online games of which the contents and scenarios were approved in accordance with the old Circular 60/2006 (which was replaced by Decree 72 on Internet Services), any change in the name, or any update, upgrade to a new version, amendment, or supplement to the content or scenarios of the games must be approved in accordance with the conditions and procedures stipulated by the new Circular within 180 days of its effective date.

To learn more about the details of Circular No. 24/2014/TT-BTTTT of the MIC on management, provision, and use of online game services and how to enter into the Vietnamese gaming market, please contact vietnam@tilleke.com.