

THE GOVERNMENT

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 December 25, 2001 Law on Organization of the Government;

Pursuant to the Government's Decree No. 36/2012/ND-CP of April 18, 2012, defining the functions, tasks, powers and organizational structures of ministries and ministerial-level agencies;

At the proposal of the Minister of Information and Communications,

The Government promulgates the Decree defining the functions, tasks, powers and organizational structure of the Ministry of Information and Communications.

Article 1. Position and functions

The Ministry of Information and Communications is a governmental agency, functioning to perform the state management of the press; publication; post; telecommunications; radio frequencies; information technology and electronics; radio and television broadcasting; news agency; foreign-service information; grassroots information and national information and communication infrastructure; the state management of public services in the sectors under the Ministry's state management.

Article 2. Tasks and powers

The Ministry of Information and Communications performs the tasks and exercises the powers defined in the Government's Decree No. 36/2012/ND-CP of April 18, 2012, defining the functions, tasks, powers and organizational structures of ministries and ministerial-level agencies; and the following specific tasks and powers:

1. To submit to the Government draft laws, draft ordinances and draft resolutions of the National Assembly or the National Assembly Standing Committee; draft decrees of the Government under the Government's annual law-making programs and plans, and projects and schemes assigned by the Government or the Prime Minister.
2. To submit to the Government or the Prime Minister strategies, master plans and long-term, five-year and annual development plans; national target programs, action programs and projects, important national works, programs and schemes on provision of public services and public non-business services in its sectors; decisions, directives and other documents falling under the Prime Minister's directing and administering jurisdiction.

3. To promulgate circulars, decisions, directives and other documents on management of the sectors under the Ministry's state management.
4. To direct, guide, inspect, examine and organize the implementation of approved legal documents, strategies, master plans and plans falling under the Ministry's state management.
5. Regarding the press (including printed newspapers, e-newspapers, radio, television and news agency bulletins):
 - a/ To guide, direct and organize the implementation of Prime Minister-approved master plans on networks of the press nationwide and overseas representative offices of Vietnamese press agencies;
 - b/ To organize press briefings and the management of press information in accordance with the law on the press;
 - c/ To organize the implementation of the Prime Minister's regulations on spokespersons providing information to the press;
 - d/ To promulgate regulations on organization of press competitions, festivals and seminars;
 - dd/ To promulgate regulations on deposit of newspapers and management of national press deposit storages;
 - e/ To grant, extend, amend, supplement, suspend, cancel and withdraw press activity permits; permits for publication of bulletins, special issues, supplementary issues, supplements, special programs and supplementary programs; press cards; to permit the distribution of overseas-published press in Vietnam; to approve press conferences;
 - g/ To guide the operation of the press and journalists nationwide, to coordinate with related agencies in managing Vietnamese press activities related to foreign countries and press activities of foreigners and foreign organizations in Vietnam;
 - h/ To agree on the appointment, relief from duty of editors-in-chief, deputy editors-in-chief, general directors, deputy general directors, directors and deputy directors of press agencies;
 - i/ To prescribe standards and professional qualifications and skills of heads of press agencies;
 - k/ To manage radio and television services in accordance with law.
6. Regarding publication (including publication, printing and distribution):
 - a/ To guide, direct and organize the implementation of master plans on networks of publication, printing and distribution of published products; and policies on publishing activities already approved by the Prime Minister.

- b/ To specify the conditions for establishment of publishing, printing and publication- distributing organizations in accordance with law;
- c/ To grant, extend, amend, supplement, suspend, cancel and withdraw assorted permits for establishment of publishing houses; permits for establishment of representative offices of foreign publishers in Vietnam; permits for establishment of representative offices of foreign distribution organizations in accordance with law;
- d/ To grant, extend, amend, supplement, suspend, cancel and withdraw permits for publishing non-commercial documents; permits for printing of permit-requiring products; permits for printing on order of publications for foreign countries; permits for import of printing equipment; permits for commercial import of publications; permits for publication exhibitions and fairs as prescribed by law; to manage the promulgation and dissemination of works overseas according to its competence;
- dd/ To certify and manage the registration of publishing plans of publishing houses, the registration of printing activities with regard to products requiring no permits; the registration of imported publications of publications-importing business establishments;
- e/ To organize the appraisal of publications in accordance with law; to organize the inspection of deposited publications and the management of publications deposit; to organize the order placement and send publications to areas eligible for the State's investment preferences; to organize national publication fairs and advertisement of publications to foreign countries in accordance with law;
- g/ To suspend, withdraw, confiscate, ban from circulation and destroy illegal publications;
- h/ To grant, extend and withdraw editor cards in accordance with law;
- i/ To manage publishing support activities in accordance with law;
- k/ To agree on the appointment and relief from duty of directors and editors-in-chief of publishing houses;
- l/ To prescribe standards and professional qualifications and skills of heads of publishing agencies and editors of publishing houses.

7. Regarding foreign information service:

- a/ To assume the prime responsibility for, and coordinate with the Ministry for Foreign Affairs and related ministries and sectors in, performing the state management of foreign information service;
- b/ To formulate, and organize the implementation of, strategies, master plans, plans and programs on foreign information service;

c/ To guide the contents of foreign information to Vietnamese news and press agencies; to guide provincial-level Departments of Information and Communications in managing foreign information service.

8. Regarding advertisement:

To manage advertisements on the press, online, on publications and integrated advertisements on post and telecommunications products, services and information technology in accordance with law; to grant, extend, amend and supplement and withdraw permits for advertising channels and programs on radio and television.

9. Regarding post:

a/ To guide, direct and organize the implementation of post plans, projects, schemes and programs; mechanisms and policies on post activities; lists of public post services and mechanisms to support enterprises designated to provide public post services in accordance with law;

b/ To promulgate according to its competence public post service charge tariffs; scope of exclusive-use post services; and technical standards on post activities;

c/ To grant, extend, amend, supplement, suspend, cancel and withdraw permits for import of postage stamps, and post licenses, and certificates of notices of post activities in accordance with law;

d/ To manage information safety in post activities; competitiveness and settlement of disputes in post activities;

dd/ To prescribe and manage postage stamps;

e/ To prescribe and manage the public post networks; and the provision of public post services;

g/ To define and manage sets of national postcodes and sets of Vietnam postage stamps;

h/ To prescribe and manage post service quality and charge tariffs.

10. Regarding telecommunications:

a/ To guide, organize and inspect the implementation of master plans on telecommunications and Internet development; mechanisms and policies on telecommunications and Internet development; to manage the telecommunications market and organize the implementation of programs on provision of public telecommunications services;

b/ To appraise the contents of pre-feasibility study reports and feasibility reports on programs, projects and schemes for investment in the development of telecommunications and Internet technical infrastructure according to its

- c/ To guide and manage competitiveness and settlement of disputes in telecommunications and Internet activities;
- d/ To grant, extend, amend, supplement, suspend, cancel and withdraw telecommunications permits in accordance with law;
- dd/ To promulgate, and organize the implementation of, master plans and regulations on management of numbers and domain names and Internet addresses; decisions on distribution and recovery of numbers and domain names and Internet addresses;
- e/ To promulgate, and organize the implementation of, regulations on management of telecommunications and Internet service prices and charges; to protect the interests of telecommunications and Internet service users;
- g/ To promulgate, and organize the implementation of, regulations on management of connection of telecommunications networks;
- h/ To promulgate according to its competence standards and technical regulations; to manage the quality of telecommunications and Internet products, equipment, networks and services;
- i/ To manage the provision of public telecommunications services;
- k/ To guide the formulation and implementation of master plans on passive telecommunications infrastructure;
- l/ To manage the specialized telecommunications inspection system;
- m/ To establish, manage and operate the national system of country domain name servers and national Internet relay stations.

11. Regarding radio frequencies:

- a/ To guide and organize the implementation of transmission and broadcasting master plans; national radio frequency distribution master plans approved by the Prime Minister;
- b/ To assume the prime responsibility for, and coordinate with the Ministry of National Defense and the Ministry of Public Security in, allocating of frequency bands for national defense and security purposes for submission to the Prime Minister for approval;
- c/ To promulgate master plans on frequency bands, frequency channeling master plans, frequency channel use master plans, regulations on conditions for allocation, assignment and use of radio frequencies and radio frequency bands;
- d/ To promulgate standards and technical regulations on radio equipment, standards and regulations on radiation and electromagnetic compatibility;

dd/ To define technical conditions and conditions for use of permit-exempt radio equipment and technical conditions (frequency, transmission capacity) for radio equipment before manufacture or import for use in Vietnam;

e/ To provide the training of and grant of certificates to radio operators;

g/ To grant, extend, amend, supplement, suspend, cancel and withdraw radio frequency licenses;

h/ To inspect and control radio frequencies and equipment, to handle harmful interferences; to manage electromagnetic compatibility of radio equipment and systems of radio equipment;

i/ To register international frequencies and implement international coordination in radio frequencies and satellite orbits.

12. Regarding e-information:

a/ To promulgate according to its competence and organize the implementation of regulations on electronic game services and information provision and application services on telecommunications and Internet networks;

b/ To grant, extend, amend, supplement, suspend, cancel and withdraw licenses and certificates related to electronic information.

13. Regarding information and electronic technology (including information industry, information technology application and information safety):

a/ To guide, direct and organize the implementation of master plans, programs, schemes and projects on information and electronic technology; mechanisms, policies and regulations on management and support of the development of software industry, hardware industry, electronic industry, digital content industry and information technology services; lists and regulations on use of national databases; regulations on management of state budget investment in the application of information technology;

b/ To promulgate according to its competence management mechanisms and policies, regulations on information technology and electronic products and services, and national databases;

c/ To grant, extend, amend, supplement, suspend, cancel and withdraw licenses and certificates of information and electronic technology; to manage quality in information technology application, service provision, computer networks and information and electronic technology products and equipment;

d/ To assume the prime responsibility for and coordinate in formulating support policies on training and development of information technology human resources; information technology human resource standards, and specialized certificates related to information technology;

- dd/ To organize the construction of information technology infrastructure to serve the application of information technology, creating grounds for development of e-government in association with administrative reform programs;
- e/ To manage programs on application and development of information and electronic technology; e-government framework and standard architecture of the national information system;
- g/ To organize the provision of national digital signature certification services in accordance with law;
- h/ To inspect, assess and classify the levels of information technology applications in state agencies, organizations and enterprises;
- i/ To prescribe and manage information safety; to ensure information safety for information and Internet systems; to ensure information safety for information technology application and development activities; to prevent and combat spams; to organize the management and coordination of computer incident rescue activities nationwide;
- k/ To prescribe and manage activities of producing, trading in, exporting and importing information safety products and services in accordance with law; to organize inspection, assessment and grant of information safety certificates;
- l/ To establish and operate information safety-ensuring systems; to organize training to raise awareness of information safety.

14. Regarding grassroots information:

- a/ To guide, direct and organize the implementation of master plans and plans on information and propaganda activities;
- b/ To formulate or appraise information and propaganda contents falling within the scope of the Ministry's functions and tasks according to the Party's guidelines and the State's policies and laws, and guide the implementation thereof;
- c/ To coordinate in guiding the formulation and organization of grassroots information and propaganda systems nationwide.

15. Regarding information and communication infrastructure:

- a/ To guide and organize the implementation of laws and regulations on information and communications infrastructure safety and security;
- b/ To promulgate according to its competence solutions to ensure information and communications infrastructure safety, information security; mechanisms, policies and regulations on common use of information and communication infrastructure;

c/ To manage telecommunications equipment and infrastructure safety in accordance with law; to coordinate with the Ministry of National Defense and the Ministry of Public Security in ensuring security and safety for key works related to national security in the fields of telecommunications and information technology.

16. To coordinate and organize the implementation of laws and regulations on intellectual property related to press products, encrypted radio and television programs, publications, postage stamps, information and communications technology products and services; and related to inventions and patents in the sectors under the Ministry's management.

17. To organize the presentation of awards and honorable titles in the information and communications sectors after they are approved by the Prime Minister; to decide according to its competence on awards and honorable titles in the information and communications sectors; to organize emulation and commendation activities in accordance with law.

18. To decide on, and organize the application of, measures to prevent and stop illegal information and communications activities.

19. To promulgate national technical regulations, propose the promulgation of national standards in the sectors under the Ministry's management; to promulgate legal documents on quality control in the sectors under the Ministry's management; to organize the accession to mutual recognition agreements with other countries.

20. To grant permits for import and export of commodities in the sectors under the Ministry's management in accordance with law; to grant, extend, suspend, cancel and withdraw certificates of quality of networks, facilities, products and services in the sectors under the Ministry's management.

21. To decide on measures to mobilize information and communications networks, services, facilities and equipment in urgent circumstances related to national security, natural disasters and enemy sabotage as authorized by the Government or the Prime Minister.

22. To direct the administration of specialized and exclusive-use information networks to serve the direction and administration by Party and state agencies.

23. To manage and implement programs, schemes and investment projects in the sectors under the Ministry's management in accordance with law; to formulate and promulgate techno-economic norms, expenditure norms and other specialized norms within the scope of the Ministry's management; to carry out and manage specialized statistical activities in accordance with law.

24. To formulate and summarize annual investment plans and annual budget revenue and expenditure estimates of the Ministry, coordinate with the Ministry of Finance in formulating and summarize the budget revenue and

expenditure estimates of the sectors under its management, expenditures for non-business information activities (including press, publication, foreign-service information and grassroots information) of ministries, ministerial-level agencies, government-attached agencies, provinces and centrally run cities for the Government to submit them to the National Assembly; to manage assigned property; to manage, organize the implementation and settlement of state budget, capital and funding sources in accordance with law.

25. To promote foreign relations, international integration and cooperation in the sectors under the Ministry's management in accordance with law.

26. To formulate and implement plans on scientific research, application of scientific and technological advances, development of hi-tech products, technology renewal and environmental protection in the sectors under the Ministry's management; to manage the provision of public services and state budget-funded public services under the Ministry's management in accordance with law.

27. To decide on policies and specific measures and direct the application of mechanisms of operation of public service organizations in the sectors under the Ministry's management in accordance with law; to manage and direct activities of non-business organizations of the Ministry.

28. Regarding enterprises:

a/ To promulgate or submit to competent authorities for promulgation mechanisms and policies to support development of information and communications enterprises and coordinate with related agencies and organizations in directing, guiding and inspecting the implementation thereof;

b/ To approve or submit to competent authorities for approval a master plan on restructuring and schemes on renewal and development of state enterprises operating in the information and communications sector and direct the implementation thereof as assigned or decentralized;

c/ To guide and inspect the implementation of regulations on conditional business lines and services and handle violations according to its competence;

d/ To exercise the powers and perform the responsibilities and obligations of the state owner over state enterprises and state capital invested in other enterprises in accordance with law.

29. To perform tasks and exercise powers over associations and non-governmental organizations under the Ministry's state management in accordance with law.

30. To inspect, examine and settle complaints and denunciations and handle illegal acts in the sectors under the Ministry's jurisdiction; to organize

corruption prevention and combat, waste combat and thrift practice in agencies and units under the Ministry.

31. To decide on and organize the implementation of administrative reform plans of the Ministry according to the Government's state administrative reform programs and plans and the Prime Minister's direction; to decide on and direct the renewal of working modes, the modernization of working offices and application of information technology to serve activities of the Ministry; to annually report on administrative reform within the scope of the Ministry's management according to regulations.

32. To organize grade promotion examinations for information and communication public employees, to promulgate professional standards and criteria of grades of public employees in the sectors under the Ministry's assigned or decentralized management after obtaining appraisal opinions of the Ministry of Home Affairs; to formulate professional standards of grades of civil servants in the sectors under the Ministry's assigned or decentralized management for promulgation by the Ministry of Home Affairs; to promulgate professional standards of heads of specialized agencies under provincial-level People's Committees in these sectors.

33. To manage the organizational apparatus, civil servant payroll, working positions and structure of public employees according to professional titles and the number of people working in public non-business units; to decide on rotation, retirement, transfer, appointment, relief from duty, dismissal, commendation and disciplining; and training regimes and policies for cadres, civil servants and public employees; to recruit, employ and apply salary regimes to cadres, civil servants and public employees according to its competence.

34. To train and develop human resources for the sectors under the Ministry's management; to forecast demands for, and plan the development of, human resources for information and communication, press and publishing activities; to coordinate with the Ministry of Education and Training in managing training institutions under the Ministry in accordance with law.

35. To perform other tasks and exercise other powers as prescribed by law.

Article 3. Organizational structure of the Ministry

1. The Posts Department.
2. The Information Technology Department.
3. The Science and Technology Department.
4. The Planning and Finance Department.
5. The Enterprise Management Department.

6. The International Cooperation Department.
7. The Legal Affairs Department.
8. The Emulation and Commendation Department.
9. The Organization and Personnel Department.
10. The Grassroots Information Department.
11. The Ministry's Inspectorate.
12. The Ministry's Office.
13. Vietnam Telecommunications Authority.
14. The Authority of Radio Frequency Management.
15. The Information Safety Authority.
16. The Computerization Authority.
17. The Authority of Press.
18. The Publication, Printing and Distribution Authority.
19. The Authority of Broadcasting and Electronic Information.
20. The Authority of Foreign Information Service.
21. The Central Post Department.
22. The Southern Affairs Department.
23. The National Institute of Information and Communications Strategy.
24. The Information Technology and Communications Journal.
25. The Vietnam Posts News.
26. The VTC Digital Television Station.
27. The Information Center.
28. The Center for Press and International Communication Cooperation.
29. The Information and Communications Public Management Training School.

Units specified in Clause 1 thru Clause 22 of this Article assist the Minister in performing the state management function; units specified in Clause 23 thru Clause 29 of this Article are non-business organizations under the Ministry. The Minister of Information and Communications shall define the functions, tasks, powers and organizational structures of attached units in accordance with law.

The Organization and Personnel Department, the Planning and Finance Department and the Science and Technology Department may have no more than 4 divisions.

The Minister of Information and Communications shall submit to the Prime Minister for promulgation a list of non-business units, state finance organizations and other press agencies under the Ministry.

Article 4. Effect

This Decree takes effect on December 2, 2013; to annul the Government's Decree No. 187/2007/ND-CP of December 25, 2007, defining the functions, tasks, powers and organizational structure of the Ministry of Information and Communications; Decree No. 50/2011/ND-CP of June 24, 2011, amending Decree No. 187/2007/ND-CP of December 25, 2007, and the previous provisions contrary to this Decree.

Article 5. Transitional provisions

The Telecommunications Department and the Radio Frequencies Department continue to implement the current provisions until the Minister of Information and Communications decides on their functions, tasks, powers and organizational structures.

Article 6. Implementation responsibility

Ministers, heads of ministerial-level agencies, heads of government-attached agencies and presidents of provincial-level People's Committees shall implement this Decree.-

On behalf of the Government

Prime Minister

NGUYEN TAN DUNG