

Procedure 36: Certification of lists of audiovisual products with imported entertainment contents.

1. Procedure of Implementation

a. Responding to Merchants' request for certification of lists of audiovisual products with imported entertainment contents.

- Merchants submit dossiers directly or send them via post to the team of receipt and return of administrative records under Hanoi Department of Culture and Sports and, receive the receipts with the appointed date of settlement.
- Hanoi Department of Culture and Sports receives, handles and returns the result according to the appointment schedule or the time limit for the resolution of the dossier (if sent via post).
- The written approval of the import of Hanoi Department of Culture and Sports is the basis for Merchants to carry out the import procedure at customs.
- For the case of imported cultural products approved in written and attached with the list of imported machines issued by Ministry of Culture and Sports, the dossiers shall be received according to Section b below: “Appraising the contents and stamping for circulation of imported audiovisual products with entertainment contents”

b. Appraising the contents and stamping for circulation of imported audiovisual products with entertainment contents (after Merchants are allowed by the customs offices to temporarily release the goods)

2. Method of implementation

- Sending by post or submit directly at the headquarter of Hanoi Department of Culture and Sports, 47 Hang Dau, Hoan Kiem District, Hanoi.

3. Composition and number of dossiers

a. Responding to Merchants' request for certification of lists of imported audiovisual products with entertainment contents.

* The dossiers include:

- An application for importing products (according to set form).
- A certified copy of the Merchant Registration Certificate or Business Registration Certificate or other legal documents of equivalent legal status and the Certificate of eligibility for business (if any),

- The documents proving the lawful origin of the products requested for import (enclosed with the translated documents in Vietnamese).
- A description of the contents, pictures, methods of operation / use, types, quantity, characteristics of the goods and other relevant information on the imported product (if any).
- Form of products to be imported.

** Number of dossiers: 01 set*

b. Appraising the contents and stamping for circulation of imported audiovisual products with entertainment contents:

** The dossiers include:*

- Request for appraising the contents and stamping for circulation of imported audiovisual products with entertainment contents (if there are any request for appraising at the store or the place of business, the address shall be required detail).

Note: For the case of imported cultural products approved in written and attached with the list of imported machines issued by Ministry of Culture and Sports, Merchants shall send the request for appraising the contents and stamping for circulation of imported products enclosed with a copy of the approval of the Ministry of Culture, Sports and Tourism together with the above list (if there are any request for appraising at the store or the place of business, the address shall be required detail).

- Imported products and goods together with the customs declaration (copies without authentication).

** Number of dossiers: 01 set*

4. Time limit for settlement

- It shall be 7 (seven) working days from the date of receipt of the dossier, if the dossier is incomplete and invalid, Hanoi Department of Culture and Sports shall issue a written notice requesting merchant to add required documents.
- if the dossier is invalid, it shall take 10 (ten) working days from the date of receipt for Hanoi Department of Culture and Sports to issue a written reply on acceptance or refusal of the import request with detail reasons.

5. Subjects of implementing administrative procedures:

Merchant

6. The administrative procedure-conducting agency

- a) The competent agency to declare final decision is Hanoi Department of Culture and Sports.
- b) The agency directly implementing the administrative procedure is Department of Cultural Management - Hanoi Department of Culture and Sports.
- c) The coordinating agency (if any) is Department of PA 83 - City Police, Department Inspectorate and professional collaborators. (Task Force for assessment the contents of imported cultural products by Decision No. 283/QĐ-SVHTT dated March 14th, 2017 issued by Director of Hanoi Department of Culture and Sports on the establishment of the Task Force for assessment the contents of imported cultural products).

7. Results of administrative procedure implementation

- The written approval of the list of imported audiovisual products with entertainment contents.
- The written reply on the results of the evaluation, approval of the contents and stamping for circulation of imported audiovisual products with entertainment contents.

8. Fees and charges: None

9. Requirements and conditions of administrative procedures:

- The business places owned by Merchants are based in Hanoi, without branches in other provinces and cities.
- Imported goods are audiovisual products contained in machineries, devices, components, means or other audiovisual products noted on all materials having entertainment contents or electronic games (except online games and prize-winning electronic games for foreigners) and other cultural contents other than cinematographic works, phonograms and records of dance music.
- The contents of electronic game machines include healthy entertainment contents, contributing to physical development and improving the aesthetics awareness for people, not violating the regulations on goods banned from import.
- The business locations are under merchant's lawful ownership or use right without obstructing traffic order and safety and under 200m from the gates of school (from kindergarten to high school), regardless of their localities

10. Legal basis of the administrative procedure

- Decree No.187/2013/ND-CP dated November 20th 2013 issued by Government on detailing the implementation of the Commercial Law regarding international goods sale and purchase and goods sale, purchase, processing and transit agency activities with foreign countries.
- Decree No.103/2009/NĐ-CP dated November 6th 2009 issued by the Government on promulgating the regulation on cultural activities and commercial provision of public cultural services.
- Circular No.08/2000/TT-BVHTTDL dated April 28th 2000 issued by Ministry of Culture and Information on guiding the management of electronic games.

- Circular No.04/2009/TT-BVHTTDL dated December 16th 2009 issued by Ministry of Culture, Sports and Tourism on detailing the Regulation on cultural activities and commercial provision of public cultural services promulgated together with Decree No. 103/2009/ND-CP dated November 6th, 2009 of the Government.

- Circular No.28/2014/TT-BVHTTDL dated December 31st 2014 issued by Ministry of Culture, Sports and Tourism on the regulations on activities of international goods purchase and sale under cultural line management of Ministry of Culture, Sports and Tourism.

- Circular No.260/2016/TT-BTC dated November 14th 2016 issued by Ministry of Finance on detailing the amounts and the methods of collection, payment, management and use of charges for evaluating the contents of exported or imported cultural products.