

Satellite Internet Access Guide: Vietnam

October 2023

Using this Guide

Question: This column contains the relevant question to be addressed under (Response).

Response: Information addressing the question identified under (Question) is contained in this column.

Additional Information: This column contains any clarification or added information necessary to better understand the information under (Response).

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Satellite Internet Access Guide: Vietnam

October 2023

Abbreviations for Legislation

- Law on Telecommunications (No. 41/2009/QH12) (**Law on Telecommunications**)
- Law on Radio Frequency (No. 42/2009/QH12) as amended by Law on Radio Frequency Amendment No. 09/2022/QH15 (**Law on Radio Frequency**)
- Decree No. 72/2013/ND-CP on management, provision and use of internet services and online information (**Decree No. 72/2013/ND-CP**)
- Decree No. 25/2011/ND-CP detailing and guiding the implementation of a number of articles of the Telecommunications Law (**Decree No. 25/2011/ND-CP**)

Satellite Internet Access Guide: Vietnam

October 2023

S/N	Question	Response	Additional Information
1	Does the member state have law(s) relating to internet service provisioning and access?	<ol style="list-style-type: none"> 1. Law on Telecommunications 2. Law on Radio Frequency 3. Decree No. 72/2013/ND-CP 4. Decree No. 25/2011/ND-CP 	Law on Radio Frequency has been amended by Law on Radio Frequency Amendment No. 09/2022/QH15, while Decree No. 72/2013/ND-CP is being considered for amendment .
2	Are there restrictions on use or access to internet?	<p>Yes.</p> <p>Article 5 of Decree No. 72/2013/ND-CP prohibits the use of internet service and online information as a medium to carry out certain acts, including opposing the State of the Socialist Republic of Vietnam, propagating and inciting violence, spreading superstitions, disclosing state secrets, pornography, hate speech, etc.</p> <p>Also, by virtue of Article 12 of the Law on Telecommunications, internet service providers are under obligation, where requested by government authorities, to take preventive emergency steps to suspend or block access to internet service when certain events occur, such as riot, violence, or when telecommunications</p>	

Satellite Internet Access Guide: Vietnam

October 2023

		services are used in defiance of national security and as a tool of dissent against the Socialist Republic of Vietnam.	
3	Is satellite a medium used to provide internet access in the member state?	<p>Yes.</p> <p>Access to internet using satellite is mostly carried out using very small aperture terminal (VSAT) connectivity. This connectivity can be provided using satellites launched in different orbits, including the GEO and LEO, and utilizing radiofrequency spectrum in the C-Band, Ku-Band, and Ka-Band.</p> <p>Vietnam currently has two operational satellites (VINASAT-1 and VINASAT-2) in the geostationary earth orbit providing radio, broadcasting and telecommunications services to Vietnam and other neighbouring economies. The satellites are operated by the government-owned Vietnam Posts and Telecommunications Group (VNPT).</p>	

Satellite Internet Access Guide: Vietnam

October 2023

4	Are there existing legislations for satellite internet access?	<p>Vietnam does not currently have a standalone national law regulating launch, use and operation of satellites, though it is signatory to two (Treaty on Principles Governing States' Activities in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies 1967, and the Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched into Outer Space 1968) out of the five main international treaties on outer space.</p> <p>Notwithstanding, the previous legislations relating to regulation of telecommunications services including internet services are applicable for provision of satellite internet access.</p>	<p>The Ministry of Information and Communications in 2021 published a proposal to amend the Law on Telecommunications to codify international frameworks relating to development of satellite internet. This is in line with Decision No. 169/2021/QĐ-TTg which has as one of its objectives, the carrying out of research and development of a national space law.</p>
5	Which agency is responsible for regulating internet service provisioning including satellite internet provisioning?	<p>The Ministry of Information and Communications (MIC) is the ministerial body that has oversight of telecommunications (which includes internet services) and broadcasting sectors.</p> <p>The Vietnam Telecommunications Authority (VNTA), a unit within the Ministry</p>	<p>There is no separate agency regulating satellite internet access as the Ministry of Information and Communications under Article 21 of the Law on Telecommunications is responsible for granting license for frequency and satellite orbit use to carry on telecommunications activities.</p>

Satellite Internet Access Guide: Vietnam

October 2023

		of Information and Communications is the regulator of the telecommunications sector, while the Authority of Radio Frequency Management also under the Ministry of Information and Communications carries out the function of managing Vietnam's radio frequency spectrum.	
6	Who can provide internet service using satellites?	Any person that meets the licensing criteria for the particular service intended to be offered. <i>See No. 7 below.</i>	
7	Is a license or permission required to use, operate, or control satellite for internet access?	Yes. A telecommunications license (either a license to establish a public telecommunications network or a license to provide telecommunications services) and a frequency and satellite orbit use license is required.	Under Articles 8 and 9 of Decree No. 25/2011/ND-CP, satellite fixed and mobile telecommunication networks are classified telecommunication networks, while internet access services are classified as telecommunication services.
8	What is the procedure for obtaining these licenses/permits?	Before a telecommunications license is granted, Article 36 of the Law on Telecommunications stipulates the conditions to be met which includes: 1. Having a business registration certificate or a certificate of investment in a telecommunications service.	It should be noted that pursuant to Article 4 of Decree No. 25/2011/ND-CP, foreign investors are <u>not allowed</u> to own telecommunication businesses in Vietnam, but can enter into joint ventures or business corporation contracts with licensed

Satellite Internet Access Guide: Vietnam

October 2023

		<ol style="list-style-type: none"> 2. Having adequate financial capacity, staff strength, and competence for the business. 3. Having a feasible technical and business plan. 4. Having in place appropriate measures to safeguard the telecommunications infrastructure and information security. <p>To be eligible for the grant of a license for frequency and satellite orbit use, Article 21 of the Law on Radio Frequency stipulate that the applicant must:</p> <ol style="list-style-type: none"> 1. Be lawfully operating in Vietnam. 2. Have adequate human resources as well as financial and technical capabilities to manage and operate satellites. 3. Have a feasible plan outlining how it intends to efficiently use the satellite orbit for radiocommunication services which is not banned by law. 4. Undertake to comply with both national and international laws and treaties Vietnam is party relating to use of frequencies, satellite orbits and outer space. 	<p>Vietnamese operators or enterprises to operate telecommunication networks or services respectively.</p>
9	<p>What is the validity period for these licenses/permits?</p>	<ol style="list-style-type: none"> 1. Under Article 34 of the Law on Telecommunications, a license to establish a public telecommunications network is valid for a maximum term of 15 years, while a license to provide telecommunications 	

Satellite Internet Access Guide: Vietnam

October 2023

		<p>services is valid for up to 10 years. Both licenses can be renewed in line with the provisions of Article 38 of the Law on Telecommunications.</p> <p>2. A Frequency and satellite orbit use license is valid for a maximum term of 20 years as specified in Article 21 of the Law on Radio Frequency and can be renewed as prescribed under Article 22.</p>	
10	What are the technical requirements for use of satellites for internet access?	<p>As contained under the national frequency allocation table, fixed and mobile satellite communications are provided using C-bands and Ku-bands.</p> <p>However, with recent advancements in use of low earth orbit atellites for internet access, Ka-band is also being for used.</p>	
11	Are there existing (or planned) satellite internet providers operating in this economy?	<p>No database containing a list of satellite internet providers was found on the website of the Ministry of Information and Communication, as well as that of the Vietnam Telecommunications Authority and the Authority of Radio Frequency Management. However, based on desk research carried out, the following companies (though not an exhaustive list)</p>	

Satellite Internet Access Guide: Vietnam

October 2023

		<p>currently provide satellite internet service in Vietnam:</p> <ol style="list-style-type: none"> 1. Vietnam Posts and Telecommunications Group (VNPT) 2. GlobalTT 3. NTvsat 4. BusinessCom 5. Syntelix <p>Other satellite internet providers such as starlink are yet to launch in Vietnam and existing telecommunications operators, including Viettel, are already considering using satellite technology to provide internet services, in other to augment their current terrestrial networks.</p>	
12	Does an end user require a license to access satellite for internet connectivity?	No. An end user can approach any service provider that offers satellite internet access and subscribe to the service.	