

# VIETNAM

## LAWS THAT ENTERED INTO FORCE AS OF 1 JANUARY 2026

This report summarizes some of the key laws that entered into force in Vietnam as of 1 January 2026:

- Law on Personal Data Protection
- Law on Digital Technology Industry
- Law amending the Advertising Law
- Law on Railway
- Law on Chemicals
- Law on Atomic Energy

# LAW ON PERSONAL DATA PROTECTION

Law on Personal Data Protection (the “**PDPL**”) became effective on January 1, 2026, marking a substantial advancement in Vietnam’s legal framework for safeguarding data privacy rights, particularly as data assumes increasing importance while facing heightened risks of theft and infringement in digital environments.

## Notable Provisions

Personal data is defined as digital data or information in other forms that identifies or helps identify a specific individual, including:

- **Basic Personal Data:** Personal data reflecting common personal identity elements and background information regularly used in transactions and social relations, as specified in the list promulgated by the Government.
- **Sensitive Personal Data:** Personal data reflecting personal identity elements and background information that, if leaked or illegally used, may infringe upon the legitimate rights and interests of individuals, as specified in the list promulgated by the Government.

## Protection of Personal Data in Financial, Banking, and Credit Information Activities

The provisions regarding the protection of personal data in financial, banking, and credit information activities are stipulated as follows:

### 1. Financial, banking, and credit information entities must:

- Comply with regulations on sensitive personal data protection and security standards;
- Obtain consent before using credit information for scoring, rating, or creditworthiness assessment;
- Collect only necessary personal data from lawful sources per the Personal Data Protection Law 2025;
- Notify data subjects of any disclosure or loss of account or credit information.

### 2. Credit information operators must:

- Comply with the Personal Data Protection Law 2025;
- Prevent unauthorized access, use, disclosure, or modification of customer data;
- Maintain data recovery solutions;
- Ensure confidentiality throughout data collection, provision, and processing.



## Protection for Vulnerable Groups

The legislation incorporates specific safeguards for vulnerable populations, including minors, individuals lacking or having limited civil capacity, and persons experiencing cognitive difficulties or behavioral control challenges.

## Prohibited Practices

The legislation establishes several key requirements:

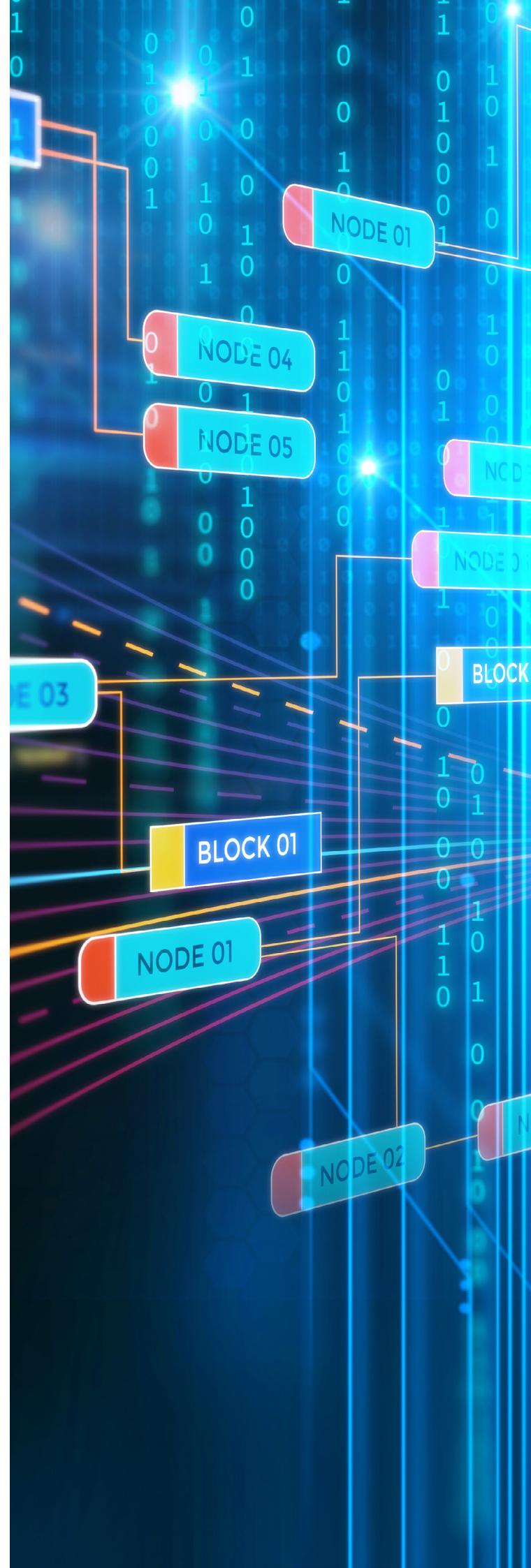
1. Seven strictly prohibited acts subject to significant penalties, including the unauthorized sale or purchase of personal data, unlawful data processing, and obstruction of data protection activities;
2. Corporate obligations to delete employee personal data following contract termination;
3. Restrictions preventing social media platforms from requiring identity documents in image or video format for authentication purposes; and
4. Prohibitions on credit institutions and banks from utilizing personal credit information for scoring, rating, assessment, or creditworthiness evaluation without the data subject's explicit consent.

The PDPL prescribes robust enforcement measures designed to provide strong deterrence, particularly concerning unauthorized data trading or processing. Violations involving illegal personal data sales may incur fines up to ten times the illicit gains obtained. Organizations breaching cross-border data transfer regulations face maximum monetary penalties of 5% of their preceding fiscal year's revenue.

## Implementation Framework

To ensure timely, coordinated, and uniform implementation, the Prime Minister issued Decision No. 2623/QD-TTg dated November 29, 2025, establishing an implementation roadmap.

A key component requires the Ministry of Public Security to develop a National Personal Data Protection Information Portal during 2026-2027. This platform will disseminate Party guidelines, policies, and State legal provisions on personal data protection; provide guidance and support to enhance awareness and data protection capabilities among agencies, organizations, and individuals; receive and process feedback and recommendations from relevant stakeholders; and perform additional functions as prescribed under personal data protection legislation.



# LAW ON DIGITAL TECHNOLOGY INDUSTRY

The Law on Digital Technology Industry was passed by the XV National Assembly on June 14, 2025 (the **“Digital Technology Industry Law”**), which takes effect from January 1, 2026 (with certain articles effective from July 1, 2025).

## Artificial Intelligence Governance

The legislation establishes Vietnam's inaugural AI regulatory framework, promoting responsible AI advancement while delegating implementation details to government authorities.

### a. Core AI Requirements

- People-centered design and implementation
- Mandatory transparency, security measures, and equitable treatment
- Preservation of human oversight and decision-making authority

### b. Risk-Based AI Categories

The law introduces a tiered classification system dividing AI applications into three categories: high-risk, high-impact, and lower-risk. Systems falling into the high-risk category face stringent technical standards and enhanced regulatory oversight.

## Workforce Development Initiatives

The legislation prioritizes talent cultivation through multi-faceted incentive programs:

### a. Elite Technology Professional Benefits

- Five-year exemption from personal income taxation
- Extended five-year visa privileges for international specialists
- Market-competitive compensation structures

### b. Educational Enhancement Programs

- Financial aid through scholarships
- Favorable lending terms for students
- Development of virtual learning infrastructure

### c. Innovation Talent Support

- Enhanced workplace facilities and resources
- Research and development financing
- Merit-based recognition programs designed to attract domestic and international expertise



## Semiconductor Sector Provisions

Chapter III exclusively addresses semiconductor industry development, establishing it as a national priority sector. The law mandates phased strategic planning and tailored policy instruments to accelerate industry growth.

## Broader Policy Impact

This legislation functions as both sector-specific regulation and a catalyst for nationwide digital transformation and digital economic expansion. The framework positions Vietnam to enhance its competitive standing, foster sustainable growth among technology enterprises, facilitate global market integration, and establish itself as a significant digital technology center.

When combined with the Artificial Intelligence Law (enacted December 10, 2025, effective March 1, 2026), these complementary legal instruments create a robust regulatory foundation designed to accelerate Vietnam's digital technology advancement and close the gap with global technology leaders.

# LAW AMENDING THE ADVERTISING LAW



The National Assembly enacted Law No. 75/2025/QH15 on June 16, 2025, amending and supplementing provisions of the Advertising Law No. 16/2012/QH13 (originally promulgated on June 21, 2012 and revised in 2018). These amendments (the “**Amended Law**”) took effect on January 1, 2026.

The original legislation established a legal framework for the advertising sector’s development, promoting transparency and accountability, particularly as Vietnam deepened its international economic integration. However, the rapid evolution of advertising practices domestically and globally necessitated comprehensive legal reforms. The Amended Law introduces standardized regulations that align with practical market needs while strengthening regulatory oversight and incorporating international consumer protection standards.

## Key Amendments

The legislative changes primarily focus on clarifying core concepts including “advertising” and delineating the rights and obligations of “advertising publishers” and “advertising content disseminators” particularly relevant given the proliferation of online and cross-border advertising activities. Additionally, the Amended Law repeals Section 2, Chapter IV of the Commercial Law No. 36/2005/QH11 concerning commercial advertising (Articles 102 through 116).

## Influencer Accountability

A significant development establishes, for the first time, explicit legal responsibilities for influencers engaged in advertising activities. The Amended Law imposes stricter requirements on influencers serving as

advertising content disseminators, mandating that only individuals with relevant expertise may promote specific products.

Influencers participating in advertising campaigns must now:

- (i) verify the advertiser’s credibility and review documentation relating to the advertised products, goods, or services—refraining from endorsements if they have not personally used or lack sufficient knowledge about the offering; and
- (ii) provide clear disclosure of the commercial nature of their content both before and during promotional activities.

## Online Advertising Regulation

To address evolving market practices, the Amended Law introduces the concept of “online advertising activities” encompassing promotional content on electronic newspapers, websites, social media platforms, online applications, and internet-connected digital platforms. Effective January 1, 2026, online advertising must comply with comprehensive new requirements, with particular emphasis on content identification protocols, mechanisms for controlling violative links, and user warning systems.

## Prohibited Practices

Beyond existing prohibitions under the 2012 Advertising Law, the amendments explicitly prohibit comparative advertising that references competitors’ products, goods, or services without legitimate supporting documentation.

# LAW ON RAILWAY

Law on Railway No. 95/2025/QH15 regulates railway operations including planning, construction, investment, management, maintenance, transport, and railway traffic safety as well as establishes the rights, obligations, and responsibilities of organizations and individuals involved in railway activities.

## Railway System Classification

Vietnam's railway system is classified into national railways, local railways, and dedicated railways.

## State Support & Incentives

**Budget Prioritization:** Priority state funding for national and local railway infrastructure development, upgrading, and maintenance

### Financial Incentives for Railway Businesses:

- Land use fee exemptions/reductions
- Access to state investment credit and government loan guarantees
- Subsidies for operations in economically disadvantaged areas
- Preferential corporate income tax rates

### Operational Support:

- Dedicated radio frequencies for traffic operations and traction power systems

## Mandatory Connectivity

**Major transport hubs** (airports >30M passengers/year, large seaports, large inland ports) must:

- Include railway connections in planning
- Reserve land for railway infrastructure
- Invest in synchronized connectivity infrastructure

## Transit-Oriented Development (“TOD”)

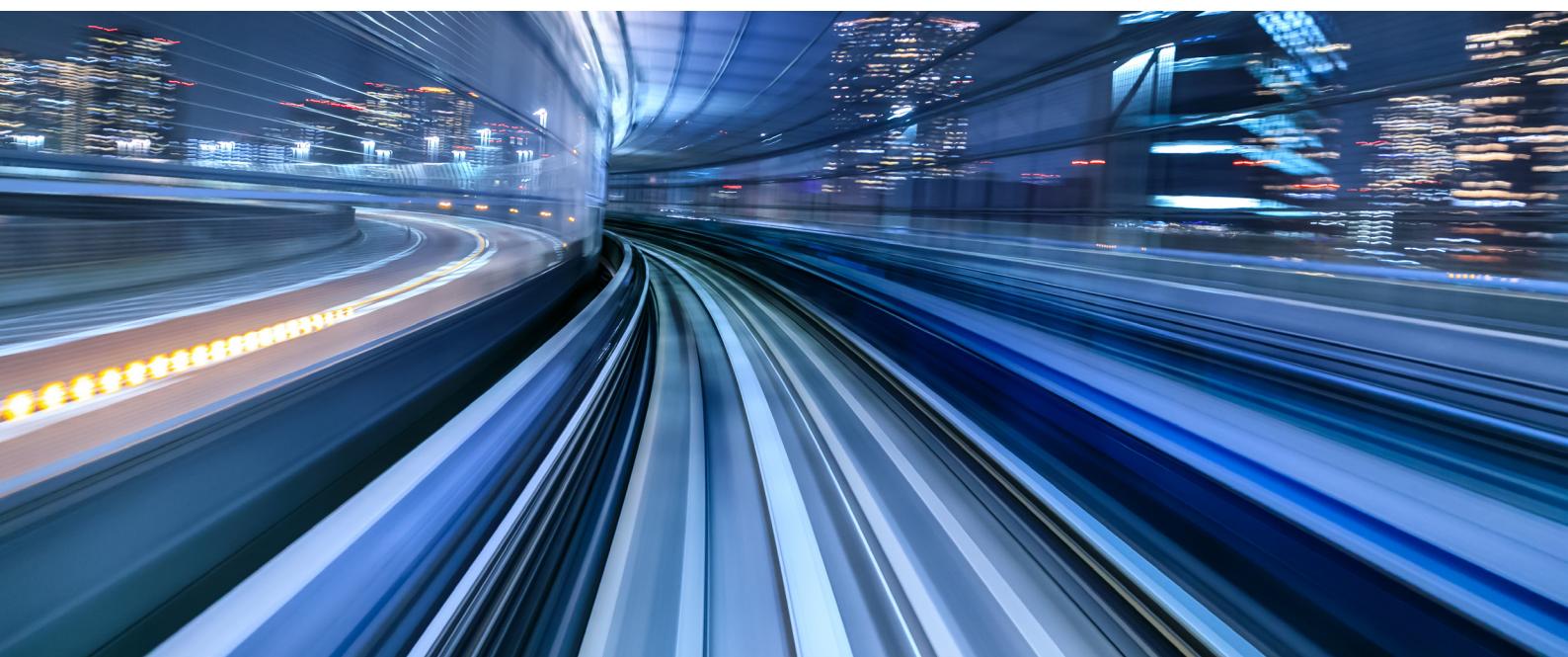
- Provincial People's Councils authorized to use local budgets for compensation and resettlement in TOD areas
- Land fund creation through auction mechanisms
- Differentiated revenue sharing between national and local railways

## Prohibited Activities

The legislation strictly prohibits the following acts: Sabotage or destruction of railway infrastructure and rolling stock; disruption of railway traffic safety and order; encroachment upon or occupation of railway safety corridors and railway infrastructure protection zones; unauthorized establishment of railway crossings without approval from competent authorities.

The law further prohibits tampering with, obscuring, or distorting railway signaling and traffic signal systems. Unauthorized signaling or use of train-stopping devices is forbidden, except in circumstances where incidents threatening railway safety are detected.

Unauthorized placement of obstructions, flammable materials, explosive substances, or toxic materials within railway infrastructure protection zones and railway safety corridors; operating trains more than prescribed speed limits; railway personnel performing duties while having alcohol concentration in blood or breath, narcotics in their system, or other stimulants prohibited by law.



# LAW ON CHEMICALS

Law on Chemicals 2025, adopted by the National Assembly on June 14, 2025, entered into force on January 1, 2026, representing a pivotal milestone in the development of Vietnam's legal framework governing the chemical industry.

## Chemical Classification System

To strengthen administrative oversight effectiveness, the Law on Chemicals 2025 establishes a categorization system organizing chemicals into specific inventories - prohibited chemicals, specially controlled chemicals, and conditional chemicals - each subject to corresponding stringent management protocols.

## Separate Licensing for Production and Trading

Law on Chemicals 2025 fundamentally restructures the regulatory approach to chemical activities by establishing clear distinctions between production and trading operations. Accordingly, enterprises manufacturing conditional chemicals or specially controlled chemicals must satisfy specific requirements and obtain separate production licenses. Similarly, entities engaged in trading these chemical categories must secure independent licenses corresponding to their commercial activities.

## Specially Controlled Chemicals

A notable innovation introduces the term "specially controlled chemicals" replacing the previous designation of "restricted production and trading chemicals" while broadening the regulatory scope. Enterprises utilizing specially controlled chemicals must declare the chemical type and intended purpose through the designated system prior to initial use or any change in application purpose.

## Expanded Prohibited Conduct

The legislation significantly expands the scope of prohibited activities. While existing law enumerated only four prohibited acts, the new statute increases this to seven violations with enhanced specificity and detail, comprising a range of prohibited activities relating to misappropriation of chemicals, including:

1. misappropriation, unlawful production, trading, transportation, storage, or use;
2. falsification of permits or certificates;
3. failure to disclose or providing false information about hazardous chemicals or incidents;
4. use of unverified or prohibited chemicals in food, pharmaceuticals, cosmetics, feed, or consumer products;
5. production or importation of goods with hazardous chemical concentrations exceeding legal limits;
6. abuse of authority in chemical management; and
7. activities causing severe harm to health, property, environment, or national security.



# LAW ON ATOMIC ENERGY

On June 27, 2025, the National Assembly adopted Atomic Energy Law No. 94/2025/QH15, effective January 1, 2026, superseding Atomic Energy Law No. 18/2008/QH12 (as amended by Law No. 35/2018/QH14).

Law on Atomic Energy No. 94/2025/QH15 governs the development and application of atomic energy; radiation safety, radiation protection, nuclear safety, and nuclear security; nuclear power plants and research nuclear reactors; radiation and nuclear incident response, compensation for radiation and nuclear damage; nuclear inspection; and state management in the atomic energy sector.

## General Policy

The State promotes development and application of atomic energy for peaceful purposes, serving socio-economic development, environmental protection, and improving people's quality of life; contributing to energy security; prioritizing investment and diversifying capital sources for atomic energy development and application.

## Technology Transfer and Localization

Priority for transfer and application of advanced, high, and environmentally friendly technologies in atomic energy; strengthening manufacturing capacity and localization of equipment.

Organizations, enterprises, and individuals participating in atomic energy activities are encouraged to cooperate and receive technology transfer from domestic and foreign partners; entitled to support and incentive policies under laws on technology transfer, investment, bidding, and other relevant laws.

Investors committing technology transfer in atomic energy included in the high-tech priority development list receive bidding preferences; those committing technology transfer in the encouraged technology list also receive bidding preferences.

## Domestic Product Preferences

Vietnamese-origin goods in atomic energy and domestic contractors producing Vietnamese-origin atomic energy goods compliant with tender documents receive bidding preferences.

## Personnel Benefits

Civil servants, public employees, and state-budget employees at national radiation and nuclear safety agencies; agencies performing state management functions for radiation safety, nuclear safety, nuclear security, and atomic energy development; research

and training institutions receive professional incentive allowances up to 70% of salary scale.

Personnel performing official duties with radiation exposure receive hazardous duty allowances for civil servants, public employees as prescribed by law.

## Investment And Business Incentives

The State invests strategically and encourages domestic and foreign organizations, overseas Vietnamese, and international organizations to invest in atomic energy activities serving socio-economic development and nuclear power development. State policies support and incentivize organizations and individuals operating in atomic energy to enhance scientific and technological potential.

Organizations, enterprises, and individuals conducting activities receive support policies for enhancing capacity and scientific-technological capabilities under science, technology, and innovation laws, and tax policies for science, technology, and innovation development.

The State diversifies types of scientific and technological organizations, training institutions in atomic energy; organizations conducting radiation work; organizations providing atomic energy application support services.

Organizations and individuals participating in establishing, investing in scientific and technological organizations, training institutions, organizations conducting radiation work, and organizations providing atomic energy application support services receive preferential policies as prescribed by law.

## Digital Transformation

The State encourages collection, processing, exploitation, and sharing of data on atomic energy safety and applications in an open, transparent, synchronized, and timely manner to enhance management effectiveness and efficiency.

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