

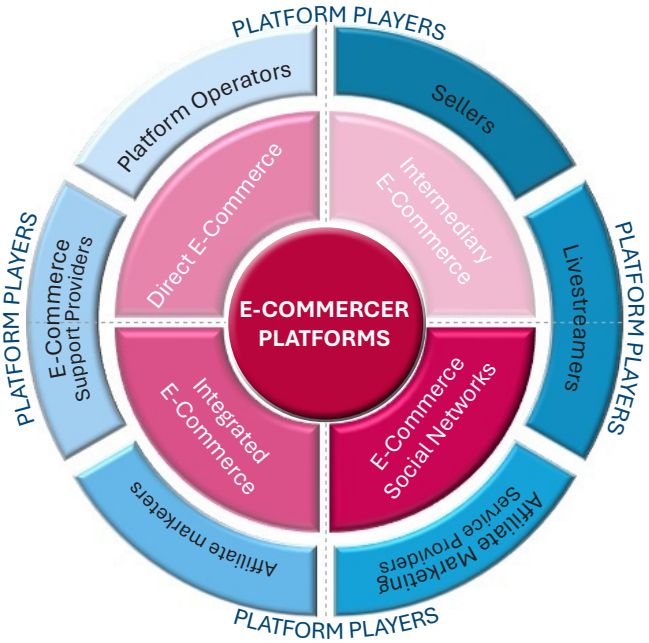
RHTLaw Vietnam

VIETNAM'S E-COMMERCE LEGAL FRAMEWORK

Key provision under Law No. 122/2025/QH15

PLATFORM TYPES

- **Direct E-Commerce Platforms:** Platform established to directly sell goods or provide services of an organization/individual.
- **Intermediary E-Commerce Platforms:** Platforms that enable third parties to sell goods or provide services via registered accounts (e.g. Shopee / Lazada)
- **E-Commerce Social Networks:** Social networks that enable online communication, online ordering or sales livestreaming, to support contract formation and e-commerce (e.g. TikTok Shop / Facebook)
- **Integrated E-Commerce Platforms:** Platforms that Integrate other e-commerce platforms on the same platform.



PLATFORM PLAYERS

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Platform operators	**Sellers**	**Livestreamers**	**Affiliate Marketing Service Providers**	**Affiliate marketers**	**E-Commerce Support Providers**
Organizations/ individuals who **manage and operate** e-commerce platforms	Organizations/ individuals who **sell** goods or **provide** services on e-commerce platforms	Individuals who **livestream** to sell goods or services on e-commerce platforms	Organizations/ individuals who **create** access links, referral codes or similar methods for linking to e-commerce platforms	Individuals who **promote** goods or services on a digital platform through access links, referral codes or similar methods	Infrastructure, logistics, payment/payment intermediary and electronic contract certification service providers
e.g. Shopee, TikTok Shop	e.g. Sellers on Shopee	e.g. KOLs, KOCs, creators	e.g. TikTok Shop Affiliate	e.g. KOLs, KOCs, creators	e.g. SPX Express, MoMo



ROLLED-BASED LIABILITIES

Operators

	Direct E-Commerce Platform	Intermediary E-Commerce Platform	E-Commerce Social Networks	Integrated E-Commerce Platforms
Basic function (sell goods/ provide services)	• Notify before operation[1]	• Register before operation		
	• Disclose operator's information, privacy policy, parties' rights and obligations, feedback handling methods, and key criteria used to limit or prioritise displayed goods/services, and obtain users' consents as the case may be.			
	• Disclose business eligibility documents and information on services/products	• Disclose seller's information		• Disclose integrated platforms and enable consent before access
		• Authenticate sellers via VneID (Vietnamese) or lawful docs (foreign sellers) • Review information created by sellers before display	• Enable seller account registration and identification	• Not integrate violating platforms • Establish data and security standards
	• Ensure access to posted information for at least 1 year		• Retain contract data for at least 3 years (for platforms integrating contract confirmation tools)	• Retain exchanged data with integrated platforms for at least 3 years
	• Review and handle violations • Report periodically online			
Special function -online ordering	• Disclose policies regarding pricing, display priority, livestream, delivery/provision, return/termination and refund. • Disclose order details, obtain buyer's consent, allow modification, keep order accessible. • Enable access to contract data for at least 3 years (Direct & Intermediary Platforms). • Accept returns for non-conforming goods, handle defective goods recall, compensate if any. • Display buyer's feedback and reviews. • Special Requirements for Large Digital Platforms			
Special function -livestream	• Disclose livestream rules, including control measures • Provide complaint-handling mechanisms • Authenticate livestreamers via VneID (Vietnamese) or lawful docs (foreigners) • Require advertising-content certification from sellers, where applicable • Retain livestream image/audio data for at least 1 year			

[1] Get notification confirmed before operation (if having online ordering)

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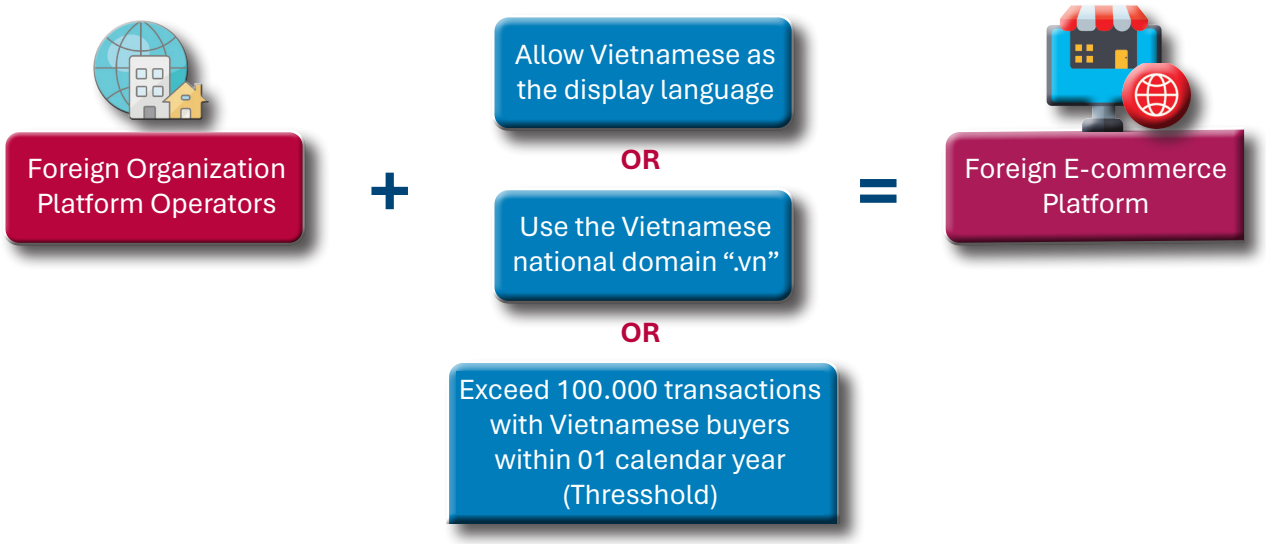
Sellers, Livestreamers, Marketers, Service Providers

Sellers on Intermediary E-Commerce Platforms, E-Commerce Social Networks 	• Provide name, address and identity information • Disclose service/products information • Provide business eligibility documents & use their own payment accounts (online ordering) • Provide livestreamers with business eligibility, product quality documents and advertising-content certification (livestreaming) • Stop cooperation, streaming, and remove violations (livestreaming)	
Livestreamers 	• Provide information for identity authentication • Avoid false or misleading information on goods/services • Avoid inappropriate language or acts during livestreaming • Stop cooperation, livestreaming & remove violations where required	
Affiliate Marketing Service Providers 	• Authenticate affiliate marketers' identities • Refuse services for prohibited goods/services or unregistered multi-level marketing.	Remove links for violating goods/services
& Affiliate marketers 	• Provide information for authentication • Refuse prohibited/violating or unregistered multi-level marketing platforms	
E-Commerce Supporting Service Providers	• **Logistics Provider:** Check documents, refuse prohibited/violating goods, and enable shipment tracking. 	
	• **Payments/Payment Intermediary Provider:** Provide data on fraudulent/illegal transactions & remove violating platforms upon request. 	
	• **E-Contract Authentication Provider:** Ensure confidentiality, integrity & security of e-contract data. 	
	• **Technical Infrastructure:** Prevent violations within 24 hours upon authorities' request. 	

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Foreign E-commerce Platforms



FOREIGN E-COMMERCE PLATFORMS: KEY REQUIREMENTS

Platform	Vietnamese presence	Registration with Ministry of Industry and Trade	Security deposit
a) **Direct E-Commerce Platform** (with online ordering function)	Designate an **authorized legal entity** in Vietnam[2]	**Before operation** if allowing Vietnamese as the display language or using a ".vn" domain; **Within 60 days** after reaching the Threshold.	Not required
b) **Intermediary E-Commerce Platform and E-commerce Social Network** (with online ordering function)	**Establish a legal entity** in Vietnam[3]		
c) **Integrated E-Commerce Platforms**			
d) **Treaty exception for b) and c)** (where entity establishment is not required)	Designate an **authorized legal entity** in Vietnam[4]		Maintain a VND 20 billion security deposit in Vietnam throughout operation term

[2] Before offering Vietnamese as the display language / using ".vn", or after reaching the transaction threshold
[3] Before offering Vietnamese as the display language / using ".vn", or after reaching the transaction threshold
[4] Responsible person for e-commerce activities resides in Vietnam

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