

---

# INSIDE THIS ISSUE

---

Overview

---

In Details

---

Conclusion

---



## THE TRANSFORMATION OF PLATFORM ACCOUNTABILITY UNDER VIETNAM'S NEW E- COMMERCE LAW

### OVERVIEW

The rapid expansion of digital commerce in Vietnam over the past decade has fundamentally reshaped consumer behavior, business models, and market access. Against this backdrop, the adoption of the Law on E-commerce by the National Assembly in December 2025 marks a decisive step in recalibrating the country's regulatory approach to the digital economy. Effective from July 01, 2026, the new law replaces the long-standing decree-based framework with a law-level statute, signaling a move toward greater legal certainty, enhanced regulatory authority, and more robust oversight of e-commerce activities conducted both domestically and from abroad.

Beyond its formal elevation in legal hierarchy, the E-commerce Law reflects a broader policy shift. Rather than merely facilitating online trade, the regulatory focus now extends to platform responsibility, consumer protection, data governance, and the management of emerging digital business models. For market participants, the Law introduces a more structured compliance environment that will require reassessment of operational practices, contractual arrangements, and market-entry strategies well in advance of its implementation.



## FROM FACILITATION TO SUPERVISION

Under the previous regime governed primarily by Decree No. 52/2013/ND-CP, Vietnam's e-commerce regulation emphasized encouragement and facilitation of online business activities, with relatively limited enforcement tools. While this approach supported the sector's early growth, it gradually revealed shortcomings in addressing increasingly complex platform ecosystems, cross-border transactions, and consumer risks arising from livestream sales, social commerce, and influencer-driven marketing.

The new E-commerce Law responds to these challenges by consolidating regulatory authority and providing a more stable statutory foundation. By embedding core principles and obligations at the law level, the legislature has reduced reliance on frequent sub-law amendments and strengthened the enforceability of compliance requirements. This transition reflects the State's recognition that e-commerce is no longer a peripheral commercial activity but a core component of the national economy requiring closer supervision.

Notably, the Law adopts a more substance-oriented approach, enabling regulators to address new business models without constant definitional revisions. This approach is particularly significant in the context of fast-evolving digital practices, where rigid, form-based definitions can quickly become obsolete.

## EXPANDING THE REGULATORY PERIMETER TO NEW DIGITAL BUSINESS MODELS

One of the most consequential aspects of the E-commerce Law is the formal inclusion of emerging commercial formats within its regulatory scope. Livestream commerce and affiliate marketing, previously governed only indirectly or through administrative guidance, are now explicitly recognized as regulated e-commerce activities. This development reflects growing regulatory concern over transparency, advertising accuracy, and the accountability of individuals and entities influencing consumer purchasing decisions in real time.

By clarifying the legal status of livestream hosts, affiliate marketers, and platform operators, the Law allocates responsibility more clearly across the digital value chain. Platform operators, in particular, are expected to play a more active role in supervising activities conducted on their systems, including monitoring compliance with consumer protection rules and supporting dispute resolution processes.

At the same time, the Law maintains a deliberate boundary between e-commerce and other digital services subject to sector-specific legislation. Financial services, securities trading, and application distribution platforms remain governed by their respective regulatory regimes, preserving regulatory coherence while avoiding duplication of oversight.

---

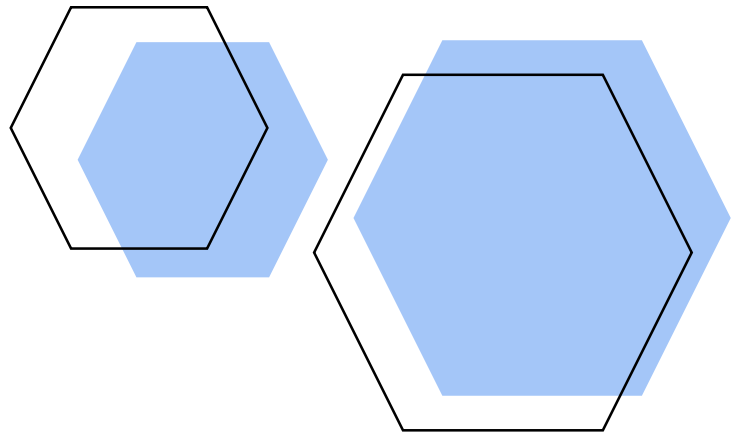


## PLATFORM CLASSIFICATION AND THE RISE OF ECOSYSTEM REGULATION

The introduction of a formal classification system for e-commerce platforms represents a structural shift in regulatory design. By distinguishing between direct platforms, intermediary platforms, social networks engaging in e-commerce, and integrated e-commerce platforms, the Law acknowledges the diversity of platform architectures and business models currently operating in Vietnam.

This classification is not merely descriptive; it serves as the basis for differentiated regulatory obligations. Integrated platforms, in particular, reflect the increasing prevalence of digital ecosystems in which multiple commercial services are interconnected within a single interface. The Law's recognition of such platforms signals an intent to regulate not just individual transactions but also the systemic influence of large-scale digital infrastructures on market conduct and competition.

Through this framework, Vietnam aligns more closely with global regulatory trends that emphasize platform governance and systemic accountability, rather than focusing solely on individual sellers or transactions.





## STRENGTHENING OVERSIGHT OF FOREIGN E-COMMERCE PLATFORMS

Cross-border e-commerce has become a defining feature of Vietnam’s digital market, offering consumers wider choices while raising challenges related to enforcement, consumer redress, and regulatory reach. The E-commerce Law addresses these challenges by introducing clearer criteria for determining when foreign platforms are deemed to conduct e-commerce activities in Vietnam.

Language localization, domain name usage, and transaction thresholds are used as connecting factors to establish regulatory jurisdiction. Once these criteria are met, foreign platform operators are subject to registration, local representation, or establishment requirements, depending on the platform type and functional features. This approach reflects a functional equivalence principle, under which offshore platforms are expected to comply with obligations comparable to those imposed on domestic operators.

Importantly, the Law extends consumer protection expectations to cross-border transactions by requiring offshore platforms to represent foreign sellers in handling complaints and disputes. This mechanism aims to address longstanding enforcement gaps and enhance consumer confidence in cross-border online purchases.

## INTEGRATING SUPPORT SERVICES INTO THE COMPLIANCE LANDSCAPE

Beyond platforms themselves, the E-commerce Law formally recognizes the role of support service providers as integral components of the e-commerce ecosystem. Logistics providers, technical infrastructure operators, payment service providers, and electronic contract authentication services are all brought within the Law’s regulatory awareness.

While these entities are not tasked with overseeing transactions directly, they are subject to obligations relating to transparency, cooperation with authorities, and consumer protection support. In particular, the licensing requirement for electronic contract authentication services underscores the Law’s emphasis on legal certainty and evidentiary reliability in digital transactions.

This holistic approach reflects an understanding that effective e-commerce regulation cannot be achieved by focusing solely on platforms, but must also account for the enabling services that underpin online commerce.



## TRANSITIONAL ARRANGEMENTS AND BUSINESS READINESS

To mitigate disruption, the E-commerce Law provides transitional arrangements for platforms and service providers already notified or registered under the previous regime. Existing e-commerce platforms may continue operating until mid-2027, allowing time to align with new requirements, while previously registered electronic contract authentication services are granted similar transitional treatment.

Nevertheless, the scope and depth of the new regulatory framework suggest that early preparation will be critical. Businesses operating e-commerce platforms, supporting services, or cross-border digital offerings should begin assessing their compliance status, governance structures, and contractual frameworks well before the Law takes effect.

## CONCLUSION

Vietnam's new E-commerce Law represents a maturation of the country's digital regulatory landscape. By shifting from facilitation to supervision, expanding regulatory coverage to new business models, and extending accountability to offshore platforms and support services, the Law lays the foundation for a more orderly, transparent, and consumer-oriented e-commerce environment. While further guidance will be needed to clarify implementation details, the legislative direction is clear: e-commerce in Vietnam is entering a phase of heightened compliance expectations, where platform responsibility and regulatory engagement will play a central role in sustainable digital growth.

### ***Disclaimers:***

This material is provided for informational purposes only. The provision of this material does not create an attorney-client relationship between the firm and the reader and does not constitute legal advice. Legal advice must be tailored to the specific circumstances of each case, and the contents of this article are not a substitute for legal counsel. Do not take action in reliance on the contents of this material without seeking the advice of counsel.

The information contained in this article may or may not reflect the most current legal developments. Accordingly, information in this article is not promised or guaranteed to be correct or complete and should not be relied upon as such. Readers should conduct their own appropriate legal research.

# DAITIN & ASSOCIATES

Lawyers and Consultants

## CONTACT

*Please contact Daitin & Associates if you require any further information or guidance in the procedures of acquiring, protecting intellectual property rights in Vietnam | Cambodia | Laos | Myanmar | Thailand | Philippines | Brunei | Indonesia.*

[info@daitin.com.vn](mailto:info@daitin.com.vn) | [www.daitin.com.vn](http://www.daitin.com.vn)

© 2026 Daitin & Associates Co., Ltd \_ All rights reserved.