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Industry Spotlight

VIETNAM E-COMMERCE: NOTABLE POINTS FROM DECREE 248/2026/ND-CP

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Decree 248/2026/ND-CP

Introduction

On 30 June 2026, the Government promulgated Decree No.248/2026/ND-CP detailing a number of articles of the E-Commerce Law (the “**Decree 248**”). Effective from 1 July 2026, Decree 248 contributes to improving the legal framework for e-commerce activities in Vietnam. The Decree sets out detailed provisions on the information disclosure on the platform, the responsibilities of e-commerce entities and e-commerce support service providers, along with the administration and operation of e-commerce platforms, including foreign e-commerce platforms operating in Vietnam.

Within the scope of this Industry Spotlight, the focus will be on notable points regarding the responsibilities of platform operators, cross-border e-commerce and e-contract authentication services in commerce.



Key responsibilities of operators of e-commerce platforms —

Operators of e-commerce platforms in general

- **For all operators of e-commerce platforms:**
 - ✓ Disclosing information and operating policies fully, accurately and clearly;
 - ✓ Submitting periodic reports and providing information requested by the competent authorities;
 - ✓ Managing and controlling information on goods and services infringing intellectual property rights, unlawful business activities;
 - ✓ Updating keywords and filtering information based on such keywords;
 - ✓ Receiving and resolving feedback, complaints and disputes;
 - ✓ Coordinating with intellectual property rights holders to review, temporarily remove, or block access to information on goods and services showing signs of intellectual property rights infringement.
- **For operators of e-commerce platforms with the online ordering function:**
 - ✓ Ensuring that the platform clearly, fully and accurately displays the agreed terms to entering into a contract;
 - ✓ Having a mechanism enabling buyers to express their consent before placing orders.
- **For operators of platforms integrating an automated information system for entering into e-contracts:**
 - ✓ Being responsible for technical conditions;
 - ✓ Ensuring the transparency, safety and the capability of storage and traceability in the execution, performance and termination of automated contracts.

Key responsibilities of operators of e-commerce platforms —

Operators of the intermediary e-commerce platforms

The operator of an intermediary e-commerce platform

- ✓ Complying with the law on e-transactions and the law on protection of consumer interests;
- ✓ Carrying out electronic identity verification of sellers;
- ✓ Publicly disclosing sellers' identifiable information;
- ✓ Moderating seller-created information contents on goods and services;
- ✓ Ensuring the capability to access information and data on goods and services posted from seller accounts.

The operator of an intermediary e-commerce platform with the online ordering function

- ✓ Taking back goods provided incorrectly by the seller, and carrying out exchanges, returns, and refunds;
- ✓ Publicly disclosing full information on the recall of defective goods, the contact information of the focal point for taking back goods; informing directly the buyers of such goods;
- ✓ Providing information for parties in accordance with applicable regulations;
- ✓ Providing tools for the seller to download data on executed contracts, posted goods and services;
- ✓ Suspending or terminating seller accounts requested by competent authorities.

Key responsibilities of operators of e-commerce platforms —

Operators of the e-commerce social network

The operator of an e-commerce social network

- ✓ Publicly disclosing identifiable indicators of seller accounts.

The operator of an e-commerce social network that provides online communication functions integrated with tools for notifying confirmation of contract formation

- ✓ Requiring organizations and individuals to use seller account information when using the online communication function integrated with a tool for notifying confirmation of contract formation on the platform;
- ✓ Performing responsibilities of the operators of an intermediary e-commerce platform.

The operator of an e-commerce social network with a livestream selling function or online ordering function

- ✓ Requiring organizations and individuals to select and use seller account information when using the online ordering function;
- ✓ Performing the responsibilities applicable to operators of intermediary e-commerce platforms with online ordering functionality.

Key responsibilities of operators of e-commerce platforms —

Operators of the integrated e-commerce platforms

- ✓ Clearly notifying the integrated platform's name, the rights and obligations of the parties, the procedures for receiving and resolving feedback, complaints; and obtaining user's consent before each access or viewing contents from user accounts;
- ✓ Providing a tool to access and use the data generated by the platform pursuant to an e-contract between the parties, authenticated by a licensed e-contract authentication service provider;
- ✓ Removing upon the request of competent state authorities, in case of violations or revealing signs of violations;
- ✓ Updating the list of integrated e-commerce platforms when any changes occur.

Key responsibilities of operators of e-commerce platforms

Operators of the e-commerce platform that is a large digital platform

(The large digital platform is regulated in Law on Protection of Consumer Rights 2023)

The operator of an intermediary e-commerce platform with online ordering function that is a large digital platform	✓ Having an online system for receiving and resolving feedback, requests, and complaints on the platform; ✓ Having systems for reviewing, detecting, and automatically removing information on goods and services that violates the law; and implement measures to prevent repeat violations; ✓ Publicly disclosing information on the platform about the e-commerce support service provider.
The operator of the social network with livestream selling and online ordering functions that is a large digital platform	✓ Performing responsibilities applicable to operators of social network engaging in e-commerce activities with livestream selling and online ordering functions ✓ Performing responsibilities applicable to operators of the intermediary e-commerce platform with online ordering function that is a large digital platform.
The operator of an integrated e-commerce platform that is a large digital platform	✓ Not requiring an integrated platform to use services provided or designated by the integrating platform as a mandatory condition for integration, except where otherwise agreed under a cooperation agreement; ✓ Not preventing integrated platforms from conducting business activities or entering into service agreements with other platforms outside the integrating platform.

Management and operation of several e-commerce platforms —

1. Operation of a direct selling e-commerce platform with an online ordering function

- The platform operator must obtain confirmation of notification prior to operating the platform.
- Cases in which the platform operator is required to **carry out procedures to amend or supplement the notification** within 20 working days from the date of the change of:

1

Website domain name, application name

2

The person responsible for managing and operating the platform

3

Information on the Enterprise Registration Certificate or equivalent documents

4

Publicly disclosed information regarding operational conditions and transaction terms

Management and operation of several e-commerce platforms —

2. Operation of intermediary e-commerce platforms, e-commerce social networks, integrated e-commerce platforms

These platforms may operate only **after registration confirmation from the Ministry of Industry and Trade** and satisfy the following **conditions for their management and operation**:

- **For intermediary e-commerce platforms without an online ordering function, social networking platforms engaging in e-commerce activities without an online ordering function, and integrated e-commerce platforms:**
 - ✓ Having specialist personnel managing e-commerce activities;
 - ✓ Having an E-commerce Operation Plan.
- **For intermediary e-commerce platforms with online ordering and livestream selling functions, and social networking platforms engaging in e-commerce activities with online ordering and livestream selling functions:**
 - ✓ Having specialist personnel managing e-commerce activities;
 - ✓ Having an E-commerce Operation Plan;
 - ✓ Where the platform operator holds funds payable to sellers arising from transactions conducted on the platform, the platform must implement mechanisms to manage the holding of funds, reconciliation, settlement, and withdrawal of such funds by sellers.

In addition to cases involving the direct selling e-commerce platforms with online ordering functions, the operators of such platforms are required to carry out **procedures to amend or supplement the registration** within 20 working days from the date of the change of:

- ✓ The e-commerce platform's operating model;
- ✓ The service provision contract;
- ✓ (or addition of) Services provided on the platform.

Management and operation of several e-commerce platforms

3. Termination of the operation of e-commerce platforms

- Cases in which the **platform operator carries out procedures for termination of the registration/notification**:

1

At the request of the operator

2

The platform ceases operations or is transferred to another organization

3

Change in the tax identification number of the operator

- Cases in which the **competent state authority terminates the registration / notification** of an e-commerce platform:

Failure to
respond

The platform fails to respond to a request for information from a state authority within 30 days of receiving the request

Violation of
the law

The operator commits a legal violation and is subject to a measure terminating the platform's operations.

Cross-border e-commerce —

Requirements for foreign e-commerce platforms

(Unless otherwise specified by the context or nature of the matter, the term “foreign e-commerce platforms” as used in this Industry Spotlight refers to foreign direct-selling e-commerce platforms with online ordering functions, foreign intermediary e-commerce platforms, foreign social networking platforms engaging in e-commerce activities, and foreign integrated e-commerce platforms conducting e-commerce activities in Vietnam)

Registration with the Ministry of Industry and Trade is required where the platform:

- ✓ **Offers a Vietnamese-language option or uses the national domain name “.vn”** – register before commencing operations in Vietnam; or
- ✓ **Records at least 100,000 transactions/year with buyers in Vietnam** – register within 60 days of reaching the threshold.

Within 20 days of any change to the following, operators must amend the registered dossier for:

- ✓ The name of the platform;
- ✓ The person responsible for managing and operating the platform;
- ✓ The authorized legal entity in Vietnam;
- ✓ Information stated in the establishment certificate of the enterprise;
- ✓ The publicly disclosed operating or transaction terms and conditions;
- ✓ **The operating model, service contract terms, or service provided on the platform** (for foreign intermediary, social network engaging in e-commerce activities or integrated platforms).

Cross-border e-commerce —

Requirements for particular foreign e-commerce platforms

Conditions on management and operation: During the registration confirmation process, operators must satisfy the management and operational requirements applicable to specific types of platforms as follows:

- **For foreign intermediary e-commerce platforms or foreign social networks engaging in e-commerce activities without online ordering functions:**
 - ✓ Having an E-commerce Operation Plan;
 - ✓ Having an authorized representative in Vietnam, being either an individual residing in Vietnam or a legal entity established under Vietnamese law.
- **For foreign integrated e-commerce platforms, foreign intermediary e-commerce platforms with online ordering functions, and foreign social networking platforms engaging in e-commerce activities with online ordering functions:**
 - ✓ Satisfying the management and operational requirements applicable to intermediary e-commerce platforms with online ordering and livestream selling functions and social networking platforms engaging in e-commerce activities with online ordering and livestream selling functions;
 - ✓ Maintaining a minimum escrow deposit of VND 20 billion;
 - ✓ The person responsible for e-commerce activities of the designated legal entity in Vietnam must be an individual residing in Vietnam.

Cross-border e-commerce

Requirements for foreign e-commerce platforms

- **Escrow deposit obligation:**

- Where an international treaty to which Vietnam is a party contains a commitment that establishment of a legal entity may not be required, foreign e-commerce platforms with online ordering functions (*including foreign intermediary e-commerce platforms with online ordering functions, foreign social networks engaging in e-commerce with online ordering functions*), and foreign integrated e-commerce platforms must maintain **an escrow deposit of at least VND 20 billion** with a commercial bank in Vietnam or a foreign bank branch in Vietnam.
- **The escrow deposit of the operators may be used in the following cases:**



To compensate consumers in Vietnam for damages under an effective judgment or decision



To comply with decisions imposing administrative for violations in e-commerce activities



To fulfil tax obligation to Vietnamese state authorities

Cross-border e-commerce

Requirements for foreign e-commerce platforms

- **Escrow deposit obligation:**

- **The competent authority may withdraw funds from the escrow account in any of the following cases:**



**Termination of
the registration**

The platform terminates its registration but has not yet fulfilled its obligations

The platform continues to operate but fails to voluntarily comply with a judgment or an administrative penalty decision after the expiry of the voluntary compliance period

Failure to comply



- **The operator of a foreign e-commerce platform may withdraw the escrow deposit upon obtaining confirmation from the Ministry of Industry and Trade in any of the following cases:**

1

The platform operator's application for registration has been rejected

2

The operator has made an escrow deposit of at least VND 20 billion with another bank or foreign bank branch in Vietnam

3

The operator has terminated the registration and fully fulfilled all obligations under applicable law.

Cross-border e-commerce —

Foreign investment in e-commerce platforms in Viet Nam

Decree No. 96/2026/ND-CP guiding the 2025 Law on Investment identifies the “*Management and operation of intermediary e-commerce platforms, social networking platforms engaging in e-commerce activities, and integrated e-commerce platforms*” as one of the **business sectors subject to conditional market access requirements applicable to foreign investors**.

Decree No. 248 states conditions consistent with the investment regulations and further clarifies **the market access conditions applicable to foreign investors** engaging in the management and operation of the aforementioned e-commerce platforms, including:

- ✓ Permitted forms of investment: establishment of an economic organization, or capital contribution, purchase of shares, or purchase of contributed capital;
- ✓ A foreign investor that controls an organization operating as the operator of an intermediary e-commerce platform, a social network engaged in e-commerce activities, or an integrated e-commerce platform that qualifies as a large digital platform under the laws on protection of consumer rights must obtain an assessment opinion from the Ministry of Public Security on national security.

E-contract authentication services in commerce

Business conditions

E-contract authentication services are classified as a **conditional business line**. Accordingly, service providers must satisfy the following conditions:

- ✓ Possessing a Trust Service Business License with the permitted type of service being the provision of data message certification services under the law provisions on electronic transactions;
- ✓ Having an E-contract Authentication Service Provision Scheme.

Management of e-contract authentication service providers

The service provider must **apply for an amendment or supplementation** of its **Business License for the Provision of E-contract Authentication Services** within 20 working days from the date of any change to one of the following information:



The person in charge of managing the service



Information specified in the license of the enterprise



Publicly disclosed contents of the authentication regulations



E-contract Authentication Service Provision Scheme

E-contract authentication services in commerce

Management of e-contract authentication service providers

The License for e-contract authentication services may be revoked in the following cases:

1

Voluntary cessation

The organization voluntarily ceases providing the service and requests revocation of the License.

2

Violation of the law

The organization violates the law and must cease operations under regulations on administrative violations.

By the 15th day of each month, the organization must submit an online report on services provided during the preceding month via the E-commerce Activity Management System (online.gov.vn), in accordance with applicable regulations.

Conclusion —

Decree 248 regulates a comprehensive requirements and control mechanisms for both domestic and foreign e-commerce platforms, as well as the e-commerce support services. To maintain stable and effective operations, platform operators should:

- ✓ **Review and proactively update disclosed information and policies** on the platform operator, pricing and fees, payment, delivery, returns and refunds, complaint handling, privacy, preferential display, and livestream selling;
- ✓ **Fully discharge their responsibilities to relevant parties** and comply with reporting and other regulatory requirements;
- ✓ **Correctly identify the applicable platform model** and its corresponding requirements, to ensure compliant management and operation;
- ✓ **Review e-contract authentication business conditions** and update the relevant license where required.

These changes under Decree 248 strengthen transparency in doing business, and provide a legal foundation for a healthy, fair, and sustainable e-commerce ecosystem, thereby fostering the robust growth of Vietnam's digital economy.

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