GOVERNMENT OF VIETNAM

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

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DECREE

ADMINISTRATIVE PENALTIES FOR VIOLATIONS IN FIELD OF DATA

Pursuant to the Law on Government Organization No. 63/2025/QH15;

Pursuant to the Law on Local Government Organization No. 72/2025/QH15;

Pursuant to the Law on Promulgation of Legislative Documents No. 64/2025/QH15, amended by Law No. 87/2025/QH15;

Pursuant to the Law on Data No. 60/2024/QH15;

Pursuant to the Law on Handling of Administrative Violations No. 15/2012/QH13, amended by Law No. 67/2020/QH14, Law No. 56/2024/QH15, and Law No. 88/2025/QH15;

At the request of the Minister of Public Security of Vietnam;

The Government of Vietnam hereby promulgates the Decree prescribing administrative penalties for violations in the field of data.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

1. This Decree provides for administrative violations, forms of penalties, levels of penalties, enforcement of administrative penalties, remedial measures applicable to each administrative violation, subjects liable to penalties, competence to make written records of administrative violations, competence to impose penalties and apply remedial measures, and specific maximum fines applicable to each title for administrative violations in the field of data.

2. This Decree does not regulate administrative violations falling within the scope of the Decree prescribing administrative penalties for violations in the field of cybersecurity and personal data protection.

Article 2. Regulated entities

1. Vietnamese agencies, organizations, and individuals; foreign agencies, organizations, and individuals in Vietnam; and foreign agencies, organizations, and individuals directly participating in or relevant to data-related operations in Vietnam that commit administrative violations prescribed in this Decree.

2. Organizations liable to administrative penalties under this Decree include:

a) State agencies committing violations that do not fall within their assigned state management tasks;

b) Organizations established in accordance with the Law on Enterprises or the Law on Cooperatives;

c) Organizations established in accordance with the Law on Credit Institutions or the Law on Investment;

d) Public service providers;

dd) Other organizations established in accordance with the law.

3. Household businesses, households, and residential communities committing administrative violations shall be subject to the fines applicable to individuals committing administrative violations. Representatives of household businesses, household heads, and heads of residential communities shall be responsible for executing decisions on administrative penalties in accordance with the law.

4. Agencies and persons competent to make written records of administrative violations and persons competent to impose administrative penalties and apply remedial measures in the field of data under this Decree.

5. Cadres, civil servants, public employees, members of the People's Army or People's Public Security, and persons engaged in cipher work who commit violations while performing official duties or assigned tasks, where such violations fall within those official duties or assigned tasks, shall not be penalized in accordance with the law on handling of administrative violations but shall be handled in accordance with relevant laws.

State agencies committing violations that fall within their state management tasks shall not be penalized in accordance with the law on handling of administrative violations but shall be handled in accordance with relevant laws.

Article 3. Prescriptive period for imposition of administrative penalties

1. The prescriptive period for imposition of administrative penalties in the field of data is 1 year.

2. The time from which the prescriptive period prescribed in Clause 1 of this Article is calculated shall comply with the Law on Handling of Administrative Violations and its elaborating and guiding documents.

3. The time at which a violation terminates for the purpose of calculating the prescriptive period shall be determined as follows:

a) For violations of regulations on the provision of products and services concerning data, the time at which a violation terminates for the purpose of calculating the prescriptive period is the date on which the parties fulfill their obligations;

b) For violations involving registration, notification, or performance of administrative procedures contrary to the law, the time at which a violation terminates for the purpose of calculating the prescriptive period is the date on which the registration, notification, or administrative procedure is carried out.

4. For administrative violations other than those prescribed in Clause 3 of this Article, agencies and persons competent to impose administrative penalties shall rely on relevant legislative documents, case files, documents, and the circumstances of each specific case to determine whether a violation has terminated or is ongoing in accordance with the law on handling of administrative violations.

5. If, within the period prescribed in Clause 1 of this Article, an individual or organization deliberately evades or obstructs the imposition of penalties, the prescriptive period for imposition of administrative penalties shall be recalculated from the time at which such evasion or obstruction terminates.

Article 4. Forms of penalties and remedial measures

1. The principal penalties in the field of data include:

a) Warning;

b) Fine.

2. Depending on the nature and severity of the violation, an organization or individual committing an administrative violation may also be subject to the following additional penalties:

a) Fixed-term deprivation of the right to use licenses or practicing certificates, including the Certificate of Eligibility to Provide Data Platform Services, Certificate of Eligibility to Trade in Data Intermediation, Analysis, and Summary Products and Services, and Certificate of Participation in Controlled Experimentation;

b) Confiscation of exhibits, means, tools, software, and data directly used to commit the administrative violation (hereinafter collectively referred to as “exhibits and means of administrative violations”);

c) Fixed-term suspension of activities involving the provision, receipt, disclosure, transfer, processing, connection, sharing, utilization, use, analysis, summary, confirmation, or authentication of data;

d) Fixed-term suspension of activities involving the administration or operation of databases or data platforms, or of controlled experimentation activities;

dd) Fixed-term suspension from participation in programs or projects supported by the Data Development Fund;

e) Expulsion of foreigners committing administrative violations.

3. Remedial measures

Individuals and organizations committing administrative violations prescribed in this Decree may be subject to one or several of the following remedial measures:

a) Mandatory restoration of data, databases, or the original state of data; mandatory restoration of data supervision systems or remediation of security vulnerabilities; mandatory restoration of data, encryption configurations, or security keys to the state required by law; mandatory restoration or correction of data or data histories that have been deleted, altered, falsified, or lost; or mandatory restoration of data that have been erased, altered, or falsified during confirmation or authentication;

b) Mandatory restoration, supplementation, and full update of dossiers, electronic contracts, information, logs, and transaction histories;

c) Mandatory application of technical and management measures to ensure data safety; mandatory application of measures for data protection and data safety; mandatory application of measures to ensure data safety and confidentiality; mandatory application of technical measures to ensure data safety and security and the safe operation of data platforms and data intermediation activities; or mandatory application of confidentiality measures and withdrawal or deletion of information and data that have been disclosed or used unlawfully;

d) Mandatory notification of data incidents, their consequences, and remediation results; mandatory notification to relevant organizations and individuals of incorrect confirmation or authentication results that have been provided; mandatory notification of unlawful data transfer or processing; or mandatory notification of data transfers to affected organizations and individuals;

dd) Mandatory removal of applications or software used to commit violations; mandatory removal, withdrawal, or deactivation of applications or software used to commit violations; or mandatory removal, withdrawal, or deactivation of data, information, or digital content unlawfully disclosed in cyberspace or on information systems;

e) Mandatory promulgation of data collection and generation processes; mandatory promulgation of technical processes for data storage and protection; or mandatory development and completion of processes, technical standards, and methods of confirmation and authentication in accordance with the law;

g) Mandatory deletion or destruction of data for which the retention period has expired; mandatory deletion or destruction of data unlawfully collected, generated, copied, extracted, transferred, processed, stored, utilized, shared, purchased, sold, transacted, or used; mandatory deletion or destruction of data improperly confirmed or authenticated; mandatory deletion or destruction of data or results of data analysis and summary that have been unlawfully generated or used; or mandatory deletion or destruction of results and data improperly collected or processed during experimentation;

h) Mandatory correction, adjustment, or update of inaccurately generated or forged data; mandatory supplementary provision, correction, adjustment, or update of data that have been shared or provided inaccurately or incompletely or have been falsified; mandatory provision of data or supplementation or update of data that have been provided inaccurately or incompletely or have been falsified; mandatory provision or disclosure of open data or supplementation or update of open data that have been disclosed inaccurately or incompletely or have been falsified; mandatory supplementary provision or correction of information and documents; mandatory provision, supplementation, correction, adjustment, or update of data, dossiers, and reports; mandatory full and accurate disclosure of the scope and methods of service provision, service prices, eligibility to participate in transactions, and relevant rights and benefits; or mandatory full and accurate provision of inspection, assessment, and appraisal results, information, documents, dossiers, and service provision results;

i) Mandatory remittance of illegal gains obtained from committing violations;

k) Mandatory classification of data or update, maintenance, review, or adjustment of data classification results in accordance with regulations; or mandatory storage of data in conformity with applicable standards and technical regulations;

l) Mandatory assignment of rights to access and retrieve data in accordance with the scope, subjects, and procedures prescribed by law; mandatory connection, sharing, and synchronization of data or provision of data access rights in accordance with the scope, subjects, and procedures prescribed by law or at the request of competent authorities; or mandatory connection, interconnection, and full update of transaction data and information concerning Written Certifications of Rights to Utilize and Use Data with the National Data Platform;

m) Mandatory revocation, locking, or deactivation of access accounts, access codes, decryption keys, digital certificates, system administration rights, or data utilization rights that have been granted or used contrary to regulations; mandatory revocation, cancellation, or deactivation of authentication or confirmation results that have been altered or falsified; or mandatory cancellation of inspection, assessment, or appraisal results that fail to ensure independence, objectivity, accuracy, or truthfulness;

n) Mandatory withdrawal and destruction of forged or untruthful documents;

o) Mandatory retention and full provision of system logs, access histories, data processing histories, dossiers, documents, and relevant data; or mandatory retention and full provision of system logs, data processing histories, and documents concerning the handover, receipt, adjustment, copying, transmission, transfer, revocation, deletion, or destruction of data;

p) Mandatory assessment of the level of data connection and sharing; disclosure of database ranking results or submission of database assessment and ranking reports in accordance with regulations; mandatory performance of risk assessments or data safety assessments in accordance with regulations; mandatory conduct of emergency drills in accordance with regulations; or mandatory development of emergency response plans in accordance with regulations;

q) Mandatory delisting or termination of transactions involving data or products and services concerning data that fail to satisfy transaction conditions; or mandatory application of measures to isolate, block, or control data sources, information systems, accounts, or devices at risk of continuing to conduct unlawful data transactions;

r) Mandatory return of the Certificate of Eligibility to Provide Data Platform Services or the Certificate of Eligibility to Trade in Data Intermediation, Analysis, and Summary Products and Services;

s) Mandatory repayment to the Fund of support or investment capital that has been used for purposes or contents other than those approved by competent authorities or that has been transferred, lent, leased, or used contrary to regulations.

4. Where the suspension prescribed in Points c, d, or dd Clause 2 of this Article is imposed on an agency or organization directly managing or operating a database serving state management, providing public services, or performing essential public duties, the violating agency, organization, or individual shall ensure the continuation of state management activities, public service provision, and essential activities that are not directly related to the violation.

Article 5. Enforcement of administrative penalties and remedial measures

1. The confiscation of software and data involved in administrative violations shall apply only to software and data that constitute exhibits or means directly used to commit administrative violations or products or direct results of administrative violations, as specifically prescribed in each relevant article or clause of this Decree.

2. Where violating software or data are stored on devices, information systems, accounts, data repositories, storage services, or electronic environments of violating individuals or organizations, persons competent to impose penalties shall decide on the confiscation of such software or data in accordance with the law on handling of administrative violations and shall concurrently apply measures requiring the deletion or destruction of, or rendering inaccessible or unusable, any violating software or data remaining on such devices, information systems, accounts, data repositories, storage services, or electronic environments.

3. The deletion or destruction of, or rendering inaccessible or unusable, violating software or data shall be carried out within the necessary scope and in proportion to the nature and severity of the violation; and shall not cause the loss, damage, or alteration of, or obstruct the utilization or use of, lawful data, software, or information systems of individuals or organizations, unless such data, software, or systems cannot be separated from the violating parts or otherwise prescribed by law.

4. Before deleting or destroying, or rendering inaccessible or unusable, violating software or data, the competent person shall make a written record clearly specifying the name, type, capacity, format, storage location, identifier, hash value, or other necessary technical information for identifying the violating software or data. Where necessary, backups or copies shall be made, sealed, or extracted to serve the verification and handling of violations, settlement of complaints, denunciations, or disputes, or fulfillment of requests from competent authorities.

5. Where violating software or data are stored, copied, or distributed across multiple devices, information systems, accounts, data repositories, storage services, or different electronic environments, the violating individual or organization shall provide the necessary information and access rights and cooperate with competent authorities in deleting or destroying, or rendering inaccessible or unusable, all such violating software or data.

6. The confiscation, deletion, or destruction of, or rendering inaccessible or unusable, violating software or data shall ensure data security and the protection of state secrets, trade secrets, personal data, and the lawful rights and benefits of relevant agencies, organizations, and individuals.

7. The detection of administrative violations, making of written records of administrative violations, verification of the circumstances of cases, issuance, sending, receipt, and enforcement of decisions on administrative penalties, and performance of other procedures for imposing administrative penalties in the field of data in electronic environments shall comply with the Law on Handling of Administrative Violations, its elaborating and guiding documents, and other relevant laws.

Article 6. Levels of fines for administrative violations

1. The maximum fine for an administrative violation in the field of data committed by an individual is VND 100.000.000.

2. The fines prescribed in Chapter II of this Decree apply to administrative violations committed by individuals, except for those prescribed in Point b Clause 1 Article 8, Articles 9 and 10, Clause 2 Article 13, and Clause 4 Article 16 of this Decree, for which the prescribed fines apply to organizations. The fine imposed on an organization shall be twice the fine imposed on an individual.

3. A specific fine shall be determined based on the fine prescribed for each violation in this Decree and the aggravating and mitigating circumstances prescribed in the Law on Handling of Administrative Violations and its elaborating and guiding documents.

Chapter II

ADMINISTRATIVE VIOLATIONS, FORMS OF PENALTIES, AND REMEDIAL MEASURES

Article 7. Violations of regulations on prohibited acts in field of data

1. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Forging, intentionally falsifying, causing the loss of, or damaging data in databases of CPV agencies, the State, or the Committee of the Vietnam Fatherland Front where the violation is not liable to criminal prosecution;

b) Intentionally providing false data or failing to provide data at the lawful request of a competent agency or person, except for the case prescribed in Article 16 of this Decree.

2. A fine ranging from VND 60.000.000 to VND 80.000.000 shall be imposed for any of the following violations:

a) Unlawfully obstructing or preventing the data processing or data administration carried out by agencies, organizations, or competent persons in accordance with the law;

b) Attacking, appropriating, or sabotaging databases or information systems serving the management, processing, administration, or protection of data where the violation is not liable to criminal prosecution.

3. Additional penalty

Confiscation of exhibits and means of administrative violations used to commit the violation prescribed in Point b Clause 2 of this Article.

4. Remedial measures

a) Mandatory restoration of data, databases, or the original state of data in respect of the violations prescribed in Point a Clause 1 and Point b Clause 2 of this Article;

b) Mandatory application of technical measures to ensure data safety and security in accordance with law in respect of the violation prescribed in Point b Clause 2 of this Article;

c) Mandatory notification of the data incident, its consequences, and remediation results to data subjects and other relevant organizations and individuals in respect of the violation prescribed in Point b Clause 2 of this Article;

d) Mandatory removal of applications or software used to commit the violations prescribed in Clause 2 of this Article.

Article 8. Violations of regulations on data collection and generation

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Collecting or generating data without the consent of data subjects or data owners as prescribed by law;

b) Failing to promulgate a process for data collection and generation, or failing to assess and apply data protection measures before collecting or generating data;

c) Failing to verify authenticity or ensure data quality during data collection and generation.

2. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Intentionally collecting or generating data inconsistent with the master data;

b) Intentionally collecting or generating forged data;

c) Collecting or generating data beyond the notified scope or purposes;

d) Committing any violation prescribed in Clause 1 of this Article where the data are included in the national lists of core data and important data;

dd) Committing any violation prescribed in Clause 1 of this Article that causes sensitive information to be leaked, affects the lawful rights and benefits of organizations or individuals, or affects national security.

3. Additional penalties

a) Confiscation of exhibits and means of administrative violations used to commit the violations prescribed in Point a Clause 1 and Points a, b, and c Clause 2 of this Article;

b) Suspension of database administration and operation for a period of 6 to 9 months in respect of the violations prescribed in Points d and dd Clause 2 of this Article.

4. Remedial measures

a) Mandatory promulgation of a data collection and generation process in respect of the violation prescribed in Point b Clause 1 of this Article;

b) Mandatory deletion or destruction of data collected or generated contrary to regulations in respect of the violations prescribed in Point a Clause 1 and Points a, b, and c Clause 2 of this Article;

c) Mandatory correction, adjustment, and update of inaccurately generated or forged data in respect of the violations prescribed in Points a and b Clause 2 of this Article;

d) Mandatory application of data protection and data safety measures in respect of the violation prescribed in Point b Clause 1 of this Article;

dd) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Point a Clause 1 and Points a, b, and c Clause 2 of this Article.

Article 9. Violations of regulations on data classification

1. A fine ranging from VND 30.000.000 to VND 50.000.000 shall be imposed on any agency or organization prescribed in Clause 2 Article 2 of this Decree for committing any of the following violations:

a) Failing to conduct data classification as prescribed by law;

b) Failing to update or maintain data classification results as prescribed, or failing to review and adjust classification results upon any change in the processing purposes, utilization scope, or nature of the data.

2. Remedial measure

Mandatory classification of data or update, maintenance, review, or adjustment of data classification results in accordance with regulations in respect of the violations prescribed in Clause 1 of this Article.

Article 10. Violations of regulations on data storage

1. A fine ranging from VND 10.000.000 to VND 30.000.000 shall be imposed on any agency or organization prescribed in Clause 2 Article 2 of this Decree for committing any of the following violations:

a) Failing to promulgate a technical process for storing data under its management;

b) Storing data without ensuring safety or failing to comply with standards and technical regulations on data protection issued by competent authorities.

2. A fine ranging from VND 30.000.000 to VND 70.000.000 shall be imposed on any agency or organization prescribed in Clause 2 Article 2 of this Decree for committing any of the following violations:

a) Committing any violation prescribed in Clause 1 of this Article where the data are core data or important data;

b) Arbitrarily moving, copying, transferring, or storing core data or important data on another system without the consent of the data owner or competent authority;

c) Storing core data or important data on systems or platforms located outside the territory of Vietnam or managed by foreign organizations or individuals contrary to the law.

3. Remedial measures

a) Mandatory storage of data in conformity with applicable standards and technical regulations in respect of the violations prescribed in Point b Clause 1 and Clause 2 of this Article;

b) Mandatory deletion or destruction of data copied, transferred, or stored contrary to regulations in respect of the violations prescribed in Points b and c Clause 2 of this Article;

c) Mandatory promulgation of a technical process for data storage in respect of the violation prescribed in Point a Clause 1 of this Article.

Article 11. Violations of regulations on data administration and management

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Intentionally utilizing or using data beyond the assigned scope, thereby affecting the lawful rights and benefits of organizations or individuals or affecting state management activities;

b) Concealing, deleting, or falsifying data histories, or altering data in a manner that falsifies or causes the loss of such data.

2. Additional penalty

Suspension of data utilization and use for a period of 3 to 12 months in respect of the violation prescribed in Point a Clause 1 of this Article.

3. Remedial measures

a) Mandatory restoration or correction of data or data histories that have been deleted, altered, falsified, or lost in respect of the violation prescribed in Point b Clause 1 of this Article;

b) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Clause 1 of this Article.

Article 12. Violations of regulations on data access and retrieval

1. A warning shall be imposed for any of the following violations:

a) Assigning data access and retrieval rights contrary to the prescribed process or without approval from a competent authority;

b) Failing to record data access and retrieval logs as required by the law on data;

c) Failing to periodically inspect the assignment of data access and retrieval rights and data access and retrieval logs as prescribed.

2. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Granting data access or retrieval rights to unauthorized entities or beyond the authorized scope or purposes;

b) Using another person's account, digital certificate, or access key to access or retrieve data;

c) Allowing another person to use an account, digital certificate, or access key under one's management or use to access or retrieve data;

d) Deleting, altering, or falsifying data access or retrieval logs.

3. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Intentionally accessing or retrieving data beyond the authorized scope;

b) Refusing, obstructing, or intentionally delaying lawful data access or retrieval by competent state agencies;

c) Unlawfully accessing or retrieving core data or important data;

d) Using automated tools, data access or retrieval software, or data mining or scanning tools, or unlawfully interfering with systems to collect or retrieve data.

4. Additional penalty

Confiscation of exhibits and means of administrative violations used to commit the violation prescribed in Point d Clause 3 of this Article.

5. Remedial measures

a) Mandatory assignment of data access and retrieval rights in accordance with the scope, subjects, and procedures prescribed by law in respect of the violation prescribed in Point a Clause 1 of this Article;

b) Mandatory revocation, locking, or deactivation of access accounts, access codes, decryption keys, digital certificates, system administration rights, or data utilization rights granted or used contrary to regulations in respect of the violations prescribed in Points a, b, and c Clause 2 and Points a and c Clause 3 of this Article;

c) Mandatory removal, withdrawal, or deactivation of applications or software used to commit the violation prescribed in Point d Clause 3 of this Article;

d) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Clauses 2 and 3 of this Article.

Article 13. Violations of regulations on data connection, sharing, and coordination

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Connecting or sharing data with organizations or individuals without obtaining the required approval from a competent authority, or failing to comply with the approved contents, conditions, or process;

b) Sharing or providing data beyond the scope or purposes permitted under a contract or written agreement or beyond the scope of assigned rights.

2. A fine ranging from VND 60.000.000 to VND 80.000.000 shall be imposed on any agency prescribed in Clause 2 Article 2 of this Decree for committing any of the following violations:

a) Failing to carry out, delaying, or obstructing mandatory data connection or sharing within the political system in respect of databases subject to mandatory sharing;

b) Sharing or providing data in an incorrect standard format, under an incorrect data model, or contrary to the standards of the Common Data Dictionary, thereby causing data inaccuracies or obstructing data integration or synchronization;

c) Sharing or providing data through channels that are unsafe, unencrypted, or uncontrolled, or that fail to ensure data protection measures in accordance with national standards.

3. A fine ranging from VND 80.000.000 to VND 100.000.000 shall be imposed for any of the following violations:

a) Sharing or providing core data, important data, or national data without authorization or for purposes beyond those authorized;

b) Intentionally altering, falsifying, or concealing data during data sharing or provision;

c) Using data connections, data application programming interfaces (APIs), or data sharing platforms to unlawfully collect, copy, or extract data.

4. Additional penalties

a) Suspension of data connection, sharing, utilization, and use for a period of 1 to 6 months in respect of the violations prescribed in Points a and b Clause 1, Point c Clause 2, and Clause 3 of this Article;

b) Confiscation of exhibits and means of administrative violations used to commit the violations prescribed in Points a and b Clause 1 and Clause 3 of this Article.

5. Remedial measures

a) Mandatory connection or sharing of data or provision of data access rights in accordance with the scope, subjects, sequences, and procedures prescribed by law or at the request of competent authorities in respect of the violation prescribed in Point a Clause 2 of this Article;

b) Mandatory supplementary provision, correction, adjustment, or update of data shared or provided inaccurately or incompletely or that have been falsified in respect of the violations prescribed in Point b Clause 2 and Point b Clause 3 of this Article;

c) Mandatory deletion or destruction of data unlawfully collected, copied, or extracted in respect of the violation prescribed in Point c Clause 3 of this Article;

d) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Clauses 1 and 3 of this Article.

Article 14. Violations of regulations on data analysis and summary

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Analyzing or summarizing data from data sources that the violator is not permitted to access, retrieve, or use;

b) Analyzing or summarizing data that require approval from a competent authority under the law without obtaining such approval, or for purposes inconsistent with those approved;

c) Analyzing or summarizing data beyond the scope or volume permitted under assigned rights or contracts.

2. A fine ranging from VND 40.000.000 to VND 80.000.000 shall be imposed for any of the following violations:

a) Conducting data analysis or summary connected to national databases or specialized databases without complying with prescribed connection standards, API standards, integration standards, or metadata standards;

b) Using the results of data analysis or summary to share or provide data to a third party contrary to the approved contents, or without approval from a competent authority where such approval is required by law;

c) Failing to implement measures to ensure data safety, data confidentiality, anonymization, or encryption, or failing to record processing logs for core data or important data during data analysis or summary.

3. A fine ranging from VND 80.000.000 to VND 100.000.000 shall be imposed for any of the following violations:

a) Intentionally analyzing or summarizing data obtained from unlawful sources, leaked data, or data that may not be processed;

b) Analyzing or summarizing core data or important data without approval or beyond the permitted scope;

c) Altering, forging, or falsifying models, algorithms, formulas, or results of data analysis or summary.

4. Additional penalties

a) Suspension of data analysis and summary activities for a period of 1 to 6 months in respect of the violations prescribed in Clause 2 and Points a, b, and c Clause 3 of this Article;

b) Confiscation of exhibits and means of administrative violations used to commit the violations prescribed in Points a and c Clause 3 of this Article.

5. Remedial measures

a) Mandatory deletion or destruction of data or results of data analysis or summary unlawfully generated or used in respect of the violations prescribed in Points a, b, and c Clause 1, Point b Clause 2, and Clause 3 of this Article;

b) Mandatory application of measures to ensure data safety and data confidentiality in respect of the violation prescribed in Point c Clause 2 of this Article;

c) Mandatory remittance of illegal gains obtained from committing the violations prescribed in this Article.

Article 15. Violations of regulations on data confirmation and authentication

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Failing to conduct data confirmation or authentication upon a lawful request from a competent organization or individual;

b) Confirming or authenticating data without assigned authority or tasks, or beyond the assigned scope.

2. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Intentionally confirming or authenticating data untruthfully, inconsistently with the nature of the data, or at an incorrect time;

b) Using data confirmation or authentication results for improper purposes, beyond the permitted scope, or contrary to the law.

3. A fine ranging from VND 60.000.000 to VND 80.000.000 shall be imposed for any of the following violations:

a) Forging data confirmation or authentication results; erasing, altering, or interfering with confirmed or authenticated data;

b) Using tools, software, or systems to generate forged authentication results or to bypass or compromise lawful authentication mechanisms;

c) Taking advantage of data confirmation or authentication activities to conceal violations, generate false information, or obtain illegal gains;

d) Providing data confirmation or authentication services without satisfying the conditions prescribed by law.

4. Additional penalties

a) Fixed-term deprivation of the right to use the license for the provision of data confirmation and authentication services for a period of 3 to 12 months in respect of the violation prescribed in Point c Clause 3 of this Article;

b) Confiscation of exhibits and means of administrative violations used to commit the violations prescribed in Points b and c Clause 3 of this Article;

c) Suspension of data confirmation and authentication activities for a period of 1 to 6 months in respect of the violations prescribed in Points a and b Clause 2 and Points a, b, and d Clause 3 of this Article.

5. Remedial measures

a) Mandatory deletion, destruction, or deactivation of data confirmation or authentication results generated contrary to regulations in respect of the violations prescribed in Point b Clause 1, Point a Clause 2, and Points a, b, and d Clause 3 of this Article;

b) Mandatory revocation, cancellation, or deactivation of authentication or confirmation results that have been altered or falsified in respect of the violation prescribed in Point a Clause 2 of this Article;

c) Mandatory restoration of data erased, altered, or falsified during confirmation or authentication in respect of the violation prescribed in Point a Clause 3 of this Article;

d) Mandatory notification to relevant organizations and individuals of incorrect confirmation or authentication results that have been provided in respect of the violations prescribed in Point a Clause 2 and Points a, b, and c Clause 3 of this Article;

dd) Mandatory development and completion of processes, technical standards, and methods of confirmation and authentication in accordance with law in respect of the violation prescribed in Point d Clause 3 of this Article;

e) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Clauses 2 and 3 of this Article.

Article 16. Violations of regulations on data provision for state agencies

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Failing to provide data within the time limit specified in a lawful request from a state agency;

b) Arbitrarily delaying or prolonging the period for data provision without a justifiable reason.

2. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Intentionally providing falsified, inaccurate, altered, or incomplete data, or data of an incorrect type, level of detail, volume, frequency, or method contrary to a lawful request;

b) Failing to notify the state agency that the data no longer exist, have been damaged, or have been altered for reasons not arising from the state agency’s request;

c) Providing data without the consent of data subjects where the law does not permit mandatory data provision;

d) Failing to provide data to competent state agencies in cases where data provision is mandatory under the law on data.

3. A fine ranging from VND 60.000.000 to VND 80.000.000 shall be imposed for any of the following violations:

a) Providing forged data or data with an incorrect origin or nature;

b) Taking advantage of the provision or non-provision of data to obstruct the operations of state agencies or obtain illegal gains;

c) Arbitrarily sharing or disclosing a state agency's request for data provision where such request constitutes a work secret or state secret.

4. A fine ranging from VND 80.000.000 to VND 100.000.000 shall be imposed on any agency or organization prescribed in Clause 2 Article 2 of this Decree that commits any of the following violations during data receipt:

a) Failing to ensure data safety, thereby resulting in data leakage, loss, or unauthorized access during the receipt and use of data;

b) Failing to delete or destroy data upon expiry of the retention period prescribed by law or the determined retention period, unless otherwise prescribed by law.

5. Additional penalties

a) Suspension of data provision or receipt activities for a period of 6 to 12 months in respect of the violations prescribed in Clause 4 of this Article;

b) Confiscation of exhibits and means of administrative violations used to commit the violations prescribed in Point a Clause 2, Point a Clause 3, and Point b Clause 4 of this Article.

6. Remedial measures

a) Mandatory provision of data or supplementation or update of data that have been provided inaccurately or incompletely or have been falsified in respect of the violations prescribed in Clause 1, Points a and d Clause 2, and Point a Clause 3 of this Article;

b) Mandatory deletion or destruction of data for which the retention period has expired in respect of the violation prescribed in Point b Clause 4 of this Article;

c) Mandatory application of necessary technical measures to ensure data safety in respect of the violation prescribed in Point a Clause 4 of this Article;

d) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Point a Clause 2 and Clause 3 of this Article.

Article 17. Violations of regulations on data disclosure

1. A warning shall be imposed for any of the following violations:

a) Failing to disclose open data, or disclosing open data after the prescribed deadline, at an incorrect frequency, or in a form inconsistent with regulations;

b) Disclosing data without ensuring accessibility, utilization, or usability, or in a format inconsistent with the technical standards for open data.

2. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Disclosing data that do not accurately reflect the master data;

b) Disclosing data that may not be disclosed under the law.

3. A fine ranging from VND 40.000.000 to VND 80.000.000 shall be imposed for any of the following violations:

a) Taking advantage of data disclosure to disseminate or spread false information, misrepresent the nature of data, or infringe upon the lawful rights and benefits of organizations or individuals;

b) Intentionally disclosing inaccurate data to cause confusion or obstruct the operations of other organizations or individuals;

c) Failing to analyze and assess impacts on national defense and security, foreign affairs, macroeconomic situations, social stabilization, or community health and safety before disclosing data.

4. Additional penalties

a) Suspension of data disclosure activities for a period of 1 to 6 months in respect of the violations prescribed in Clause 3 of this Article;

b) Confiscation of exhibits and means of administrative violations used to commit the violation prescribed in Point b Clause 3 of this Article.

5. Remedial measures

a) Mandatory removal, withdrawal, or deactivation of data, information, or digital content unlawfully disclosed in cyberspace or on information systems in respect of the violations prescribed in Clause 2 and Points a and b Clause 3 of this Article;

b) Mandatory provision or disclosure of open data, or supplementation or update of data that have been disclosed inaccurately or incompletely or have been falsified, in respect of the violations prescribed in Clause 1, Point a Clause 2, and Points a and b Clause 3 of this Article;

c) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Clause 2 and Points a and b Clause 3 of this Article.

Article 18. Violations of regulations on data encryption and decryption

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Failing to encrypt data or apply data encryption and decryption measures when transmitting, storing, or sharing data in cases where encryption or decryption is required by law;

b) Failing to inspect, assess, or authenticate persons performing data decryption or granting access rights to encrypted data as prescribed.

2. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Encrypting or decrypting data beyond the assigned authority or scope or without complying with technical processes;

b) Decrypting data without the consent of the data owner, data governing body, or competent authority;

c) Failing to ensure information safety or data security during encryption or decryption, thereby resulting in data leakage, data loss, or loss of data safety.

3. A fine ranging from VND 60.000.000 to VND 100.000.000 shall be imposed for any of the following violations:

a) Disclosing, disseminating, exchanging, purchasing, or selling tools or software supporting unlawful decryption;

b) Preventing, delaying, or obstructing state agencies from decrypting data in the cases prescribed in Clause 4 Article 22 of the Law on Data;

c) Encrypting data included in the list of state secrets without using state cipher as prescribed.

4. Additional penalties

a) Suspension of database administration and operation for a period of 3 to 6 months in respect of the violations prescribed in Points b and c Clause 3 of this Article;

b) Confiscation of exhibits and means of administrative violations used to commit the violation prescribed in Point a Clause 3 of this Article.

5. Remedial measures

a) Mandatory restoration of data, encryption configurations, or security keys to the state required by law in respect of the violations prescribed in Clause 2 and Point c Clause 3 of this Article;

b) Mandatory removal, withdrawal, or deactivation of applications or software used to commit the violation prescribed in Point a Clause 3 of this Article;

c) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Clause 2 and Points a and b Clause 3 of this Article.

Article 19. Violations of regulations on cross-border data transfer and processing

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Failing to submit an impact assessment dossier within the prescribed time limit in the case of the cross-border transfer or processing of core data or important data;

b) Failing to amend or supplement an impact assessment dossier upon any change in the purposes, methods, scope, or types of data transferred or processed; any change in the purposes or methods of data processing that affects data security or safety; any extension of the retention period for core data or important data; any change in data protection policies or regulations or the cybersecurity environment; or any change in the actual control of the data transferor or data recipient;

c) Failing to retain and preserve an impact assessment dossier as prescribed;

d) Failing to submit an impact assessment report within the prescribed time limit in the case of data transfer under an exception mechanism;

dd) Failing to execute a written agreement between the data transferor and the data recipient containing the mandatory contents.

2. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Transferring or processing data beyond the scope, types, volume, frequency, or duration declared, assessed, or approved;

b) Failing to comply with regulations on the quantification of important data during cross-border data transfer or processing;

c) Failing to fulfill obligations to cooperate, provide information, or give explanations at the request of competent authorities;

d) Failing to apply technical or management measures to ensure data safety during cross-border data transfer or processing.

3. A fine ranging from VND 60.000.000 to VND 80.000.000 shall be imposed for any of the following violations:

a) Conducting cross-border transfer or processing of core data without carrying out an impact assessment as prescribed;

b) Transferring core data without obtaining the written approval of a competent authority as prescribed by law;

c) Providing an untruthful impact assessment dossier or erasing or altering documents in a manner that falsifies the dossier;

d) Failing to comply with a competent authority's request to suspend cross-border data transfer or processing activities.

4. A fine ranging from VND 80.000.000 to VND 100.000.000 shall be imposed for any of the following violations:

a) Conducting cross-border transfer or processing of core data or important data in a manner that affects or poses a risk of affecting national defense, national security, social order and safety, national interests, public interests, or the lawful rights and benefits of data subjects;

b) Taking advantage of cross-border data transfer or processing activities to conceal unlawful data transfers or commit other acts contrary to the law.

5. Additional penalties

a) Suspension of cross-border data transfer or processing activities for a period of 3 to 12 months in respect of the violations prescribed in Clauses 3 and 4 of this Article;

b) Confiscation of exhibits and means of administrative violations used to commit the violations prescribed in Points a and b Clause 3 and Points a and b Clause 4 of this Article;

c) Expulsion from the territory of the Socialist Republic of Vietnam of foreigners committing the violations prescribed in Clause 4 of this Article.

6. Remedial measures

a) Mandatory deletion or destruction of data transferred or processed contrary to regulations in respect of the violations prescribed in Point a Clause 2, Points a and b Clause 3, and Point a Clause 4 of this Article;

a) Mandatory deletion or destruction of data transferred or processed contrary to regulations in respect of the violations prescribed in Point a Clause 2, Points a and b Clause 3, and Point a Clause 4 of this Article;

c) Mandatory application of technical and management measures to ensure data safety in respect of the violations prescribed in Point d Clause 2 and Clause 4 of this Article;

d) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Clauses 2, 3, and 4 of this Article.

Article 20. Violations of regulations on data audits and database ratings

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Failing to cooperate with or obstructing data audit activities;

b) Failing to conduct data self-audits or self-assessments at the request of a competent authority;

c) Failing to review, update, or standardize data in accordance with audit conclusions;

d) Failing to report the results of implementing data audit recommendations within the prescribed time limit.

2. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Failing to fully provide dossiers, documents, reports, or data serving a data audit at the request of a competent authority;

b) Providing inaccurate or untruthful information, data, or dossiers, or concealing data during a data audit;

c) Failing to assess the level of data connection and sharing according to the Rating Index Set promulgated by the Ministry of Public Security of Vietnam;

d) Failing to disclose the rating results of databases under one’s management as prescribed;

dd) Failing to submit database assessment and rating reports to the Ministry of Public Security of Vietnam as prescribed.

3. A fine ranging from VND 60.000.000 to VND 100.000.000 shall be imposed for any of the following violations:

a) Failing to comply with a competent authority’s decision on an extraordinary data audit;

b) Failing to carry out mandatory data connection or sharing in accordance with audit conclusions;

c) Falsifying or intentionally altering database assessment or rating indexes.

4. Additional penalty

Confiscation of exhibits and means of administrative violations used to commit the violation prescribed in Point c Clause 3 of this Article.

5. Remedial measures

a) Mandatory retention and full provision of system logs, access histories, data processing histories, dossiers, documents, and data serving the audit in respect of the violations prescribed in Point a Clause 1, Points a and b Clause 2, and Point a Clause 3 of this Article;

b) Mandatory provision, supplementation, correction, adjustment, or update of data, dossiers, and reports in respect of the violations prescribed in Point d Clause 1 and Points a, b, and dd Clause 2 of this Article;

c) Mandatory assessment of the level of data connection and sharing, disclosure of database rating results, or submission of database assessment and rating reports as prescribed in respect of the violations prescribed in Points c, d, and dd Clause 2 of this Article;

d) Mandatory connection, sharing, and synchronization of data in accordance with the requirements of competent authorities in respect of the violation prescribed in Point b Clause 3 of this Article;

dd) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Point a Clause 2 and Point c Clause 3 of this Article.

Article 21. Violations of regulations on other operations in data processing

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Failing to establish or carry out data adjustment or update activities, or failing to implement procedures for data revocation, deletion, or destruction as prescribed by law;

b) Failing to notify affected organizations and individuals of a data transfer upon reorganization, dissolution, or bankruptcy;

c) Failing to prepare or retain records of the handover, receipt, adjustment, copying, transmission, transfer, or destruction of data as prescribed;

d) Failing to fully specify the scope, duration, confidentiality obligations, and responsibilities of the parties in an entrustment contract or agreement as prescribed.

2. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Transferring data upon reorganization, dissolution, or bankruptcy without a data transfer plan as prescribed;

b) Failing to verify the entrusted party's capacity to ensure data safety when entrusting the processing of core data or important data;

c) Assigning another organization or individual to process data without an entrustment contract or agreement;

d) Failing to apply measures to ensure data safety.

3. A fine ranging from VND 60.000.000 to VND 100.000.000 shall be imposed for any of the following violations:

a) Revoking, deleting, or destroying core data or important data contrary to the prescribed process or without ensuring that the data cannot be recovered;

b) Failing to prepare dossiers or documents proving the deletion or destruction of core data or important data;

c) Failing to implement measures to prevent abuse, leakage, or use for improper purposes during entrusted data processing.

4. Additional penalty

Suspension of data processing activities for a period of 1 to 6 months in respect of the violations prescribed in Clause 3 of this Article.

5. Remedial measures

a) Mandatory retention and full provision of system logs, data processing histories, and documents concerning the handover, receipt, adjustment, copying, transmission, transfer, revocation, deletion, or destruction of data in respect of the violations prescribed in Point c Clause 1 and Point b Clause 3 of this Article;

b) Mandatory notification of data transfers to affected organizations and individuals in respect of the violation prescribed in Point b Clause 1 of this Article;

c) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Clause 2 of this Article.

Article 22. Violations of regulations on risk identification and management, data protection, and monitoring of data processing activities

1. A fine ranging from VND 10.000.000 to VND 20.000.000 shall be imposed for any of the following violations:

a) Failing to establish mechanisms for identifying, assessing, and providing early warnings of risks arising during data processing as prescribed;

b) Failing to record data processing logs and retain them for at least 6 months in respect of important data or core data;

c) Failing to notify relevant organizations and individuals of a data incident that causes damage.

2. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Failing to periodically conduct risk assessments of core data or important data, except where an impact assessment dossier for cross-border data transfer or processing has been prepared in accordance with the law;

b) Failing to notify the Ministry of Public Security of Vietnam or the Ministry of National Defense of Vietnam of a risk assessment or risk threat as prescribed;

c) Failing to develop an emergency response plan for data incidents;

d) Failing to periodically conduct drills of contingency plans for core data or important data safety incidents as prescribed by law;

dd) Failing to promulgate technical processes or data protection regulations, or failing to apply appropriate data protection measures when providing data externally.

3. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Failing to monitor data processing activities during data connection or sharing as prescribed by law;

b) Failing to ensure the traceability and transparency of data processing activities as required for monitoring;

c) Failing to provide information, system logs, or monitoring reports at the request of competent authorities;

d) Obstructing, delaying, or falsifying data monitoring activities conducted by competent authorities;

dd) Failing to implement mitigation measures following an early risk warning, thereby resulting in data disclosure, leakage, or loss of data safety.

4. A fine ranging from VND 60.000.000 to VND 100.000.000 shall be imposed for any of the following violations:

a) Failing to notify the Ministry of Public Security of Vietnam or the Ministry of National Defense of Vietnam of a core data or important data incident as required;

b) Failing to comply with a competent authority's request to remedy a violation or temporarily cease or suspend data processing activities;

c) Failing to comply with technical standards and regulations or data protection requirements during data connection or sharing;

d) Intentionally concealing or falsifying monitoring data, system logs, or risk assessment reports;

dd) Failing to establish a management system for data protection and data backup during data processing.

5. Additional penalty

Suspension of data processing, connection, and sharing activities for a period of 3 to 6 months in respect of the violations prescribed in Points b, c, d, and dd Clause 4 of this Article.

6. Remedial measures

a) Mandatory restoration of data monitoring systems and remediation of security vulnerabilities in respect of the violations prescribed in Points a, b, and d Clause 3 and Points c and dd Clause 4 of this Article;

b) Mandatory conduct of risk assessments and data safety assessments as prescribed in respect of the violation prescribed in Point a Clause 2 of this Article;

c) Mandatory development of an emergency response plan as prescribed in respect of the violation prescribed in Point c Clause 2 of this Article;

d) Mandatory conduct of emergency drills as prescribed in respect of the violation prescribed in Point d Clause 2 of this Article;

dd) Mandatory notification of data incidents, their consequences, and remediation results to data subjects or relevant organizations and individuals in respect of the violations prescribed in Point c Clause 1, Point b Clause 2, and Point a Clause 4 of this Article;

e) Mandatory promulgation of technical processes for data protection in respect of the violation prescribed in Point dd Clause 2 of this Article;

g) Mandatory remittance of illegal gains obtained from committing the violation prescribed in Point d Clause 4 of this Article.

Article 23. Violations of regulations on data platform operations

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Failing to fully develop or maintain the operational plans, processes, and regulations of the data platform, technical plans, storage plans, or measures to ensure data integrity in accordance with the approved dossier;

b) Failing to establish or ensure uninterrupted channels for receiving information and using data platform services 24 hours per day and 7 days per week, except in cases of force majeure, or failing to issue a notice and take remedial measures in such cases;

c) Failing to inspect or assess the conditions for relevant entities to participate in the data platform or the legality and transaction eligibility of data products and services as prescribed;

d) Failing to develop or disclose sets of indexes and technical specifications for assessing and managing the quality of data products and services, or a system of indexes for assessing data assets and supporting the pricing of data products and services;

dd) Failing to submit periodic or ad hoc reports on data platform operations to competent authorities according to the prescribed forms and time limits;

e) Failing to disclose or promptly update the Data Platform Operating Regulations, service prices, lists of payment intermediary service providers and payment service providers, or other information subject to mandatory disclosure;

g) Failing to develop, operate, or regularly update a system for analyzing and summarizing market data to provide market price information; or failing to list or update the list of price appraisal enterprises eligible to provide price appraisal services on the data platform's system;

h) Failing to develop or operate a system for receiving, processing, storing, and disclosing user reviews and feedback; failing to ensure the authenticity or integrity of review information; or failing to permit the Seller to respond to reviews or incident reports concerning data products and services;

i) Failing to establish, maintain, or disclose methods for receiving requests for assistance in resolving issues arising from transactions on the data platform;

k) Failing to notify the receipt of a request, available assistance measures, or the expected processing time; failing to issue a notice or request supplementary information or documents; failing to process an assistance request; or failing to notify an extension of the request-processing period within the prescribed time limit.

2. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Failing to satisfy the prescribed conditions concerning personnel, physical facilities, technical equipment, management processes, or plans for ensuring security and order;

b) Failing to ensure that data are received, stored, processed, and retrieved on the platform in conformity with applicable standards and technical regulations and cybersecurity and data security requirements;

c) Failing to fully perform responsibilities for monitoring activities on the data platform, or failing to promptly suspend transactions or suspend or cancel the listing of data or data products and services in cases where transactions or listings are required to be suspended or canceled as prescribed;

d) Failing to implement emergency response, backup, or disaster recovery plans or conduct emergency data safety drills as prescribed;

dd) Failing to provide instructions to or require parties participating in the platform to implement measures to protect data, trade secrets, and important data;

e) Failing to authenticate the identity or legal capacity of entities participating in data transactions on the platform in accordance with the law on e-identification and authentication;

g) Failing to establish a system for ensuring the safety of data transactions or failing to instruct parties participating in data transactions to implement safety measures;

h) Failing to ensure that the information system satisfies information system security requirements of at least level 3;

i) Failing to connect or share data between another data platform and the National Data Platform through the Data Coordination and Sharing Platform, or failing to comply with technical requirements for connection and interconnection as prescribed;

k) Failing to moderate the contents of purchase or sale offers; failing to verify legal status, the Certificate of Eligibility for Business Operations, or the completeness and validity of service information posted on the data platform;

l) Listing data or data products and services without a decision approving the listing, or listing contents inconsistent with the approved dossier;

m) Upon suspending or canceling a listing, failing to notify the Seller and relevant parties; failing to disclose the status of the data or data products and services; failing to implement measures to protect the lawful rights and benefits of the Buyer; or failing to retain relevant dossiers and documents;

n) Failing to fully record and retain data messages, the time of sending and receipt, and the parties' confirmation operations during the making, acceptance, amendment, withdrawal, cancellation, or termination of a transaction offer;

o) Failing to suspend a transaction within 24 hours from the time of detecting or receiving substantiated information concerning a case requiring transaction suspension; or failing to review, verify, or decide how to handle the suspended transaction within the prescribed time limit;

p) Failing to establish or operate a technical system that ensures the correct identification of entities, authenticates the parties' consent, and records and timestamps electronic contracts, appendices to electronic contracts, or documents amending or supplementing electronic contracts;

q) Failing to retain electronic contracts, the parties' confirmation information, or transaction dossiers; or failing to ensure the integrity or retrievability and searchability of electronic contracts throughout the prescribed retention period;

r) Failing to develop or implement policies and processes for identifying, assessing, providing early warnings of, and handling risks; failing to periodically review and assess risks; or failing to establish a mechanism for controlling risks associated with data products and services generated from data analysis and summary activities.

3. A fine ranging from VND 60.000.000 to VND 80.000.000 shall be imposed for any of the following violations:

a) Providing data platform services without the Certificate of Eligibility to Provide Data Platform Services as prescribed, or operating after such Certificate has expired;

b) Continuing to provide data platform services after a competent authority has issued a decision suspending operations or revoking the Certificate of Eligibility to Provide Data Platform Services;

c) Using the issued Certificate of Eligibility to Provide Data Platform Services for purposes or within a scope inconsistent with the Certificate; or providing data platform services beyond the approved scope, type, entities, products, or services;

d) Intentionally preparing an application for issuance, reissuance, or replacement of the Certificate of Eligibility to Provide Data Platform Services using forged or untruthful documents where the violation is not liable to criminal prosecution;

dd) Failing to return the Certificate of Eligibility to Provide Data Platform Services to the competent authority after a revocation decision has been issued;

e) Organizing an auction of data or data products and services without satisfying the conditions for organizing auctions prescribed by the law on property auction, or entering into a service contract with an organization ineligible to practice property auction;

g) Failing to establish or operate a technical system serving auctions that satisfies requirements for accurately and truthfully recording the time of bid submission and bid prices, ensuring

information safety and confidentiality, retaining the history of auction developments, or satisfying technical requirements applicable to online auction websites;

h) Failing to refuse to organize an auction of data or data products and services that have not been permitted for transactions;

i) Failing to design or operate a testing environment separate from the data platform's official operating system and external information systems; or failing to provide technical tools for controlling data flows and preventing, detecting, and stopping unauthorized access to, copying of, or extraction of data from the testing environment;

k) Failing to automatically terminate access rights or delete testing data, copies, and working data within 24 hours from the expiry of the testing period;

l) Failing to conduct technical inspections of outputs before permitting their extraction from the testing environment; failing to retain technical activity logs of the testing environment; or failing to provide such logs at the request of competent authorities;

m) Failing to fully record and retain transaction information immediately after the completion of the delivery of data or data products and services; failing to establish, maintain, or operate a system for recording, retaining, and tracing transactions; or failing to retain information, dossiers, and logs serving transaction tracing for at least 10 years;

n) Failing to issue a Written Certification of Rights to Utilize and Use Data to the Buyer; failing to maintain a centralized lookup system for transaction status and data use rights; or failing to connect and interconnect transaction data and information concerning Written Certifications of Rights to Utilize and Use Data with the National Data Platform.

4. A fine ranging from VND 80.000.000 to VND 100.000.000 shall be imposed for any of the following violations:

a) Organizing transactions, purchases, sales, or exchanges on a data platform involving data that may not be transacted, including data included in the lists of core data and important data; data for which consent has not been obtained from data subject matters, unless otherwise prescribed by law; or other data prohibited from transactions under the law;

b) Taking advantage of data platform operations to unlawfully purchase, sell, or transfer data, conceal the origin of data, or legitimize unlawfully collected or processed data;

c) Failing to suspend a transaction, cancel a listing, or apply necessary technical measures upon detecting that the provision of data platform services or the listing or transaction of data poses a risk of affecting national defense, national security, social order and safety, or infringing upon the lawful rights and benefits of organizations or individuals;

d) Continuing to organize data transactions or maintain the listing of violating data products or services after a competent authority has requested the suspension, termination, or cancellation of the listing or transaction;

dd) Listing, offering to purchase, offering to sell, auctioning, or organizing transactions involving data or data products and services generated from national databases or specialized databases without documents proving the right to provide, utilize, use, or transact such data, products, or services, or without permission from a competent agency, organization, or person;

e) Permitting a Testing Participant to download, copy, or extract master data from the testing environment, or permitting the extraction of outputs containing the Seller's master data.

5. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed on a Seller or Buyer for committing any of the following violations:

a) Providing incomplete, inaccurate, or unlawful information for registering a transaction account;

b) Conducting transactions involving data or data products and services without using the transaction account and payment account registered on the data platform;

c) Providing inaccurate, untruthful, incomplete, or non-integral information or documents in an application for listing;

d) Failing to promptly update or supplement information or documents upon any change while the data or data products and services remain listed;

dd) Inspecting, assessing, or appraising data or data products and services provided by the Seller itself or a transaction in which the Seller has relevant rights or benefits;

e) Failing to prove the lawful origin, ownership, or right to provide, utilize, use, transfer, or transact data or data products and services;

g) Utilizing or using data or data products beyond the agreed scope, purposes, duration, or conditions; or retransferring, copying, or using data beyond the transferred rights to utilize or use such data.

6. Additional penalties:

a) Fixed-term deprivation of the right to use the Certificate of Eligibility to Provide Data Platform Services for a period of 6 to 12 months in respect of the violations prescribed in Point c Clause 3 and Clause 4 of this Article;

b) Suspension of data platform administration and operation for a period of 12 to 18 months in respect of the violations prescribed in Clause 2 and Points g, h, i, k, l, m, and n Clause 3 of this Article;

c) Confiscation of exhibits and means of administrative violations used to commit the violations prescribed in Points a, b, d, dd, and e Clause 4 of this Article.

7. Remedial measures:

a) Mandatory deletion or destruction of data unlawfully collected, processed, purchased, sold, transacted, shared, or used through a data platform in respect of the violations prescribed in Points a, b, d, dd, and e Clause 4 and Point g Clause 5 of this Article;

b) Mandatory return of the Certificate of Eligibility to Provide Data Platform Services in respect of the violation prescribed in Point dd Clause 3 of this Article;

c) Mandatory application of technical measures to ensure data safety and security and the safe operation of the data platform in respect of the violations prescribed in Points b, g, p, q, and r Clause 2 of this Article;

d) Mandatory application of measures to isolate, block, or control data sources, information systems, accounts, or devices at risk of continuing to conduct unlawful data transactions in respect of the violations prescribed in Points a, b, and c Clause 3, Clause 4, and Point g Clause 5 of this Article;

dd) Mandatory retention and full provision of system logs, transaction histories, access histories, data processing histories, and relevant documents at the request of competent authorities in respect of the violations prescribed in Points n and q Clause 2, Points g, l, m, and n Clause 3, and Clause 4 of this Article;

e) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Clauses 3, 4, and 5 of this Article;

g) Mandatory withdrawal and destruction of forged or untruthful documents in respect of the violation prescribed in Point d Clause 3 of this Article;

h) Mandatory cancellation of listings or termination of transactions involving data or data products and services that fail to satisfy transaction conditions in respect of the violations prescribed in Points c, k, and l Clause 2, Point h Clause 3, and Points a, b, c, d, and dd Clause 4 of this Article;

i) Mandatory connection, interconnection, and full update of transaction data and information concerning Written Certifications of Rights to Utilize and Use Data with the National Data Platform in respect of the violations prescribed in Point i Clause 2 and Point n Clause 3 of this Article;

k) Mandatory restoration, supplementation, and full update of dossiers, electronic contracts, information, logs, and transaction histories in respect of the violations prescribed in Points n and q Clause 2 and Points m and n Clause 3 of this Article.

Article 24. Violations of regulations on data intermediation activities

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Failing to establish, implement, or maintain data protection measures in accordance with the plan appraised by a competent authority;

b) Failing to retain service dossiers or logs of data intermediation activities as prescribed;

c) Failing to fulfill obligations to authenticate users' identities in accordance with the law on e-identification and authentication;

d) Failing to disclose, or incompletely or inaccurately disclosing, the scope and methods of provision and prices of data intermediation services on the data platform;

dd) Failing to provide, or incompletely providing, results of the inspection, assessment, or appraisal of data or data products and services to the Seller, the data platform service provider, or a competent authority as prescribed;

e) Failing to disclose its status as a Seller when concurrently participating in the data platform as a Seller;

g) Failing to fully disclose rights or benefits related to any party participating in a transaction before providing data intermediation services;

h) Failing to provide information, documents, dossiers, or service provision results at the request of a data platform service provider or competent authority.

2. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Providing data intermediation services without satisfying the conditions concerning personnel, equipment, physical facilities, confidentiality plans, or technical plans prescribed by law;

b) Failing to ensure that data are accessed by the proper entities, for the proper purposes, and within the proper scope under the service provision contract;

c) Failing to control, monitor, detect, or prevent unauthorized access or data processing activities on the data intermediation platform;

d) Failing to provide, or incompletely providing, assistance in or inspection, assessment, or appraisal of dossiers and data or data products and services within the agreed scope of services;

dd) Storing data beyond the necessary period or processing data beyond the permitted scope;

e) Failing to notify affected organizations and individuals of a data breach as prescribed upon the occurrence of a data leakage or loss incident;

g) Failing to ensure independence, objectivity, accuracy, truthfulness, or transparency during the inspection, assessment, or appraisal of data or data products and services;

h) Providing inspection, assessment, or appraisal results that are inaccurate, untruthful, non-objective, or inconsistent with the information or documents used for the inspection, assessment, or appraisal;

i) Inspecting, assessing, or appraising data or data products and services directly provided by the data intermediation service provider in its capacity as a Seller, or transactions in which such provider has related rights or benefits;

k) Failing to maintain the confidentiality of data, personal data, trade secrets, or other customer information during the provision of data intermediation services.

3. A fine ranging from VND 60.000.000 to VND 80.000.000 shall be imposed for any of the following violations:

a) Providing data intermediation services without being issued the Certificate of Eligibility to Trade in Data Intermediation, Analysis, and Summary Products and Services as prescribed;

b) Continuing to provide data intermediation services after the Certificate of Eligibility to Trade in Data Intermediation, Analysis, and Summary Products and Services has been revoked or has expired;

c) Using an issued Certificate of Eligibility to Trade in Data Intermediation, Analysis, and Summary Products and Services for improper purposes or beyond its permitted scope;

d) Providing forged or untruthful documents in an application for issuance, reissuance, or replacement of the Certificate of Eligibility to Trade in Data Intermediation, Analysis, and Summary Products and Services where the violation is not liable to criminal prosecution;

dd) Failing to comply with a competent state agency’s request to temporarily cease or suspend operations or remedy a violation;

e) Transferring core data or important data to a third party without the consent of data subjects or without satisfying the conditions prescribed by law;

g) Taking advantage of data intermediation activities to create an unfair competitive advantage, unlawfully influence transaction results, or infringe upon the lawful rights and benefits of parties participating in transactions.

4. A fine ranging from VND 80.000.000 to VND 100.000.000 shall be imposed for any of the following violations:

a) Taking advantage of data intermediation activities to unlawfully collect, purchase, sell, share, or exchange data;

b) Providing data intermediation services that affect or pose a risk of seriously affecting national defense, national security, social order and safety, social ethics, or community health;

c) Legitimizing unlawfully collected data, concealing the origin of data, or fabricating evidence during data intermediation activities.

5. Additional penalties

a) Fixed-term deprivation of the right to use the Certificate of Eligibility to Trade in Data Intermediation, Analysis, and Summary Products and Services for a period of 6 to 12 months in respect of the violations prescribed in Points c, dd, e, and g Clause 3 and Clause 4 of this Article;

b) Confiscation of exhibits and means of administrative violations used to commit the violations prescribed in Point d Clause 3 and Points a, b, and c Clause 4 of this Article.

6. Remedial measures

a) Mandatory deletion or destruction of data unlawfully collected, processed, utilized, shared, purchased, sold, transacted, or used in respect of the violations prescribed in Point e Clause 3 and Points a and c Clause 4 of this Article;

b) Mandatory return of the Certificate of Eligibility to Trade in Data Intermediation, Analysis, and Summary Products and Services in respect of the violations prescribed in Points b and d Clause 3 of this Article;

c) Mandatory application of technical measures to ensure data safety and security and the safe conduct of data intermediation activities in respect of the violations prescribed in Points b and c Clause 2 of this Article;

d) Mandatory application of measures to isolate, block, or control data sources, information systems, accounts, or devices at risk of continuing to conduct unlawful data transactions in respect of the violations prescribed in Points b, c, and dd Clause 2, Point dd Clause 3, and Points a and c Clause 4 of this Article;

dd) Mandatory notification of the data incident, its consequences, and remediation results to data subjects and other relevant organizations and individuals in respect of the violation prescribed in Point e Clause 2 of this Article;

e) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Clauses 3 and 4 of this Article;

g) Mandatory withdrawal and destruction of forged or untruthful documents in respect of the violation prescribed in Point d Clause 3 of this Article;

h) Mandatory full and accurate disclosure of the scope and methods of service provision, service prices, status of participation in transactions, and related rights and benefits in respect of the violations prescribed in Points d, e, and g Clause 1 of this Article;

i) Mandatory full and accurate provision of inspection, assessment, and appraisal results, information, documents, dossiers, and service provision results in respect of the violations prescribed in Points dd and h Clause 1 and Point h Clause 2 of this Article;

k) Mandatory cancellation of inspection, assessment, or appraisal results that fail to ensure independence, objectivity, accuracy, or truthfulness in respect of the violations prescribed in Points g, h, and i Clause 2 of this Article;

l) Mandatory application of confidentiality measures and withdrawal or deletion of information and data that have been disclosed or used unlawfully in respect of the violation prescribed in Point k Clause 2 of this Article.

Article 25. Violations of regulations on National Data Development Fund

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed on an organization or individual receiving loans, support, or investment from the National Data Development Fund for committing any of the following violations:

a) Failing to provide, providing incomplete information or documents, or failing to provide such information or documents in a timely manner, concerning the borrowing or use of support or investment capital from the National Data Development Fund at the lawful request of a competent agency or person;

b) Providing inaccurate, untruthful, or unlawful information or documents concerning the borrowing or use of support or investment capital from the National Data Development Fund;

c) Failing to fulfill, or incompletely fulfilling, commitments or obligations under agreements concluded with the National Data Development Fund and relevant parties, except for the violations prescribed in Clause 2 of this Article.

2. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed on an organization or individual receiving loans, support, or investment from the National Data Development Fund for committing any of the following violations:

a) Using loan, support, or investment capital for improper purposes or for contents other than those approved by competent authorities;

b) Transferring, lending, leasing, or permitting another organization or individual to use support or investment capital from the National Data Development Fund contrary to the law or the contents approved by competent authorities.

3. Additional penalty

Suspension from participation in programs or projects supported by the National Data Development Fund for a period of 3 to 6 months in respect of the violation prescribed in Point a Clause 2 of this Article.

4. Remedial measures

a) Mandatory supplementary provision or correction of information and documents in respect of the violations prescribed in Points a and b Clause 1 of this Article;

b) Mandatory repayment to the National Data Development Fund of support or investment capital used for improper purposes or contrary to the relevant agreement in respect of the violations prescribed in Clause 2 of this Article;

c) Mandatory withdrawal and cancellation of forged or untruthful documents in respect of the violation prescribed in Point b Clause 1 of this Article;

d) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Clause 2 of this Article.

Article 26. Violations of regulations on controlled testing activities in data construction, development, protection, administration, processing, and use

1. A fine ranging from VND 10.000.000 to VND 20.000.000 shall be imposed for any of the following violations:

a) Failing to develop or promulgate, or failing to fully retain, a controlled testing plan as prescribed;

b) Failing to comply, or incompletely complying, with periodic or ad hoc reporting requirements or to provide information concerning the testing process to the authority that issued the Certificate of Participation in Controlled Testing;

c) Failing to conduct periodic risk assessments in accordance with the approved testing plan;

d) Failing to disclose, or incompletely or inaccurately disclosing, mandatory information for protecting users of products and services during testing;

dd) Failing to report incidents or serious risks arising during testing within the prescribed time limit.

2. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for any of the following violations:

a) Conducting controlled testing activities without being issued the Certificate of Participation in Controlled Testing as prescribed;

b) Conducting testing beyond the geographical scope, duration, scale, or subjects approved in the Certificate of Participation in Controlled Testing without obtaining approval from a competent authority for the adjustment;

c) Failing to prepare an application for adjustment of the controlled testing plan when adjusting its contents as prescribed;

d) Failing to arrange the receipt and settlement of users' complaints or feedback in accordance with the testing plan or at the request of a competent authority;

dd) Failing to implement measures to ensure data safety and protect the lawful rights and benefits of users of products and services during testing.

3. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for any of the following violations:

a) Intentionally preparing or providing false information or concealing or erasing contents in an application for the issuance, adjustment, extension, or termination of controlled testing activities;

b) Continuing testing after the testing period or its extended period has expired without approval from a competent authority;

c) Failing to comply with a competent authority's request to temporarily cease or suspend operations or revoke the Certificate of Participation in Controlled Testing;

d) Abusing the exemption from the application of certain laws during testing to conduct unauthorized business activities or provide unauthorized products or services, or to conduct activities contrary to the approved testing plan;

dd) Allowing an incident to occur during testing that causes significant damage to users' lawful rights and benefits or seriously disrupts the operation of an information system where the violation is not liable to criminal prosecution.

4. A fine ranging from VND 60.000.000 to VND 80.000.000 shall be imposed for any of the following violations:

a) Using experimental products or services to process core data or important data beyond the approved scope, purposes, or conditions;

b) Taking advantage of controlled testing activities to conceal or facilitate acts infringing upon data security, cyber information safety, or the lawful rights and benefits of data subjects;

c) Failing to comply with a competent authority's request to apply measures to ensure data safety, restore systems, or remedy consequences following a serious incident during testing.

5. Additional penalties

a) Fixed-term deprivation of the right to use the Certificate of Participation in Controlled Testing for a period of 3 to 12 months in respect of the violation prescribed in Point b Clause 3 and the violations prescribed in Points a and b Clause 4 of this Article;

b) Suspension of data connection, sharing, utilization, and use for a period of 3 to 6 months in respect of the violation prescribed in Point dd Clause 2, the violations prescribed in Points d and dd Clause 3, and the violations prescribed in Clause 4 of this Article;

c) Suspension of database administration and operation for a period of 6 to 9 months in respect of the violations prescribed in Clause 4 of this Article;

d) Confiscation of exhibits and means of administrative violations used to commit the violations prescribed in Points a and d Clause 3 and Points a and b Clause 4 of this Article.

6. Remedial measures

a) Mandatory deletion or destruction of results and data collected or processed contrary to regulations during testing in respect of the violation prescribed in Point a Clause 4 of this Article;

b) Mandatory remittance of illegal gains obtained from committing the violations prescribed in Points a and b Clause 4 of this Article.

Chapter III

COMPETENCE TO IMPOSE ADMINISTRATIVE PENALTIES

Article 27. Competence of Presidents of People's Committees to impose administrative penalties

1. Presidents of People's Committees of communes shall be entitled to:

a) Issue warnings;

b) Impose fines of up to VND 50.000.000 on individuals and up to VND 100.000.000 on organizations;

c) Impose fixed-term deprivation of the right to use licenses or practicing certificates or fixed-term suspension of operations;

d) Confiscate exhibits and means of administrative violations;

dd) Apply the remedial measures prescribed in Clause 3 Article 4 of this Decree.

2. Presidents of People's Committees of provinces shall be entitled to:

a) Issue warnings;

b) Impose fines of up to VND 100.000.000 on individuals and up to VND 200.000.000 on organizations;

c) Impose fixed-term deprivation of the right to use licenses or practicing certificates or fixed-term suspension of operations;

d) Confiscate exhibits and means of administrative violations;

dd) Apply the remedial measures prescribed in Clause 3 Article 4 of this Decree.

Article 28. Competence of People's Public Security to impose penalties for administrative violations

1. On-duty officers of the People's Public Security shall be entitled to:

a) Issue warnings;

b) Impose fines of up to VND 10.000.000 on individuals and up to VND 20.000.000 on organizations;

c) Confiscate exhibits and means of administrative violations whose value does not exceed twice the maximum fine prescribed in Point b of this Clause.

2. Heads of commune-level Public Security offices shall be entitled to:

a) Issue warnings;

b) Impose fines of up to VND 50.000.000 on individuals and up to VND 100.000.000 on organizations;

c) Impose fixed-term deprivation of the right to use licenses or practicing certificates or fixed-term suspension of operations;

d) Confiscate exhibits and means of administrative violations;

dd) Apply the remedial measures prescribed in Clause 3 Article 4 of this Decree.

3. Heads of professional divisions of the National Data Center, including the Head of the General Advisory Division, Head of the Application Administration Division, Head of the Data Administration Division, Head of the System Security and Safety Division, Head of the Information Technology System Administration and Operation Division, and Head of the Data Center Facility Administration and Operation Division; and heads of divisions of provincial-level Public Security, including the Head of the Police Division for Administrative Management of Social Order and Head of the Cybersecurity and High-Tech Crime Prevention Division, shall be entitled to:

a) Issue warnings;

b) Impose fines of up to VND 80.000.000 on individuals and up to VND 160.000.000 on organizations;

c) Impose fixed-term deprivation of the right to use licenses or practicing certificates or fixed-term suspension of operations;

d) Confiscate exhibits and means of administrative violations;

dd) Apply the remedial measures prescribed in Clause 3 Article 4 of this Decree.

4. Heads of Immigration Divisions of provincial-level Public Security have the competence to impose penalties prescribed in Clause 3 of this Article and may decide to impose expulsion.

5. Directors of provincial-level Public Security shall be entitled to:

a) Issue warnings;

b) Impose fines of up to VND 100.000.000 on individuals and up to VND 200.000.000 on organizations;

c) Impose fixed-term deprivation of the right to use licenses or practicing certificates or fixed-term suspension of operations;

d) Confiscate exhibits and means of administrative violations;

dd) Impose expulsion;

e) Apply the remedial measures prescribed in Clause 3 Article 4 of this Decree.

6. The Director of the National Data Center, Director of the Police Department for Administrative Management of Social Order, and Director of the Department of Cybersecurity shall be entitled to:

a) Issue warnings;

b) Impose fines of up to VND 100.000.000 on individuals and up to VND 200.000.000 on organizations;

c) Impose fixed-term deprivation of the right to use licenses or practicing certificates or fixed-term suspension of operations;

d) Confiscate exhibits and means of administrative violations;

dd) Apply the remedial measures prescribed in Clause 3 Article 4 of this Decree.

7. The Director of the Immigration Department has the competence to impose penalties prescribed in Clause 6 of this Article and may decide to impose expulsion.

Article 29. Competence of Inspectorates to impose penalties

1. Inspectors of the Ministry of National Defense of Vietnam and the Ministry of Public Security of Vietnam and inspectors of the Government Cipher Committee shall be entitled to:

a) Issue warnings;

b) Impose fines of up to VND 10.000.000 on individuals and up to VND 20.000.000 on organizations;

c) Confiscate exhibits and means of administrative violations whose value does not exceed twice the maximum fine prescribed in Point b of this Clause.

2. Heads of inspectorate delegations of inspectorates of provincial-level Public Security and the Government Cipher Committee, and heads of inspectorate delegations at the military-zone level and of the Hanoi Capital Command shall be entitled to:

a) Issue warnings;

b) Impose fines of up to VND 50.000.000 on individuals and up to VND 100.000.000 on organizations;

c) Confiscate exhibits and means of administrative violations;

d) Apply the remedial measures prescribed in Clause 3 Article 4 of this Decree.

3. The Chief Cipher Inspector, Chief Defense Inspectors of military zones, Chief Defense Inspector of the Hanoi Capital Command, and Chief Inspectors of provincial-level Public Security shall be entitled to:

a) Issue warnings;

b) Impose fines of up to VND 80.000.000 on individuals and up to VND 160.000.000 on organizations;

c) Impose fixed-term deprivation of the right to use licenses or practicing certificates or fixed-term suspension of operations;

d) Confiscate exhibits and means of administrative violations;

dd) Apply the remedial measures prescribed in Clause 3 Article 4 of this Decree.

4. Chief Inspectors of the Ministry of National Defense of Vietnam and the Ministry of Public Security of Vietnam and heads of inspectorate delegations established by the Chief Inspectors of the Ministry of National Defense of Vietnam and the Ministry of Public Security of Vietnam shall be entitled to:

a) Issue warnings;

b) Impose fines of up to VND 100.000.000 on individuals and up to VND 200.000.000 on organizations;

c) Impose fixed-term deprivation of the right to use licenses or practicing certificates or fixed-term suspension of operations;

d) Confiscate exhibits and means of administrative violations;

dd) Apply the remedial measures prescribed in Clause 3 Article 4 of this Decree.

Article 30. Competence of heads of inspection teams to impose administrative penalties

1. Heads of inspection teams established by heads of organizations affiliated with ministries or ministerial agencies that perform state management tasks of such ministries or ministerial agencies, and heads of inspection teams established by heads of organizations affiliated with the Government Cipher Committee, have the competence to impose penalties prescribed in Clause 2 Article 29 of this Decree.

2. Heads of inspection teams established by Ministers or heads of ministerial-level agencies, and heads of inspection teams established by the Head of the Government Cipher Committee, have the competence to impose penalties prescribed in Clause 3 Article 29 of this Decree.

3. Heads of inspection teams shall impose penalties within the inspection period and in respect of violations detected during the inspection.

Article 31. Competence to make written records of administrative violations

1. Persons competent to impose administrative penalties prescribed in Articles 27, 28, 29, and 30 of this Decree have the competence to make written records of administrative violations falling within their competence to impose penalties in accordance with the Law on Handling of Administrative Violations and this Decree.

2. Civil servants and public employees performing official duties or assigned tasks in the field of data; members of the People’s Army or People’s Public Security; and persons engaged in cipher work who are performing official duties or assigned tasks related to the field of data may make written records of administrative violations detected within the scope of the functions, tasks, entitlements, sectors, or geographical areas assigned to them for management or inspection in accordance with the law.

3. Persons assigned to conduct specialized inspections, specialized examinations, control, patrol, or other tasks prescribed by the law on data may make written records of administrative violations detected while performing their assigned tasks and falling within the scope of their assigned functions, tasks, and entitlements.

Article 32. Delineation of competence to impose penalties

1. Persons of the People's Public Security competent to impose penalties may impose administrative penalties and apply remedial measures for the administrative violations prescribed in Chapter II of this Decree according to the competence prescribed in Article 28 of this Decree and within the scope of their assigned functions, entitlements, and tasks.

2. Presidents of People's Committees at all levels may impose administrative penalties and apply remedial measures for the administrative violations prescribed in Chapter II of this Decree within their respective local management areas and according to the competence prescribed in Article 27 of this Decree.

3. Inspectorate officials holding titles competent to impose administrative penalties may impose administrative penalties and apply remedial measures for the administrative violations prescribed in this Decree within the scope of their assigned tasks and official duties and according to the competence prescribed in Article 29 of this Decree.

4. Heads of inspection teams prescribed in Article 30 of this Decree may impose administrative penalties and apply remedial measures for administrative violations detected during inspections, within the scope of their assigned tasks and entitlements, and according to the competence prescribed in Article 30 of this Decree.

Article 33. Inter-sectoral cooperation mechanism for imposing administrative penalties in field of data

1. State agencies competent to impose administrative penalties in the field of data shall establish a cooperation mechanism with relevant agencies, including:

a) Specialized agencies in the fields of information and communications, public security agencies, justice agencies, inspectorates, and units managing specialized sectors;

b) Units managing or operating national databases, specialized databases, data centers, and important information systems.

2. The cooperation mechanism shall include:

a) Exchanging and sharing data concerning violations, technical monitoring reports, and professional information serving investigation and handling;

b) Cooperating inter-sectoral inspections and examinations where there are signs of complex violations or violations involving multiple sectors;

c) Assisting in remedying consequences and assessing risks to affected data systems;

d) Cooperating in providing proposals for amendments and improvements to the law where difficulties or conflicts arise in handling data violations;

dd) Developing processes for cooperation, information exchange, verification, and joint handling of data violations.

3. The agency taking charge of handling a violation shall consolidate the cooperation results and submit periodic or ad hoc reports to the competent authority.

Chapter IV

IMPLEMENTATION PROVISIONS

Article 34. Entry into force

This Decree comes into force as of November 11, 2026.

Article 35. Transitional provisions

1. Administrative violations in the field of data that terminated before the effective date of this Decree but are detected or remain under consideration or settlement after this Decree comes into force shall be handled in accordance with the Decree of the Government of Vietnam on administrative penalties and relevant legislative documents that were effective when the violations were committed.

Administrative violations in the field of data that commenced before the effective date of this Decree and remain ongoing when this Decree comes into force shall be handled in accordance with this Decree.

2. Where a decision on administrative penalties was issued or fully executed before the effective date of this Decree, but the penalized individual or organization continues to lodge a complaint, the matter shall be handled in accordance with the Law on Handling of Administrative Violations, the Decree of the Government of Vietnam on administrative penalties, and relevant legislative documents that were effective when the decision on administrative penalties was issued.

Article 36. Implementation responsibilities

1. The Ministry of Public Security of Vietnam shall provide guidance on and organize the implementation of this Decree.

2. Ministers, Directors of ministerial agencies, Presidents of People’s Committees at all levels, and relevant organizations and individuals shall implement this Decree.

ON BEHALF OF THE GOVERNMENT
PP. PRIME MINISTER
DEPUTY PRIME MINISTER

Ho Quoc Dung

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