



**< New regulation on Consumer Rights Protection and  
the Creation of Responsibilities of Big Digital Platforms >**

10<sup>th</sup> February 2025  
One Asia Lawyers Vietnam Office

**1. Introduction**

The rapid expansion of e-commerce has presented both opportunities and challenges for organizations operating in the digital economy. To address emerging issues and strengthen consumer protection, Vietnam has introduced the Law on Protection of Consumers' Rights, effective on July 1, 2024, and Decree No. 55/2024/NĐ-CP. These new regulations set out clear responsibilities for digital platforms and businesses, emphasizing transparency, accountability, and compliance. For organizations, understanding and adapting to these requirements is essential to building trust, ensuring legal compliance, and staying competitive in an evolving marketplace.

**2. The new regulation of Standard Form Contracts**

***General requirements on standard form contracts and general transaction conditions***

Decree No. 99/2011/ND-CP only set general requirements for standard form contracts and general transaction conditions (only **2 criteria** as prescribed at Article 7 Decree No. 99/2011/ND-CP).

But now in Decree No. 55/2024/ND-CP introduces more specific requirements, covering aspects such as language, format, and content. They also offer greater flexibility to accommodate the unique characteristics of electronic documents compared to traditional printed documents (**5 criteria** as prescribed at Article 6 Decree No. 55/2024/ND-CP).

To be specific, please see our comparison table below with the differences italicized for your easier perusal:

<b>Decree No. 99/2011/ND-CP</b>	<b>Decree No. 55/2024/ND-CP</b>	<b>Notes</b>
1. The language is Vietnamese. The contents are clear and comprehensible. The font size of the text is at least 12.	1. The language is Vietnamese; <i>other languages may be used under agreements according to Clause 2 Article 23 of the Law on Protection of Consumers' Rights.</i>  Clause 2, Article 23 of the Law on Protection of Consumers' Rights 2023: <i>Language and forms of written contracts signed with customers, standard form contracts or general transaction conditions must be clear and coherent.</i> <i>The language used in contracts signed with consumers, standard form contracts and general</i>	Decree No. 55/2024/ND-CP have added other languages instead of just Vietnamese like Decree No. 99/2011/ND-CP. This requirement aligns with the new provisions of the Law on Protection of Consumers' Rights 2023.



	<i>transaction conditions is Vietnamese. Parties may agree to use ethnic minority languages of Vietnam or foreign languages. In the event of any discrepancy between the Vietnamese version and the version using an ethnic minority language of Vietnam or a foreign language, the version that is more favorable to consumers shall prevail.</i>	
	2. <i>In the case of concluding paper contracts, the mandatory font size is 12 with Times New Roman font or equivalent sizes.</i>	In addition, the requirements on the size of the font only apply to contracts in paper forms, in case of using electronic form contracts, these requirements shall not be applied.
2. The paper background and ink color used in standard form contracts and general transaction conditions must contrast.	3. The color of the letters and the color of the background shall contrast each other.	Decree No. 55/2024/ND-CP have changed the wording of this clause in order for it to apply to both paper contracts and electronic contracts.
	4. <i>The layout and design of the text shall be clear and easy to follow.</i>	This is a totally new requirement that Decree No. 99/2011/ND-CP did not have.
	5. Contents shall be clear, comprehensible, and in compliance with the provisions of the law on the protection of consumers' rights.	In addition to the requirement for "clear", and "comprehensible" contents, Decree No. 55/2024/ND-CP adds the requirement of "in compliance with the provisions of the law on the protection of consumers' rights".

***Competence to control standard form contracts and general transaction conditions***

In Decree No. 99/2011/ND-CP, Ministry and Department of Industry and Trade are the authorities managing the registration of standard form contracts and general transaction conditions, but since the promulgation of Decree 55/2024/ND-CP, this responsibility moved to Consumer right protection authorities of the Ministry of Industry and Trade (which shall be VCC - Viet Nam Competition Commission) and Consumer right protection authorities of Provincial People's Committees (so far, there are still no new information about this authority, it may still be the Department of Industry and Trade).

***Responsibilities for registration of standard form contracts and general transaction conditions***

Decree No. 55/2024/ND-CP adds the responsibility to complete registration even before consumers make advance payments or implement measures to ensure the fulfillment of obligations. Furthermore, traders shall have to disclose standard form contracts and general transaction conditions for the

consumer's acknowledgment of the contents of such documents (this was not regulated in Decree No. 99/2011/ND-CP).

Decree No. 55/2024/ND-CP also adds more application forms which were not included in Decree 99/2011/ND-CP, but were regulated by another circular (Circular No. 10/2013/TT-BCT).

The period for dossier evaluation has been modified: changing from "*twenty (20) working days from the date of receiving a valid dossier*" (Clause 1, Article 14 of Decree No. 99/2011/ND-CP) to "*within 30 days from the date of receiving a valid dossier as stipulated in Article 9 of this Decree, and it may be extended for a maximum of 30 additional days in complex cases*" (Clause 1, Article 10 of Decree No. 55/2024/ND-CP).

### ***Cancellation and revision of standard form contracts and general transaction conditions as requested by consumer right protection authorities***

This part has the most changes compared to the previous regulations, in particular:

- Regarding the cases and timing for Requesting the cancellation or modification of a standard form contract or general transaction terms: add 1 more case compared to the old regulations. To be specific:

Under Clause 2, Article 19 of the Law on Protection of Consumers' Rights 2010 and Clause 1, Article 16 of Decree No. 99/2011/ND-CP, state administration bodies have authority on protecting the interests of consumers themselves, or at the request of consumers, cancel or modify standard form contracts.

In addition to these two cases, Clause 1, Article 15 of Decree No. 55/2024/ND-CP introduces a new provision allowing cancellation or modification based on the "*request of the consumer or social organizations engaged in consumer rights protection.*" Furthermore, it stipulates that such requests for cancellation or modification may be made "*at any time a standard form contract or general transaction conditions are found to violate the regulations on protection of consumers' rights.*"

- The deadline for submitting application for cancellation or modification has been increased from 10 working days to 30 days, from the date of request by consumers' rights protection authorities (Clause 3, Article 15 of Decree No. 55/2024/ND-CP).
- Added more responsibilities of the traders on the disclosure after cancellation or modification. While Decree No. 99/2011/ND-CP only compell the traders to notify such modification or cancellation to consumers, Decree No. 55/2024/ND-CP introduces additional responsibilities for business organizations and individuals regarding: (1) the disclosure of standard form contracts and general transaction conditions that have been modified or removed of the violations, specifically: (i) within 5 working days from the completion of the modification or removal of the violations; and (ii) posting them up at an easy-to-notice position at their headquarters, business locations, and disclosing them on web portals or software applications (if any); and (2) notifying consumers who have entered into contracts to apply the revised general transaction conditions and to re-enter standard form contracts if requested by the consumer (Clause 3, Article 15 of Decree No. 55/2024/ND-CP).

### **3. Responsibilities of big digital platforms**

The rapid growth of e-commerce has brought new challenges to consumer protection. In response, the Law on Protection of Consumers' Rights 2023 and Decree No. 55/2024/ND-CP introduced practical regulations to enhance efficiency and effectiveness in safeguarding consumer rights in this evolving landscape.



In particular, Decree No. 55/2024/ND-CP has a separated article to regulate the responsibilities of organizations establishing and operating big digital platforms (Article 23 of Decree No. 55/2024/ND-CP), which was not regulated in Decree No. 99/2011/ND-CP.

To be more specific, big digital platforms shall have to disclose criteria for determining the priority of the display of products, goods, and services if digital platforms have a search function. If the displayed content is paid or sponsored content, results of the search for products, goods, and services shall be disclosed.

Big digital platforms must maintain online reporting systems and provide up-to-date information for inspections, including details on algorithm-based advertising, content moderation, and user verification. They are required to disclose updates to operational policies, address consumer complaints, ensure transparency in advertising, and manage both domestic and foreign sellers. Big digital platforms must also take measures to address legal violations, protect vulnerable consumer groups, and comply with government directives for consumer rights protection.

According to Article 23.3 of Decree No. 55/2024/ND-CP, it seems that there will be new administrative procedures for big digital platforms to provide the information and data prescribed above via the web portals of consumer right protection authorities of the Ministry of Industry and Trade, but so far, there are still not any news about this procedure.

Another new regulation on this matter is that the list of traders in cyberspace that commit violations against the law on the protection of consumers' rights shall be disclosed on mass media and posted at the headquarters and web portals of ministries, ministerial agencies, and Provincial People's Committees for 30 days to let the consumer know and avoid them.

#### 4. Conclusion

As organizations navigate the complexities of a dynamic e-commerce landscape, the implementation of Decree No. 55/2024/ND-CP provides a vital framework for maintaining consumer trust and operational integrity. By aligning with these regulations, businesses can not only safeguard consumer rights but also enhance their reputation and competitiveness in Vietnam's digital economy. Staying informed and proactive is key to thriving in this new regulatory environment.

◆ One Asia Lawyers ◆

One Asia Lawyers Group is a network of independent law firms created to provide seamless and comprehensive legal advice for Japanese and international clients across Asia. With our member firms in Japan, Southeast Asia, Oceania and other ASEAN countries, One Asia Lawyers Group has a strong team of legal professionals who provide practical and coherent legal services throughout each of these jurisdictions.

For any enquiry regarding this article, please contact us by visiting our website: <https://oneasia.legal/> or email: [info@oneasia.legal](mailto:info@oneasia.legal).

This newsletter is general information for reference purposes only and therefore does not constitute our group member firm's legal advice. Any opinion stated in this newsletter is a personal view of the author(s) and not our group member firm's official statement. Please do not rely on this newsletter but consult a legal adviser or our group firm member for any specific matter or legal issue. We would be delighted to answer your questions, if any.



< About the Author > For inquiries regarding this article, please contact:

	<p><a href="#">Chihiro Nunoi</a> Of Counsel, One Asia Law Firm</p> <p>Involvement in the launch of Tokai University Faculty of Law and Hitotsubashi University Graduate School of International Corporate Strategy.</p> <p>His interest in Asian law began when he was involved as part of a JICA legal development support project during the revision of economic and corporate law in China. He has visited Vietnam since 2005 and has given lectures at universities in Ho Chi Minh City and Hanoi, as well as submitted opinions on the revision of Vietnam's corporate law and investment law.</p> <p><a href="mailto:chihiro.nunoi@oneasia.legal">chihiro.nunoi@oneasia.legal</a></p>
-----------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p><a href="#">Nguyen Ngoc Anh</a> One Asia Lawyers Vietnam Co., Ltd / Junior Associate</p> <p>She had worked in a consulting firm before joining One Asia Lawyers Vietnam. She had assisted both foreign and domestic clients in investment &amp; corporate matters (establishment, conversion, dissolution, etc.), labor, visa, work permit and temporary residence card. At One Asia Lawyers Vietnam Office, she will be supporting our lawyers to provide legal advice on investment and corporate matters in Vietnam.</p> <p><a href="mailto:anh.nguyen@oneasia.legal">anh.nguyen@oneasia.legal</a></p>
------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------