

<KEY CHANGES IN THE AMENDED ADVERTISING LAW 2025>

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One Asia Lawyers Vietnam Office

I. Introduction

On June 16, 2025, Law No. 75/2025/QH15 dated 16 June 2025 amending and supplementing a number of provisions of the Law on Advertising (the “**amended Advertising Law 2025**”) was passed. This is the first comprehensive revision since the promulgation of the Law on Advertising No. 16/2012/QH13 dated 21 June 2012 (the “**Advertising Law 2012**”), aiming to update and improve the legal framework. This is particularly important as promotional activities increasingly expand on digital platforms and social networks. Therefore, it requires businesses and organizations engaged in advertising activities to stay updated in order to fully comply with the new regulatory adjustments.

II. New notable regulations

1. New provisions on advertising disseminators

The Advertising Law 2012 only referred to advertising disseminators as one of the means of advertising.

The amended Advertising Law 2025 initially introduces provisions on advertising disseminators as follows:

- The definition of “advertising disseminators” is expanded to include persons who directly advertise, recommend, certify products, goods and services online or directly advertise by way of wearing, hanging, sticking, gluing, painting, using for profit purposes or by other similar forms.¹
- The addition of Article 15a provides for the rights and obligations of advertising disseminators, including:
 - The right to receive accurate information from advertisers and must comply with consumer protection and tax laws.
 - The responsibility for the content of advertisements, and influencers have extra duties to verify advertisers, check product information, and provide timely disclosure of advertising activities.
 - Notably, an important obligation is established whereby advertising disseminators must bear direct responsibility for the content of advertisements related to products if such advertisements fail to meet legal requirements.

The inclusion of provisions on the rights and obligations of advertising disseminators is a positive move aimed at addressing misleading advertising that confuses consumers and undermines trust in advertising activities.

2. Amendments on comparison of the advertised products, goods or services

Unlike the Advertising Law 2012 which prohibits direct comparison of the advertised products, goods or services to another party’s products, goods or services, the amended Advertising Law 2025 only prohibits comparison of the advertised products, goods or services without lawful supporting documents.²

3. Supplements on liability for violations in advertising activities

The amended Advertising Law 2025 has added regulations on handling violations when organizations and individuals violate advertising regulations, including:³

- Administrative sanctions or criminal prosecution depending on the nature and severity of the violation
- Compensation for damages if causing damage to consumers.

4. Supplements on advertising content requirements

¹ Article 2.8 of the Advertising Law 2012 amended by Article 1.1.c of the amended Advertising Law 2025

² Article 8.10 of the Advertising Law 2012 amended by Article 1.4.b of the amended Advertising Law 2025

³ Article 11 of the Advertising Law 2012 by Article 1.6 of the amended Advertising Law 2025



The amended Advertising Law 2025 specifies two cases not considered advertising:⁴

- (i) Sales-supporting information such as documents, images or descriptions of products and services provided for promotion, display or trade fairs – excluding functional foods and special dietary products, which must comply with food safety law.
- (ii) Mandatory information on product labels and packaging, public disclosures to consumers, educational content on preventing harmful effects of goods and other legally required information – excluding functional foods and special dietary products.

The amended Advertising Law 2025 also requires advertising content to be truthful, accurate and clear, without misleading about a product's features, quality or effects. Notes, warnings or disclaimers must be displayed fully, visibly, in contrasting colors and read clearly at the same speed and volume as other content.⁵

Compared with the Advertising Law 2012, the amended Advertising Law 2025 provide clearer distinctions between advertising and non-advertising content, while setting exceptions for certain food products. This ensures transparency of information and aligns with international regulatory practices.

5. Supplements on conditions for advertising special products, goods and services

Under the amended Advertising Law 2025, advertising of special products, goods, or services must be supported by valid documents or certifications permitting their circulation or provision in Vietnam, except where such items are not subject to licensing. Advertisers must also meet the specific conditions for advertising pharmaceuticals, cosmetics, insecticidal and disinfectant products, food and food additives, nutritional products for children under 36 months, medical examination and treatment services, medical devices, plant protection drugs, veterinary drugs, and fertilizer.⁶

6. Amendments on print, radio and television advertising

- Print media: The amended Advertising Law 2025 increases the area for advertisements in one newspaper issue from the current 15% of the Advertising Law 2012 to 30%, and in one magazine issue from the current 20% of the Advertising Law 2012 to 40%.⁷
- Radio and television: The amended Advertising Law 2025 does not change the duration of television advertising (10% of the total broadcasting duration on one day for free television channels, or 5% of the total broadcasting duration on one day for pay television channels). However, it amends provisions on program interruption to advertise on film and entertainment programs.⁸
- International events and foreign sports programs that already contain product or service advertisements, television and broadcasting service providers may retransmit or broadcast them live, but must comply with the conditions set out in the amended Advertising Law 2025.⁹

7. Amendments and supplements on online advertising

Under the amended Advertising Law 2025, online advertising is defined to encompass not only advertising on electronic newspapers and electronic information pages (as provided under the Advertising Law 2012) but also advertising on other electronic venues including social media, online applications and digital platforms with internet connection.¹⁰

Online advertising must follow key rules:

⁴ Article 19 of the Advertising Law 2012 supplemented by Article 1.12 of the amended Advertising Law 2025

⁵ Article 19.1 of the Advertising Law 2012 amended by Article 1.12 of the amended Advertising Law 2025

⁶ Article 20 of the Advertising Law 2012 amended by Article 1.13 of the amended Advertising Law 2025

⁷ Article 21 of the Advertising Law 2012 amended by Article 1.14 of the amended Advertising Law 2025

⁸ Article 22 of the Advertising Law 2012 amended by Article 1.15.b of the amended Advertising Law 2025

⁹ Article 22 of the Advertising Law 2012 supplemented by Article 1.15.b of the amended Advertising Law 2025

¹⁰ Article 23 of the Advertising Law 2012 amended by Article 1.16 of the amended Advertising Law 2025



- Clear identification using letters, numbers, symbols, images, or sounds to distinguish advertisements from other content;
- For non-fixed ads: features or symbols allowing recipients to close ads, tools to report violations to service providers, and options to decline inappropriate content;
- For ads containing links: the linked content must comply with the law, and advertising service providers and publishers must monitor and control such linked content;
- Organizations and enterprises providing social network services must provide users with features to distinguish advertisement contents from other contents;

Upon conducting advertising, users of social network services must show the signs which indicate the difference between advertisement or sponsored content and other content they provide. Advertisers, advertising service providers, publishers and distributors must also:

- Comply with laws on advertising, cybersecurity, data protection, consumer rights, child protection, and online information; register, declare, and pay taxes on advertising revenue.
- Not place ads in or around illegal content, or on illegal websites, social networks, apps, or digital platforms
- Not cooperate with individuals, organizations, websites, accounts, or channels officially declared illegal by authorities.
- Remove or block illegal ads at the request of authorities and provide information on suspected violations when required.
- Follow administrative penalties and other legal measures when violating advertising laws.

8. Supplements on advertising screens

The amended Advertising Law 2025 introduces specific rules for advertising screens, including:¹¹

- Sound & light restrictions: Advertising screens must not use sound, and their lighting must not endanger traffic safety.
- Cybersecurity: Owners or lawful users of advertising screens must apply technical measures to prevent cyberattacks and ensure information security.

9. Amendments on advertising notifications

Unlike the 2012 Advertising Law, which required notification for advertising on a billboard/banner at least 15 days prior to implementation, the amended 2025 Advertising Law just requires the notification without any specific advance-notice period.¹²

10. New provisions on cross-border advertising services in Vietnam

For the first time, the amended Advertising Law 2025 clearly regulates cross-border advertising. Accordingly, cross-border advertising means foreign organizations/individuals use systems located outside Vietnam to provide advertising services to users in Vietnam via the Internet.¹³

This activity follows Article 39 of the Advertising Law:¹⁴

- Foreign entities operating in Vietnam may advertise their own products, goods, services, and activities in Vietnam.
- Foreign entities not operating in Vietnam must hire a licensed Vietnamese advertising service provider to run their ads in Vietnam.

III. Advantages and challenges for businesses

The recent reforms provide a clearer legal framework, helping businesses define their responsibilities in the advertising chain. On the other side, increased legal responsibilities

¹¹ Article 28 of the Advertising Law 2012 amended by Article 1.18 of the amended Advertising Law 2025

¹² Article 30.1 of the Advertising Law 2012 amended by Article 1.19 of the amended Advertising Law 2025

¹³ Article 2 of the Advertising Law 2012 supplemented by Article 1.1.a of the amended Advertising Law 2025

¹⁴ Article 23 of the Advertising Law 2012 supplemented by Article 1.16 of the amended Advertising Law 2025



for advertising intermediaries, advertisers, and service providers create stricter obligations. Therefore, to promptly adapt to the new provisions under the amended Advertising Law 2025, businesses need to:

- (i) Timely update legal changes related to advertising.
- (ii) Review and ensure legal compliance in business operations to avoid common advertising violations.
- (iii) Identify manipulative or deceptive practices targeting consumers in advertising, and pay attention to cross-border commercial activities.
- (iv) Ensure compliance with cybersecurity requirements for electronic advertising devices and build the technical capacity needed to ensure cybersecurity and smooth advertising operations.

IV. Conclusion

The amended Advertising Law 2025 sets clearer rules for advertising content and for those involved in advertising. Understanding and complying with the law is critical for maintaining business credibility. This applies to advertising via social media, livestreams, key opinion leaders (KOLs), e-commerce platforms, and affiliate marketing.

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