

11th December, 2025
One Asia Lawyers Vietnam Office

1. Introduction

On June 14, 2025, Vietnam enacted the Law on Digital Technology Industry (“**DTI Law**”) to establish a new legal framework for digital technology which will take effect on January 01, 2026. The DTI Law consists of 06 Chapters and 51 Articles. It regulates the development of the digital technology industry, the semiconductor industry, artificial intelligence (“**AI**”), and digital assets, as well as the rights and responsibilities of relevant agencies, organizations, and individuals. The enactment of DTI Law represents not only a significant legislative milestone but also a crucial institutional advancement in Vietnam’s digital transformation process. By addressing the previously existing “grey area” in the legal framework, one that had created opportunities for fraudulent activities and deterred investment the DTI Law provides legal recognition of digital assets, thereby safeguarding investor interests and establishing a solid legal foundation for related business operations.

In this newsletter, we break down key provisions of the DTI Law and explore its practice, focusing particularly on regulations related to artificial intelligence and digital assets.

2. Provisions on Digital Assets

In this DTI Law, digital assets have been legally defined for the first time in Vietnam. Accordingly, digital assets are properties as regulated in the Civil Code 2015¹ and take the form of digital data created, issued, stored, transferred, or authenticated using digital technology in an electronic environment.² They include the following³: (1) Virtual assets in an electronic environment refer to a type of digital assets as can be used for exchanged or investment purposes; (2) Cryptocurrency refer to a type of digital asset that uses cryptography or digital technologies with similar functions to authenticate the assets during their creation, issuance, storage, or transfer; (3) Other digital assets. Both virtual assets and crypto assets do not include securities, digital forms or fiat money, and other financial assets as prescribed by civil laws and financial laws. The provision for “other digital assets” in (3) is considered a “reservation clause” to prepare for types of digital assets that may emerge in the future but are unforeseeable under current regulations.

The purpose of incorporating digital assets into legal provisions is to establish a foundation for investor protection against fraud and disputes, while also providing clear guidance for corporate capital raising, product development, and the growth of the digital asset market. However, it is important to note that the DTI Law does not recognize cryptocurrencies or digital currencies as a means of payment, acknowledging them solely as virtual assets for exchange and investment purposes.

The State Bank of Vietnam has stated that “virtual currencies such as Bitcoin are not currencies and are not legal means of payment under Vietnamese law”.⁴ Meanwhile, the Ministry of Finance has previously expressed the view that virtual currencies possess monetary value and can be transferred in civil transactions, thereby qualifying as “property rights” under Article 181 Civil Code 2005.⁵ In contrast, Judgement No. 22/2017/HC-ST by the People's Court of Ben Tre Province, in September 21, 2017

¹ Article 105.1 Civil Code 2015 No. 91/2015/QH13 dated November 24, 2015

² Article 46 of Law on Digital Industry Technology No. 71/2025/QH15 dated June 14, 2025 (Effective date: January 01, 2026)

³ Article 47.2 Law on Digital Industry Technology No. 71/2025/QH15 dated June 14, 2025 (Effective date: January 01, 2026)

⁴ <https://baochinhphu.vn/khong-duoc-su-dung-tien-ao-lam-phuong-tien-thanh-toan-102234448.htm> (accessed on August 4, 2025); Government News (2018), Virtual currencies must not be used as a means of payment

⁵ Official Circular No. 4356/BTC-TCT dated April 1, 2016, “Guidelines on Tax Administration for Digital Currency Trading Activities

overturned a tax assessment related to cryptocurrency transactions. It emphasized the absence of clear legal grounds for taxation and rejected the tax authority's claims.⁶

Given these divergent views on the legal nature of cryptocurrency, Prime Ministerial Decision 1255/QĐ-TTg on August 21, 2017 directed the establishment of a comprehensive legal framework for cryptocurrency and digital assets, instructing the Ministry of Finance to formulate relevant tax regulations. Against this backdrop, the clarification of the legal status of digital assets in the Digital Technology Industry Law represents a significant development.

However, the DTI Law does not specify concrete regulations for digital assets, leaving them to be addressed in subordinate legislation such as government decrees. In this context, Government Resolution No. 05/2025/NQ-CP⁷ was issued on September 09, 2025, initiating a five-year pilot program covering the issuance and offering of crypto assets, the operation of trading markets, related services, and state supervision.

Under this resolution, issuers of crypto assets are limited to Vietnamese enterprises such as limited liability companies or joint stock companies. They may only issue “crypto assets backed by tangible assets,” excluding securities and fiat currencies. Offerings of crypto assets are restricted to foreign investors. Issuers must publish a prospectus at least 15 days prior to issuance. Furthermore, all transactions must be conducted through a Crypto Asset Service Provider (“CASP”) licensed by the Ministry of Finance. CASP licensing requirements include a paid-in capital of 1 trillion VND, at least 65% investment from institutional investors (with over 35% from at least two financial institutions), a foreign ownership cap of 49%, placement of qualified personnel, and IT systems meeting Level 4 security standards.

Thus, the promulgation of Resolution No. 05/2025/NQ-CP paves the way for digital finance while ensuring strict oversight of this emerging market. To leverage the digital asset market for corporate finance and business growth, companies must establish robust compliance frameworks for digital assets.

3. Regulatory Framework for AI

AI is regulated for the first time in the DTI Law with the approach of promoting research, development, and application of AI in practice. The definition of AI can be as follows⁸: the development of computer systems that can perform tasks typically requiring human intelligence such as learning, reasoning, and problem – solving. Moreover, an artificial intelligence system is a machine-based digital technology product integrating hardware, software, and data. It operates at varying levels of autonomy, adapts after deployment, and generates inferences, predictions, content, recommendations, and decisions from received input data to achieve explicit or implicit objectives. It can influence physical or electronic environments.

As its regulatory policy for AI, the DTI Law aims to ensure safety through principles such as “human-centered: controllability by humans”, “risk management: controllability of algorithms,” and “personal data protection.” Simultaneously, from an economic and industrial policy perspective, it aims to “promote AI research, development, and application in daily life” as part of the digital industry, and to establish “regulation aligned with industry and sector best practices”.

The DTI Law establishes the following principles as its regulatory approach to AI: first, risk-based regulation, requiring stringent technical standards and data governance (including personal data protection) for AI in high-risk sectors (e.g., healthcare, finance, social order, safety); second, disclosure obligations, mandating labeling for interactive AI and identification marks for AI-generated content; third, the DTI Law

⁶ Judgment No. 22/2017/HC-ST dated September 21, 2017, regarding the “Lawsuit against the decision on tax collection” of the People’s Court of Ben Tre Province

⁷ Resolution No. 05/2025/NQ-CP dated September 09, 2025 regulate on pilot implementation of the crypto-asset market in Vietnam

⁸ Clause 18 Article 2 Circular No. 02/2025/TT-BGDTT regulations on digital competence framework dated January 24, 2025

clearly defines the responsibilities of organizations and individuals in AI development and application, categorizing them by role such as developer, provider, user. However, the DTI Law's provisions establish fundamental regulatory principles, and it is anticipated that numerous subordinate regulations will be developed in accordance with this DTI Law going forward. The establishment of such a legal framework for AI is expected to help prevent the negative impacts of AI in areas like national security and crime prevention.

Upon the DTI Law's entry into force, the legal framework for AI in Vietnam is anticipated to be further established and refined.

4. Conclusion

The DTI Law is still in its developmental stage and is expected to evolve further, drawing on the experiences of other countries in this field. Once the DTI Law is enacted and its implementing regulations are established, it is anticipated to contribute to the sustainable development of digital technology companies while also laying the foundation for Vietnam to establish its position as a global digital technology hub.

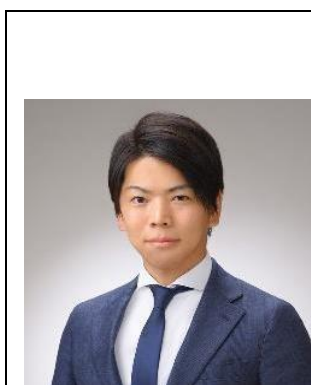
◆ One Asia Lawyers ◆

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.

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:



[Ryo Matsutani](#)

Representative of One Asia Lawyers Vietnam Office

After working as in-house lawyer for a major Japanese IT company and a chemical/electronic components manufacturer for a total of 6 years, he joined One Asia Lawyers Vietnam office in 2019 and currently resides in Ho Chi Minh City. He has extensive experience in business expansion, management of local subsidiaries (compliance and labor issues), new business development, M&A, negotiation of contracts with business partners, negotiation of intellectual property agreements, and dispute resolution.

ryo.matsutani@oneasia.legal



[Chihiro Nunoi](#)

Of Counsel, One Asia Law Firm

Involved in the launch of Tokai University Faculty of Law and Hitotsubashi University Graduate School of International Corporate Strategy.

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.

chihiro.nunoi@oneasia.legal



[Nguyen Huynh Minh Chau](#)

One Asia Lawyers Vietnam Co., Ltd / Junior Associate

She is a fresh graduate with a specialization in Civil, International, and Trade Law. With a strong foundation in legal research and analysis, she actively participated in research competitions, earning recognition for her work on "The European Green Deal – Opportunities and Challenges for Vietnam." She brings a thoughtful, research-driven approach to complex legal issues and is committed to contributing to cross-border legal practice with clarity and precision. She will support the Lawyers at One Asia Lawyers Vietnam Office to provide legal advice for Clients.

chau.nguyen@oneasia.legal