LAW
ON
DATA

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NATIONAL ASSEMBLY

SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness

No. 60/2024/QH15

LAW
ON
DATA

Pursuant to the Constitution of the Socialist Republic of Vietnam*;*

The National Assembly hereby promulgates the Law on Data.

Chapter I

GENERAL PROVISIONS

Article 1 *Governing scope*

This Law regulates digital data; the construction, development, protection, administration, processing and use of digital data; the National Data Center; the National Comprehensive Database; digital data products and services; the State management of digital data; and rights, obligations and responsibilities of agencies, organizations and individuals involved in digital data activities.

Article 2 *Applicable entities*

1. Vietnamese agencies, organizations and individuals

2. Foreign agencies, organizations and individuals in Vietnam.

3. Foreign agencies, organizations and individuals directly participating in or involved in digital data activities in Vietnam.

Article 3 *Interpretation of terms*

In this Law, the following terms shall be construed as follows:

1. *Digital data* means data on things, phenomena and events, including any one or a combination of sound, image, number, written and symbolic sounds represented in the digital form (hereinafter referred to as data).

2. *Common use data* means data which is accessed, shared, exploited and commonly used in agencies of the Party and the State, the Vietnam Fatherland Front Committee and socio-political organizations.

3. *Private data* means data which is accessed, shared, exploited and used internally in agencies of the Party and the State, the Vietnam Fatherland Front Committee and socio-political organizations.

4. *Open data* means data which any agency, organization or individual in need [of such data] is permitted to access, share, exploit and use.

5. *Original data* means data created during the operation of an agency, organization or individual, or collected and created by way of digitalization of originals of documents, materials and other physical

forms.

6. *Important data* means data which may cause an impact on the national defence, security, foreign affairs, macroeconomy, social stability, and health and safety of the community and is included on the list issued by the Prime Minister of the Government.

7. *Core data* means important data which directly impacts the national defence, security, foreign affairs, macroeconomy, social stability, and health and safety of the community and is included on the list issued by the Prime Minister of the Government.

8. *Data processing* means the process of receiving, converting, and organizing data and other activities in respect of data for the purpose of servicing operations of agencies, organizations and individuals.

9. *Database* means a collection of data arranged and organized for the purpose of access, exploitation, sharing, management and update.

10. *National Comprehensive Database* means the database compiled from national databases, specialized databases and other databases.

11. *Data sharing and coordination platform* means the infrastructure for connecting, integrating, sharing and coordinating data between the National Data Center and agencies, organizations and individuals.

12. *Data subject* means an agency, organization or individual reflected by data.

13. *Data administrator* means an agency, organization or individual carrying out the activities of formulating, managing, operating, and exploiting data at the request of data owners.

14. *Data owner* means an agency, organization or individual with the right to decide the formulation, development, protection, administration, processing, use and exchange of the value of data owned by such agency, organization or individual.

15. *Data owner's right to data* means the property right as stipulated by the civil law.

16. *Data encryption* means the application of encryption methods or algorithms, or technical solutions to convert encrypted data from the identifiable format into the unidentifiable format.

17. *Data decryption* means the application of encryption methods or algorithms, or technical solutions to convert encrypted data from the unidentifiable format into the identifiable format.

18. *Data coordination* means the activity of organizing transfer and distribution of data, and managing, supervising and optimising flows of data shared between information systems and databases.

Article 4 *Application of the Law on Data*

1. Where another law which is promulgated before the effective date of the Law on Data contains the provisions on formulation, development, protection, administration, processing and use of data; data products and services; and the State management of data, and the responsibilities of agencies, organizations and individuals involved in data operations which are not contrary to the principles of this Law, the provisions of such law shall apply.

2. Where another law which is promulgated after the effective date of the Law on Data contains the provisions which are different from those in the Law on Data, it shall be required to specifically

determine the contents to be implemented or not to be implemented in accordance the provisions of the Law on Data and the contents to be implemented in accordance with the provisions of such other law.

Article 5 *Principles of formulating, developing, protecting, administering, processing and using data*

1. Complying with the Constitution, this Law and other relevant laws; ensuring human rights, citizens' rights, and other lawful rights and interests of agencies, organizations and individuals.

2. Ensuring the publicity, transparency, and equality in accessing, exploiting and using data in accordance with law.

3. Collecting, updating and amending correct and inherited data; ensuring the integrity, reliability, security and safety.

4. Data shall be protected synchronously and closely with the formulation and development of data.

5. Storing, connecting, coordinating, sharing, exploiting and using data efficiently, simply and conveniently for agencies, organizations and individuals during the implementation of public services, administrative procedures and other activities.

Article 6 *State policy on data*

1. Data is a resource, and the State's policy is to mobilize all resources to enrich data and develop data into assets.

2. To give priority to formulate and develop data in the socio-economic sectors servicing the national digital transformation and to develop the digital economy associated with ensuring national defence, security, foreign affairs and cipher.

3. To invest in building and developing the National Comprehensive Database and the National Data Center to satisfy the requirements on building a digital Government, digital economy and digital society.

4. To focus on training and retraining to increase the capability and qualifications of people doing data work; to have a mechanism to attract highly qualified human resources to build and develop national data.

5. To encourage and create favourable conditions for foreign and domestic agencies, organizations and individuals to invest in, study and develop technologies, products and services, creative innovation, and applications in the data sector; to build data storage and processing centers in Vietnam; and to develop the data market.

6. Operations of national databases, specialized databases and other databases managed by agencies of the Party and the State, the Vietnam Fatherland Front Committee and socio-political organizations are ensured by the State's resources and other lawful sources. The State encourages foreign and domestic organizations and individuals to provide funds and support to build, administer and operate databases.

Article 7 *International cooperation on data*

1. [The international cooperation on data] must comply with the laws of Vietnam, international treaties of which the Socialist Republic of Vietnam is a member, and international agreements on data on the

basis of equality, mutual benefit, and respect of independence, sovereignty and territorial integrity.

2. The contents of international cooperation on data shall comprise the following: training of human resources; scientific research, scientific and technological application in formulating, developing, protecting, administering, processing and using data; advanced technology transfer, and investment in construction of infrastructure of data centers; participation in formulating international rules and standards on data and other activities in respect of cross-border data exchange.

3. The resolution of requests for provision of data from foreign law enforcement or judicial agencies with respect to data of Vietnamese organizations and individuals shall be considered and decided by competent agencies of Vietnam.

Article 8 *State management of data*

1. The contents of State management of data shall comprise the following:

(a) Formulation, promulgation, and organization of implementation of the national data strategies; legal instruments on data; and technical standards and regulations, socio-economic norms and data quality;

(b) Dissemination and popularization of policies and laws on data; and provision of guidelines to agencies managing databases and information systems for formulating, developing, protecting, administering, processing and using data;

(c) Management and supervision of activities of formulating, developing, protecting, administering, processing and using data, ensuring data security and safety;

(d) Report on and statistics of data; scientific and technological research and application in respect of data; data products and services; and management, supervision and development of the data market;

(dd) Check, inspection and resolution of complaints and denunciations, and dealing with breaches of the law on data;

(e) Training, retraining and development of human resources and international cooperation on data.

2. The responsibilities for State management of data shall be stipulated as follows:

(a) The Government shall uniformly exercise the State management of data;

(b) The Ministry of Public Security shall be the co-ordinating agency which is responsible before the Government for exercising the State management of data, except for the provision in sub-clause (c) below;

(c) The Ministry of National Defence shall be responsible before the Government for exercising the State management of data within the scope of its management.

The Minister of National Defence shall be responsible before the Government for exercising the State management of cipher data within the scope of its management in accordance with the law on cipher;

(d) Ministries, ministerial equivalent agencies and Government agencies shall, within the scope of

their functions, duties and powers, build and develop databases; and coordinate with the Ministry of Public Security to exercise the State management of data;

(dd) Provincial people's committees shall build and develop databases; and exercise the State management of data in their localities.

Article 9 *Formulation and development of data in the Party's agencies, the Vietnam Fatherland Front Committee and socio-political organizations*

1. The formulation, development, protection, administration, processing and use of data in the Party's agencies, the Vietnam Fatherland Front Committee and socio-political organizations shall be decided by competent agencies.

2. Provincial Party committees and municipal Party committees under central authority shall formulate, develop, protect, administer, process and use data in accordance with their duties and powers.

Article 10 *Strictly prohibited conduct*

1. Taking advantage of the data processing, data administration, and development, trading and circulation of data products and services to infringe upon national or ethnic interest, national defence, security, social order and safety, public interests, and lawful rights and interests of agencies, organizations, and individuals.

2. Illegally obstructing or preventing the data processing and data administration process, or attacking, appropriating or destroying databases and information systems servicing the management, processing, administration and protection of data.

3. Forging, intentionally falsifying, losing or damaging data on databases of agencies of the Party and the State, the Vietnam Fatherland Front Committee and socio-political organizations.

4. Intentionally providing wrong data or failing to provide data in accordance with law.

Chapter II

FORMULATION, DEVELOPMENT, PROTECTION, ADMINISTRATION, PROCESSING AND USE OF DATA; NATIONAL DATA DEVELOPMENT FUND

Article 11 *Collection and creation of data*

1. Data shall be collected and created from various sources including: creation in the direct manner; and digitalization of documents, materials and other physical forms.

   Original data created shall have the same validity as master copies of documents, materials and other physical forms which are digitalized.

2. The collection and creation of data with respect to agencies of the Party and the State, the Vietnam Fatherland Front Committee and socio-political organizations shall be stipulated as follows:

   (a) Data shall be collected and created to build databases in accordance with law or decisions of competent authorities and shall be used uniformly in accordance with a common use list code table and be consistent with master data on national databases;

(b) Data contained on connected and shared databases shall not be re-collected;

(c) Data used for servicing the State management, ensuring national defence, security, foreign affairs and cipher, implementing administrative procedures, and resolving public services must be created and digitalized in accordance with law;

(d) [Data shall be] collected from results of resolution of administrative procedures; collected from digitalization of documents, materials and other physical forms; collected by the electronic method; and collected directly from organizations and individuals;

(dd) The conversion of digitalized documents and materials into data must comply with the law on archives; data shall be collected from original or master copies of documents and materials only or from their lawful copies if the original or master copies are not available; data collected and created must ensure authentication and traceability to the digitalized copies of documents and materials.

3. The rights and responsibilities of organizations and individuals with respect to the activities of collecting and creating data shall be stipulated as follows:

(a) To collect and create data to serve their operations in accordance with law;

(b) To have their rights applicable to data owners protected in accordance with this Law, the civil law and other relevant laws;

(c) To be responsible for data collected and created by them in accordance with law.

4. Agencies managing national databases and specialized databases shall decide roadmaps for creation and digitalization of data for the purpose of servicing digital transformation activities in accordance with the national data strategies issued by the Prime Minister of the Government.

5. The Ministry of Public Security shall preside over coordination with relevant agencies to compile and announce a list of agencies providing data, a list of data provided, and a common use list code table in order for agencies, organizations and individuals to search and exploit.

Article 12 *Ensuring data quality*

1. *Ensuring data quality* means ensuring the accuracy, validity, integrity, completeness, timely update and consistency of data.

2. State agencies managing databases shall have the following responsibilities:

(a) To provide guidelines on, implement, and apply synchronously the national technical standards and regulations on ensuring data quality, and the process of ensuring data quality in order to apply same to the databases under their management;

(b) To regularly inspect, supervise, and remedy errors; and to synchronize data within the agency and coordinate with related agencies and organizations to regularly update, adjust and ensure quality of data during exploitation and use.

Article 13 *Classification of data*

1. State agencies must classify data on the basis of the requirements for administration, processing and protection of data, comprising:

(a) Classifying data by the nature of data sharing into common use data, private data and open data;

(b) Classifying data by the importance of data into core data, important data and other data;

(c) Classifying data in accordance with other criteria which satisfy the requirements for administration, processing and protection of data as decided by data administrators.

2. Owners and administrators of data not stipulated in clause 1 of this article must classify data in accordance with clause 1(b) of this article and may classify data in accordance with other criteria.

3. The Government shall stipulate criteria for determining core data and important data.

Article 14 *Data storage activities*

1. State agencies shall be responsible for organizing the storage of data to ensure security.

2. Organizations and individuals not stipulated in clause 1 of this article who are data owners shall have the right to decide the storage of data collected, created or owned by them; in the case of storage of core data and important data, the provisions in article 27.3 of this Law must be complied with.

3. National databases must have their data stored on the infrastructure of the National Data Center.

4. Specialized databases and other databases of State agencies shall have their data stored on the infrastructure of the National Data Center or the infrastructure of other agencies or organizations which satisfies the standards on data centers. Private data and data in the sectors of national defence, security, foreign affairs and cipher shall be stored on the infrastructure of the National Data Center with the consent of data owners.

   Any organization or individual not stipulated in clause 1 of this article who are data owners shall have the right to agree on the storage of data on the infrastructure of the National Data Center by way of a service provision contract between such organization or individual and the data exploitation and infrastructure service provider at the National Data Center.

5. The Government shall provide detailed regulations on this article.

Article 15 *Administration and management of data*

1. The administration of data shall comprise the formulation of policies, plans, programs, processes and standards on data of data owners and on data administrators for the purpose of managing data continuously and effectively, ensuring the completeness, accuracy, integrity, consistency, uniformity, standardization, safety, security and timeliness of data.

2. *Management of data* means the organization of administration of data stipulated in clause 1 of this article.

3. Data owners and data administrators being State agencies shall be responsible for coordinating with the National Data Center to carry out the administration and management of data as stipulated in clauses 1 and 2 of this article.

4. Data owners and data administrators being organizations and individuals not stipulated in clause 3 of this article shall base on the actual conditions to implement the administration and management of

data collected, created and owned by them.

5. The Government shall provide detailed regulations on clause 3 of this article.

Article 16 *Access to and retrieval of data*

1. The access to and retrieval of data must comply with the technical processes and regulations on access to and retrieval of data; and must ensure security, safety and correct purposes.

2. State agencies must provide facilities and delegate authority to access and retrieve data in order to ensure security, safety and protection of data. Other data owners and data administrators are encouraged to provide facilities to access and retrieve data.

3. The Government shall provide detailed regulations on this article.

Article 17 *Connection, sharing and coordination of data*

1. Data owners and data administrators shall connect and share data with data users in accordance with law or as agreed, directly or via an intermediary.

2. State agencies shall coordinate data within the scope of their management and ensure that data are shared safely, synchronously, effectively and for the purpose of servicing the socio-economic development and ensuring national defence, security and foreign affairs; and shall be ready to connect, share and coordinate data for agencies, organizations and individuals permitted to exploit data in accordance with this Law and other relevant laws.

3. The Prime Minister of the Government shall decide the sharing of private data managed by ministries, ministerial equivalent agencies, Government agencies and provincial people's committees in the case of emergency or urgency during prevention of and fighting against natural disasters, epidemics, fire, explosion or in other necessary cases in order to address issues arising in practice.

4. The Government shall stipulate the support for data owners not stipulated in clause 2 of this article in implementing the connection and sharing of data with State agencies in accordance with this Law.

Article 18 *Provision of data to State agencies*

1. Foreign and domestic organizations and individuals are encouraged to provide data owned by them to State agencies.

2. Organizations and individuals must provide data to State agencies at the request of competent agencies without the consent of data subjects in the following cases:

   (a) Response to the state of emergency;

   (b) When there is a risk of threatening national security but not to the extent of declaring the state of emergency;

   (c) A disaster;

   (d) Prevention of and fighting against a riot or terrorism.

3. State agencies receiving data shall have the following responsibilities:

(a) To use data for correct purposes;

(b) To ensure security and safety of data, and to protect data and other lawful interests of data subjects, and of organizations and individuals providing data in accordance with law;

(c) To destroy data as soon as such data are no longer necessary for the requested purposes and to notify data subjects, and organizations and individuals who provided such data thereof;

(d) To notify the storage and use of data when requested by organizations and individuals providing data, except for the case of protection of State secrets and working secrets.

4. The Government shall provide detailed regulations on this article.

Article 19 *Analysis and compilation of data*

1. State agencies must analyse and compile data from data sources created by them or shared, provided, exploited and used for servicing the leadership, instruction, State management and socio-economic development.

2. Organizations and individuals not stipulated in clause 1 of this article may analyse and compile data from data sources which they are permitted to access and use.

3. Data owners and data administrators are encouraged to develop utilities, facilities and applications for analysing and compiling data provided to State agencies and other organizations and individuals in order to serve the socio-economic development and other activities.

Article 20 *Certification and authentication of data*

1. The certification of data shall be implemented by data owners, data administrators or electronic authentication service providers.

   Certified data shall have the value of proving the existence, and duration and place of storage of data on the cyber space in accordance with this Law and other relevant laws.

2. The authentication of data shall be implemented by data owners, data administrators creating original data, electronic authentication service providers, and the National Data Center. Authenticated data shall have the equivalent validity to original data stored on national databases, specialized databases and other databases within the given scope and period.

3. The Government shall provide detailed regulations on this article.

Article 21 *Public disclosure of data*

1. The public disclosure of data must correctly reflect data from original data sources and must facilitate the exploitation, use and sharing by organizations and individuals.

2. [The determination of whether] data is publicly disclosed, conditionally disclosed or not publicly disclosed must base on information reflected by such data in accordance with the law on information access.

3. The forms of public disclosure of data shall comprise the publication of data on data portals, electronic information portals, electronic information pages and mass media, and other forms in accordance with law.

4. State agencies shall be responsible to announce lists of open data and organize the public disclosure of open data in accordance with this article in order for organizations and individuals to exploit, use and share. The time of public disclosure of data in each sector shall be in accordance with law.

5. The Government shall provide detailed regulations on this article.

Article 22 *Encryption and decryption of data*

1. Data on the list of State secrets must be encrypted by cipher codes when they are stored, transferred, received and shared on computer networks.

2. Agencies, organizations and individuals may use one or more encryption solutions and encryption and decryption processes appropriate to their data administration and management activities.

3. Data owners and data administrators shall decide the encryption and decryption of data.

4. Competent State agencies shall have the right to apply measures to decrypt data without the consent of data owners and data administrators in the following cases:

   (a) The state of emergency;

   (b) When there is a risk of threatening national security but not to the extent of declaring the state of emergency;

   (c) A disaster;

   (d) Prevention of and fighting against a riot or terrorism.

5. The Government shall provide detailed regulations on clauses 2 and 4 of this article.

Article 23 *Cross-border transfer and processing of data*

1. Agencies, organizations and individuals shall be free to transfer data from foreign countries to Vietnam and to process foreign data in Vietnam, and shall be protected by the State in respect of the lawful rights and interests in accordance with law.

2. The cross-border transfer and processing of core data and important data shall comprise the following:

   (a) Data currently stored in Vietnam are transferred to data storage systems located outside the territory of the Socialist Republic of Vietnam;

   (b) Vietnamese agencies, organizations and individuals transfer data to foreign organizations and individuals;

   (c) Vietnamese agencies, organizations and individuals use platforms outside the territory of the Socialist Republic of Vietnam for data processing.

3. The transfer and processing of data stipulated in clauses 1 and 2 of this article must ensure national defence and security and must protect the national interest, public interests and lawful rights and interests of data subjects and data owners in accordance with the laws of Vietnam and international treaties of which the Socialist Republic of Vietnam is a member.

4. The Government shall provide detailed regulations on this article.

Article 24 *Activities of science, technology and creative innovation in formulation, development, protection, administration, processing and use of data*

1. Activities of science, technology and creative innovation in formulation, development, protection, administration, processing and use of data must conform with the national data development strategies; realize the inner strength in activities of science, technology and creative innovation; and comply with the principles of formulation, development, protection, administration, processing and use of data in accordance with this Law.

2. Scientific and technological platforms in formulation, development, protection, administration, processing and use of data shall comprise artificial intelligence, cloud computing, blockchain, data communication, Internet of Things, big data and other modern technologies.

3. National resources shall be focused on activities of development and application of scientific and technological platforms in formulation, development, protection, administration, processing and use of data for the purpose of servicing the national digital transformation, ensuring national defence, security, and socio-economic development.

4. The Government shall stipulate the management, development and controlled testing of activities of scientific and technological research and application, and creative innovation in formulation, development, protection, administration, processing and use of data.

Article 25 *Determination and management of risks arising from data processing*

1. Risks arising from data processing shall comprise risks of privacy, risks of cyber security, risks of identification and access management, and other risks in the data processing.

2. State agencies must determine and establish mechanisms on early warning of risks arising from data processing, and formulate measures for protecting data.

3. Data administrators not stipulated in clause 2 of this article shall self-assess and determine risks and shall take measures to protect data; and promptly remedy risks arising and notify data subjects, agencies, organizations and individuals concerned.

4. Administrators of core data and important data must periodically conduct assessment of risks with respect to such data processing activities in accordance with regulations and notify entities in charge of cyber security and information safety under the Ministry of Public Security, the Ministry of National Defence and related agencies thereof to coordinate in implementing the protection of data safety and security.

5. The Government shall provide detailed regulations on this article.

Article 26 *Other activities in data processing*

1. Data subjects shall have the right to request data owners and data administrators to withdraw, delete or destroy data provided by them, unless otherwise stipulated by law. Data administrators shall be responsible to establish processes and implement measures and methods to withdraw, delete or destroy data at the request of data subjects.

2. State agencies shall organize the regular and continuous adjustment and update of data; and decide

to store the history of the process of combining, adjusting, updating, copying, transferring, transferring, withdrawing, deleting and destroying data managed by them.

3. Data owners and data administrators not stipulated in clause 2 of this article shall combine, adjust, update, copy, transmit and transfer data in accordance with this Law and other relevant laws.

4. The Government shall provide detailed regulations on this article.

Article 27 *Protection of data*

1. The measures for protection of data to be applied during the whole process of data processing shall comprise:

   (a) Formulation and organization of implementation of policies and regulations on protection of data;

   (b) Management of data processing activities;

   (c) Formulation and implementation of technical solutions;

   (d) Training, retraining, development and management of human resources;

   (dd) Other measures for protection of data in accordance with law.

2. State agencies must protect data in the industries and sectors under their management, and comply with the general policies on national defence and security; and establish a uniform data protection system for assessment of data security risks, supervision and early warning.

3. Data owners and data administrators managing core data and important data must comply with the regulations on protection of data.

4. The Government shall provide detailed regulations on this article.

Article 28 *Technical standards and regulations on data*

1. The standards on data shall comprise the standards on information systems, hardware, software, systems of management, operation, processing, assurance of data quality and protection of data, which are published and recognized for application in Vietnam.

2. The technical regulations on data shall comprise the technical regulations on information systems, hardware, software, systems of management, operation and processing, assurance of data quality, and protection of data, which are formulated, issued and applied in Vietnam.

3. The Ministry of Public Security shall preside over coordination with related agencies to issue a list of technical standards and regulations on data, except for lists of technical standards and regulations on data in the national defence and cipher sectors.

4. Agencies managing national databases and specialized databases must formulate technical standards and regulations on data in accordance with the list issued pursuant to clause 3 of this article.

Article 29 *National Data Development Fund*

1. *National Data Development Fund* means a non-budget State financial fund which is formed at the central level to promote the development, exploitation, application and administration of national data.

2. The National Data Development Fund shall be formed from the following financial sources:

   (a) Funding from the State budget;

   (b) Voluntary contributions of foreign and domestic organizations and individuals;

   (c) Other lawful financial sources in accordance with law.

3. The National Data Development Fund shall operate in accordance with the following principles:

   (a) [Operating] for non-profit purposes;

   (b) Managing and using [data] for correct purposes, legally, promptly, effectively, publicly and transparently;

   (c) Providing funds for activities of formulation, development, protection, administration, processing and use of data;

   (d) Being used to make payments for activities when the allocation from the State budget does not meet requirements.

4. The Government shall stipulate the establishment, management and use of the National Data Development Fund.

Chapter III

BUILDING AND DEVELOPMENT OF NATIONAL DATA CENTER; NATIONAL COMPREHENSIVE DATABASE

Section 1

BUILDING AND DEVELOPMENT OF NATIONAL DATA CENTER

Article 30 *Infrastructure of the National Data Center*

1. The infrastructure of the National Data Center shall be designed, built and used to satisfy the following requirements:

   (a) Ensuring the technical standards and regulations on data centers; the international technical requirements; conformity with the information and communication infrastructure master plan; the prevention of lethal weapons, terrorism and natural disasters; the environmental protection; and energy saving;

   (b) Having solutions for ensuring security and confidentiality to control, detect and prevent attack, intrusion and sabotage; and ensuring the level of readiness of systems and designing systems with standby levels to be ready for expansion where necessary;

   (c) Ensuring the main information technology components of the National Data Center,

comprising: the National Comprehensive Database, the data sharing and coordination platform; the National Public Service Portal; technological infrastructure for processing of data and allocation of resources; the data analysis system for servicing the management, instruction and operation; systems and software for managing, exploiting and providing data services, open data portals and data service portals; and other platforms, software and professional systems as decided by the Government and the Prime Minister of the Government.

2. National databases must use infrastructure of the National Data Center.

Based on the requirements, databases in the sectors of national defence, security, foreign affairs, and cipher, specialized databases and other databases shall use infrastructure of the National Data Center.

3. The Government shall provide detailed regulations on this article.

Article 31 *Responsibilities of the National Data Center*

1. To integrate, synchronize, store, analyse and exploit data of State agencies in accordance with law in order to set up and administer the National Comprehensive Database.

2. To administer and operate the technical infrastructure, information technology infrastructure and data floor at the National Data Center; and to provide the technical infrastructure and information technology infrastructure to agencies of the Party and the State, the Vietnam Fatherland Front Committee and socio-political organizations when they have the need to use same.

3. To organize the operation, administration, storage, management, exploitation and coordination of data on the National Comprehensive Database for agencies of the Party and the State, the Vietnam Fatherland Front Committee and socio-political organizations in order to perform the assigned functions and duties or at the request of data owners, data administrators and data subjects in accordance with law.

4. To supervise the assurance of data quality and the coordination of data; and to set up systems of indices for measurement and assessment of performance for data administration activities.

5. To implement the measures for protection of data.

6. To conduct scientific researches on data, to apply technologies to the data processing, and to provide technological infrastructure, products and services in respect of data; to support organizations and individuals in the data processing; to build creative innovation centers, and support the creative innovation in respect of data science; to develop creative innovation activities in respect of data science; and to develop the start-up ecosystem for creative innovation in science and technology on the data platform of the National Comprehensive Database.

7. To organize implementation of contents of international cooperation on data.

8. The Government shall provide detailed regulations on this article.

Article 32 *Ensuring resources for building and development of the National Data Center*

1. The State gives priority to invest in infrastructure, physical facilities, land, head offices, works and technologies, and ensures the budget for formulation and State management of data, administration of data, and building, management and operation of the National Data Center and the National

Comprehensive Database.

2. The National Data Center shall use the State budget and other lawful funding sources for its operations.

3. The State ensures human resources for operations of the National Data Center; and has a mechanism to attract and treat high-quality human resources.

4. Resources shall be ensured for the National Data Center to upgrade, maintain and repair infrastructure and equipment invested by the National Data Center.

Section 2

NATIONAL COMPREHENSIVE DATABASE

Article 33 *Building the National Comprehensive Database*

The National Comprehensive Database shall be built and centrally and uniformly managed by the Government at the National Data Center and satisfy the following requirements:

1. To comply with the technical standards and regulations and the eco-technical norms on relevant data and information technology.

2. To ensure information security and safety, to protect personal data, and to facilitate the collection, update, adjustment, exploitation and use.

3. To ensure the stable and continuous operation of, and the connection and sharing with, national databases, specialized databases, other databases and other information systems.

4. To ensure the right of agencies, organizations and individuals to exploit data in accordance with law.

5. To ensure the requirements for integration, synchronization, storage, exploitation, sharing and coordination of comprehensive data from databases, and to conduct intensive analysis of data, support the formulation of mechanisms and policies, and service the socio-economic development.

6. To service the support and development of data products and services.

Article 34 *Collection, update and synchronization of data with the National Comprehensive Database*

1. Data to be collected, updated and synchronized with the National Comprehensive Database shall comprise:

   (a) Open data;

   (b) Common use data of State agencies;

   (c) Private data of State agencies as decided by the Prime Minister of the Government for the purpose of servicing the duties of national defence, security, foreign affairs, cipher, socio-economic development, digital transformation, national interest and public interests;

   (d) Data of the Party's agencies, the Vietnam Fatherland Front and socio-political organizations with the consent of data owners;

(dd) Other data provided by organizations and individuals.

2. Sources of collection, update and synchronization of data on the National Comprehensive Database shall comprise:

(a) From the process of implementation of administrative procedures and public services;

(b) Being updated, shared and synchronized from other databases;

(c) Being digitalized, provided and integrated by individuals and organizations;

(d) Other sources in accordance with law.

3. The National Data Center shall coordinate with related agencies, organizations and individuals to check data when they are collected, updated or synchronized in order to ensure the accuracy and consistency. Where data on a national database, specialized database or other database is inconsistent with data on the National Comprehensive Database, the National Data Center shall coordinate with the related agency to check and verify data, and conduct update and synchronization on the databases.

4. The Prime Minister of the Government shall decide the roadmap for building and development of national databases and specialized databases and the roadmap for collection, update and synchronization of data onto the National Comprehensive Database.

Article 35 *Exploitation and use of the National Comprehensive Database*

1. The National Comprehensive Database is built to service the exploitation and common use, satisfying operations of agencies of the Party and the State, the Vietnam Fatherland Front Committee and socio-political organizations; to service the implementation of administrative procedures and public services, and to service the instruction and administration of the Government; to service the statistical work, the policy planning, the formulation of master plans and strategies for socio-economic development, national defence, security, foreign affairs, cipher, the combat against criminals, and dealing with breaches of law; and to service the requirements for exploitation, use and application of data by organizations and individuals.

2. Data on the National Comprehensive Database shall have the same value of exploitation and use as original data.

3. Subjects exploiting and using data on the National Comprehensive Database shall comprise:

(a) Agencies of the Party and the State, the Vietnam Fatherland Front Committee and socio-political organizations may exploit and use data in conformity with their functions and duties;

(b) Data subjects may exploit and use data reflecting such data subjects;

(c) Organizations and individuals not stipulated in sub-clauses (a) and (b) above may exploit and use data as follows: they shall be free to exploit and use open data; exploit and use personal data with the consent of the National Data Center and individuals being subjects of exploited data; and exploit and use other data with the consent of the National Data Center.

4. Data shall be exploited and used by the following methods:

(a) Connection and sharing of data between national databases, specialized databases or other

databases or information systems and the National Comprehensive Database;

(b) The National Data Portal, the National Public Service Portal, electronic information portals, and information systems for resolving administrative procedures;

(c) Electronic identification and authentication platforms;

(d) The national identification application;

(dd) Equipment, facilities and software provided by the National Data Center;

(e) Other methods.

5. The Government shall provide detailed regulations on this article.

Article 36 *Connection and sharing of data with the National Comprehensive Database*

1. Other national databases, specialized databases and other information systems of agencies of the Party and the State, the Vietnam Fatherland Front Committee and socio-political organizations shall connect with the National Comprehensive Database via the data sharing and coordination platform; the national data integration and sharing platform; and data integration and sharing platforms at the ministerial level and at the provincial level, Internet, computer networks and information systems.

2. The connection and sharing of data between the National Comprehensive Database and other databases must be effective, safe, and in conformity with functions, duties and powers of agencies, organizations and individuals in accordance with law.

3. The connection and sharing of data between the National Comprehensive Database and other information systems shall be implemented on the basis of agreement in writing between the Ministry of Public Security and data owners.

4. The Government shall provide detailed regulations on this article.

Article 37 *Provision of data to the National Comprehensive Database*

1. Agencies managing national databases, specialized databases and other databases shall provide data to the National Comprehensive Database in accordance with article 34.1 of this Law.

2. The State shall ensure necessary conditions to receive data provided by agencies, organizations and individuals.

3. The Government shall provide detailed regulations on this article.

Article 38 *Fees for exploitation and use of data on the National Comprehensive Database and other databases managed by State agencies*

1. Agencies of the Party and the State, the Vietnam Fatherland Front Committee and socio-political organizations shall exploit and use information on the National Comprehensive Database and other databases managed by State agencies without paying any fees.

2. Organizations and individuals shall exploit and use their own data on the National Comprehensive Database and other databases managed by State agencies without paying any fees.

3. Organizations and individuals not stipulated in clauses 1 and 2 of this article and exploiting and using data on the National Comprehensive Database and other databases managed by State agencies must pay fees in accordance with the law on fees and charges.

Chapter IV

DATA PRODUCTS AND SERVICES

Article 39 *Data products and services*

1. Data products and services in activities of data intermediation, data analysis and compilation, electronic authentication, and data floors shall be in accordance with this Law and other relevant laws.

2. Electronic authentication services which authenticate data on national databases, specialized databases, and electronic identification and authentication systems shall be provided by qualified public professional units and State owned enterprises.

3. Organizations which provide products and services of data intermediation and data analysis and compilation shall be entitled to the same incentives as those applicable to enterprises operating in the sectors of high-tech, creative innovation, creative start-up and digital technology industry.

4. Other data products and services in electronic trading activities, telecom, cyber security, cyber information security, digital technology industry, cipher, national defence industry, security and industrial mobilization shall be in accordance with relevant laws.

5. The Government shall provide detailed regulations on this article.

Article 40 *Data intermediation products and services*

1. *Data intermediation products or services* means products or services designed to establish the commercial relationship between data subjects or data owners and product or service users via an agreement for the purpose of exchanging, sharing and accessing data, and performing rights of the data subject or data owner and the data user.

2. An organization which provides data intermediation products or services must be registered for operation and management in accordance with the law on investment; except for the case of provision of data intermediation products or services within such organization.

3. The Government shall provide detailed regulations on this article.

Article 41 *Products and services of data analysis and compilation*

1. *Data analysis and compilation products* means the results of the process of analysis and compilation of data into useful intensive information at various levels at the request of product users. *Data analysis and compilation services* means the activities of analysis and compilation of data at the request of service users.

2. If an organization conducts business of data analysis and compilation products or services which may cause harm to national defence and security, social order and safety, social morals, or health of the community, it must carry out registration of operation and management in accordance with the law on investment.

In the case of connection and sharing with a national database or specialized database to conduct business of data analysis and compilation products or services, it must be managed in accordance with law.

3. The Government shall provide detailed regulations on this article.

Article 42 *Data floors*

1. A data floor is a platform for providing data-related resources for the purpose of servicing the research, start-up development, and creative innovation; provides data-related products and services servicing the socio-economic development; and is an environment for trading and exchanging data and data-related products and services.

2. Data floor service providers shall be public professional units and State owned enterprises which satisfy the conditions for provision of services and are issued with a licence for establishment in accordance with law.

3. Data not permitted to be traded shall comprise:

   (a) Data causing harm to national defence, security, foreign affairs and cipher;

   (b) Data which is not consented by data subjects, unless otherwise stipulated by law;

   (c) Other data prohibited from trading in accordance with law.

4. The Government shall provide detailed regulations on this article.

Article 43 *Responsibilities of organizations providing products and services of data intermediation, data analysis and compilation and data floors*

1. To provide services to organizations and individuals on the basis of agreement by service provision contracts.

2. To ensure that information receiving channels operate and services are used smoothly and continuously.

3. To manage, inspect and supervise the data safety and data security on a regular basis; to prevent, avoid and deal with data risks; and to supervise acts which may affect the protection of data.

4. To comply with the law on cyber information security, the law on cyber security, the law on e-transactions and other relevant laws.

5. The Government shall provide detailed regulations on this article.

Chapter V

IMPLEMENTING PROVISIONS

Article 44 *Amendment and supplement of a number of articles of relevant laws*

1. Appendix 01 on the list of fees and charges issued with the Law on Fees and Charges No.

97/2015/QH13 as amended by Law No. 09/2017/QH14, Law No. 23/2018/QH14, Law No. 72/2020/QH14, Law No. 16/2023/QH15, Law No. 20/2023/QH15, Law No. 24/2023/QH15, Law No. 33/2024/QH15 and Law No. 35/2024/QH15 is amended as follows:

(a) The ordinal number 6 is added after the ordinal number 5 of Section IV of Part A as follows:

6	Fees for exploitation and use of information on the National Comprehensive Database	Ministry of Finance

(b) The ordinal number 5 is added after the ordinal number 4.2 of Section XIII of Part A as follows:

5	Fees for exploitation and use of information on national databases and other specialized databases	Ministry of Finance

2. A number of sub-clauses, clauses and articles of the Law on E-Transactions No. 20/2023/QH15 are amended as follows:

(a) Sub-clause (a) of article 42.4 is amended as follows:

"(a) Connection and sharing via intermediary systems comprising: the data sharing and coordination platform of the National Data Center; the national data integration and sharing platform; data connection and sharing infrastructure at the ministerial level and at the provincial level in accordance with the Overall National Digital Architecture Framework;";

(b) Articles 3.8 and 41 are repealed.

Article 45 *Effectiveness*

This Law shall be of full force and effect from 1 July 2025.

Article 46 *Transitional provisions*

1. Agencies managing national databases which invested in construction or leased services of data infrastructure prior to the effective date of this Law shall be permitted to continue to use invested systems and equipment or lease services until the National Data Center is qualified to receive and provide infrastructure to national databases in accordance with this Law.

2. The Prime Minister of the Government shall stipulate the roadmap for receipt, transformation and use of infrastructure of the National Data Center with respect to national databases as stipulated in clause 1 of this article.

This Law was passed by Legislative XV of the National Assembly of the Socialist Republic of Vietnam at its 8h session on 30 November 2024.

CHAIRMAN OF THE NATIONAL ASSEMBLY

Tran Thanh Man