

**THE GOVERNMENT OF
VIETNAM**

No. 24/2025/ND-CP

**THE SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness**

Hanoi, February 21, 2025

DECREE

AMENDMENTS TO GOVERNMENT’S DECREE NO. 98/2020/ND-CP DATED AUGUST 26, 2020 PRESCRIBING PENALTIES FOR ADMINISTRATIVE VIOLATIONS AGAINST REGULATIONS ON COMMERCE, PRODUCTION AND TRADE IN COUNTERFEIT AND PROHIBITED GOODS, AND PROTECTION OF CONSUMER RIGHTS, AS AMENDED IN GOVERNMENT’S DECREE NO. 17/2022/ND-CP DATED JANUARY 31, 2022 PROVIDING AMENDMENTS TO DECREES PRESCRIBING PENALTIES FOR ADMINISTRATIVE VIOLATIONS AGAINST REGULATIONS ON CHEMICALS AND INDUSTRIAL EXPLOSIVE MATERIALS; ELECTRICITY, HYDROELECTRICITY DAM SAFETY, EFFECTIVE AND EFFICIENT USE OF ENERGY; COMMERCE, PRODUCTION AND TRADE OF COUNTERFEIT AND PROHIBITED GOODS, AND PROTECTION OF CONSUMER RIGHTS; PETROLEUM, PETROL, OIL, AND GAS TRADING

Pursuant to the Law on Government Organization dated June 19, 2015; the Law on amendments to the Law on Government Organization and the Law on Organization of Local Governments dated November 22, 2019;

Pursuant to the Law on penalties for administrative violations dated June 20, 2012, and the Law on amendments to the Law on penalties for administrative violations dated November 13, 2020;

Pursuant to the Law on Commerce dated June 14, 2005;

Pursuant to the Law on Quality of Goods and Products dated November 21, 2007;

Pursuant to the Law on Protection of Consumer Rights dated June 20, 2023;

At the request of the Minister of Industry and Trade of Vietnam;

The Government promulgates a Decree providing amendments to the Government’s Decree No. 98/2020/ND-CP dated August 26, 2020 prescribing penalties for administrative violations against regulations on commerce, production and trade in counterfeit and prohibited goods, and protection of consumer rights, as amended in the Government’s Decree No. 17/2022/ND-CP dated January 31, 2022 providing amendments to decrees prescribing penalties for administrative violations against regulations on chemicals and industrial explosive materials; electricity, hydroelectricity dam safety, effective and efficient use of energy; commerce, production and trade of counterfeit and prohibited goods, and protection of consumer rights; petroleum, petrol, oil, and gas trading.

Article 1. Amendments to Government’s Decree No. 98/2020/ND-CP dated August 26, 2020 prescribing penalties for administrative violations against regulations on commerce, production and trade in counterfeit and prohibited goods, and protection of consumer rights, as amended in Government’s Decree No. 17/2022/ND-CP dated January 31, 2022 providing amendments to decrees prescribing penalties for administrative violations against regulations on chemicals and industrial explosive materials; electricity, hydroelectricity dam safety, effective and efficient use of energy; commerce, production and trade of counterfeit and prohibited goods, and protection of consumer rights; petroleum, petrol, oil, and gas trading

1. Clause 3 Article 4 is amended as follows:

“3. In addition to the remedial measures stated in Points d, dd, e, g, h and i Clause 1 Article 28 of the Law on penalties for administrative violations, this Decree also provides for other remedial measures as follows:

- a) Enforced recall of defective products and goods;
- b) Enforced cancellation of results announced in the prize-awarding day and re-organization of the prize-awarding day for promotional games of chance;
- c) Enforced modification of signed contracts or enforced modification of standard form contracts/contracts containing general terms and conditions as prescribed;
- d) Enforced revocation of “.vn” domain name of e-commerce websites or enforced removal of mobile apps from apps store or addresses on which such apps are provided;
- dd) Enforced return of business licenses whose contents have been erased or altered to licensing authorities or persons;
- e) Enforced recovery of exhibits and instrumentalities of the violation which have been liquidated or hidden.”.

2. Point b Clause 4 Article 4 is amended as follows:

“b) Each of the fines prescribed in Chapter II hereof is imposed for an administrative violation committed by an individual, except for the administrative violations prescribed in Article 33; Article 34; Article 35; clause 4 Article 46; clauses 2, 3 Article 53a; clauses 5, 7, 8, 9 Article 56; Article 67; Article 68; Article 70 and clauses 6, 7, 8 Article 77 hereof. The fine imposed upon an organization is twice as much as that imposed upon an individual for committing the same administrative violation.”.

3. Heading of Article 17, and clause 1, point b clause 12, clause 13 and clause 14 Article 17 are amended as follows:

a) Heading of Article 17 is amended as follows:

“Article 17. Violations involving trading of goods of unknown origin and minerals without lawful origin”;

b) Clause 1 is amended as follows:

“1. A warning or a fine ranging from VND 300.000 to VND 500.000 shall be imposed for committing one of the following violations if the violation involves goods worth less than VND 1.000.000:

a) Trading in goods of unknown origin;

b) Trading in, transporting, storing or consuming minerals without lawful origin.”;

c) Point b clause 12 is amended as follows:

“b) detergents, chemicals, insecticidal and microbicidal preparations for household and medical use, aqua environmental remediation products, livestock waste treatment products, veterinary drugs, plant protection chemicals, fertilizers, cement, growth stimulants, plant varieties, animal breeds, aquatic breeds, aquaculture feeds or minerals other than those used as common building materials as prescribed by law;”;

d) Clause 13 and clause 14 are amended as follows:

"13. Additional penalty:

The exhibits of the violations prescribed in this Article shall be confiscated, unless the remedial measure prescribed in point a clause 14 of this Article is imposed.

14. Remedial measures:

a) The exhibits which cause harm to human health, domestic animals, plants and environment shall be subject to compulsory destruction in case of commission of the violation in Point a clause 1 of this Article;

b) The violating entity is compelled to return any benefits illegally obtained from one of the violations in this Article.”.

4. Clause 1 Article 40 is amended as follows:

“1. A fine ranging from VND 5.000.000 to VND 10.000.000 shall be imposed for committing one of the following violations:

a) Failing to comply with or improperly implementing regulations on periodical reporting on temporary import for re-export of goods;

b) Deliberately erasing, altering or changing contents of the license for temporary import for re-export or temporary export for re-import of goods included in the list of goods banned or suspended from export or import.”.

5. Section 9 Chapter II is amended as follows:

“Section 9

VIOLATIONS AGAINST REGULATIONS ON PROTECTION OF CONSUMER RIGHTS

Article 46. Violations against regulations on protection of consumers’ information

1. A fine ranging from VND 20.000.000 to VND 30.000.000 shall be imposed for committing one of the following violations:

a) Failing to make documents to authorize or hire a third party to collect, store, use, modify, update or destroy consumer information as prescribed, except the case prescribed in point r clause 1 Article 53a hereof;

b) Making a document to authorize or hire a third party to collect, store, use, modify, update or destroy consumer information which does not indicate the scope and responsibility of each party for protecting consumer information in accordance with regulations of the Law on Protection of Consumer Rights and other relevant laws, except the case prescribed in point 2 clause 1 Article 53a hereof;

c) Authorizing or hiring a third party to collect, store, use, modify, update or destroy consumer information without obtaining consent from the consumer, except the case prescribed in point t clause 1 Article 53a hereof;

d) Failing to formulate information protection rules generally applied to consumers, or formulating such rules which do not include adequate contents as prescribed in clause 1 Article 16 of the Law on Protection of Consumer Rights;

dd) Failing to publicly announce the information protection rules generally applied to consumers or failing to announce such rules in the forms prescribed in clause 2 Article 16 of the Law on Protection of Consumer Rights;

e) Failing to allow consumers to access the information protection rules generally applied to consumers prior to or at the time of information collection as prescribed;

g) Failing to notify consumers of the purpose and scope of information collection, scope of information use and information storage period before collecting and using consumer information, or making such notification against regulations of Article 17 of the Law on Protection of Consumer Rights;

- h) Collecting and using consumer information before obtaining consent from consumers as prescribed, except the case prescribed in point d clause 2 of this Article;
- i) Failing to establish a mechanism for consumers to be able to choose information fields which consumers agree to provide and express their consent as prescribed;
- k) Failing to notify consumers again before changing the purpose and scope of information use notified to consumers, or changing the purpose and scope of information use notified to consumers before obtaining consent for such change from consumers;
- l) Using consumer information inaccurately or in a manner which is not conformable with the notified purposes and scope;
- m) Failing to allow consumers to choose between permitting or not permitting one of the acts specified in points a and b clause 4 Article 18 of the Law on Protection of Consumer Rights;
- n) Failing to comply with consumers' request for checking, correction, updating, destruction, transfer or suspension of transfer of their information or failing to provide consumers with tools and/or information to do so themselves as prescribed by law;
- o) Failing to destroy consumer information when the storage period expires under the information protection rules generally applied to consumers or regulations of law.

2. A fine ranging from VND 30.000.000 to VND 40.000.000 shall be imposed for committing one of the following violations:

- a) Failing to receive or handle consumers' feedback, requests and complaints related to illegal collection of their information or use of their information for improper purposes or beyond the notified scope;
- b) Failing to notify a competent authority within 24 hours after detecting an attack to the information system which causes a risk of threatening safety and security of consumer information as prescribed;
- c) Failing to adopt measures to assure safety and security of consumer information during collection, storage and use thereof or failing to adopt measures to prevent acts of violation against regulations on safety and security of consumer information as prescribed, except the case prescribed in point a clause 3 Article 64 hereof;
- d) Transferring consumer information to a third party without obtaining consent from consumers as prescribed, except the cases prescribed in point b clause 5 Article 63 hereof.

3. A fine which is twice as much as that imposed for the violation specified in clause 1 and clause 2 of this Article shall be imposed if the violation involves the information which is sensitive personal data of consumers, except the cases prescribed in clause 4 of this Article.

4. A fine which is four times that imposed for the violation specified in clause 1 and clause 2 of this Article shall be imposed if the violation is committed by an organization establishing and operating big digital platform.

Article 46a. Violations against regulations on protection of rights of vulnerable consumers

1. A fine ranging from VND 30.000.000 to VND 50.000.000 shall be imposed for committing one of the following violations involving vulnerable consumers:

a) Failing to give priority to the receipt and processing of vulnerable consumers' requests for protection which are accompanied with evidence or documents proving that they are vulnerable consumers and their rights are infringed upon, or transferring such requests to a third party that does not have any related obligations for processing;

b) Refusing to process a vulnerable consumer's request without giving any written response to the requesting consumer or giving a written response which does not specify the legal grounds and non-conformity with the announced policy as prescribed to the vulnerable consumer when refusing his/her request;

c) Failing to ensure exercise of rights of vulnerable consumers during trading of products and goods, and service provision as prescribed by law;

d) Failing to apply the complaint/dispute settlement mechanism appropriate to each group of vulnerable consumers as prescribed by law;

dd) Refusing to process vulnerable consumers' requests for protection for reasons of differences in language, writing, customs or practices;

e) Failing to formulate or promulgate procedures, methods or measures appropriate to each group of vulnerable consumers to guarantee rights to file complaints and make requests for dispute settlement and other rights of vulnerable consumers;

g) Failing to formulate or update the contents, mechanisms and policies applicable to vulnerable consumers or failing to make them publicly available to vulnerable consumers as prescribed or failing to provide employees with training in such contents, mechanisms and policies as prescribed.

2. A fine ranging from VND 50.000.000 to VND 70.000.000 shall be imposed for stigmatizing or discriminating against vulnerable consumers or misusing vulnerabilities for infringement on the legitimate rights and interests of vulnerable consumers during the process of conducting transactions.

Article 46b. Violations against regulations on protection of rights of consumers conducting transactions with individuals who independently and regularly conduct commercial activities but are not required to register their business

A fine ranging from VND 1.000.000 to VND 3.000.000 shall be imposed upon an individual who independently and regularly conducts commercial activities but is not required to carry out business registration for committing one of the following violations:

1. Failing to provide or inaccurately or inadequately providing information about his/her products, goods or services sold or supplied to consumers.
2. Failing to replace goods for consumers or failing to make refund and receive goods back from consumers in case his/her products or goods sold or supplied fail to satisfy requirements regarding safety, measurements, quantity, volume, quality or uses as declared.
3. Failing to abide by decisions on recall of products/goods if his/her products or goods sold or supplied are subject to recall or failing to pay the costs of destruction of his/her products or goods which have to be destroyed under a competent authority's decision.

Article 47. Violations against regulations on provision of information on products, goods, services, standard form contracts, contracts containing general terms and conditions to consumers and information on incurred penalties

1. A fine ranging from VND 10.000.000 to VND 20.000.000 shall be imposed upon a trader for committing one of the following violations:

- a) Inaccurately or inadequately providing consumers with any piece of the information prescribed in clause 1 Article 21 of the Law on Protection of Consumer Rights;
- b) Failing to provide information on their ability to supply replacement parts and accessories of products/goods;
- c) Failing to provide instructions for use of products, goods and services;
- d) Failing to provide or publicly announce information about ingredients, functions and distinct benefits of gendered products, goods and services.

2. A fine ranging from VND 20.000.000 to VND 30.000.000 shall be imposed upon a trader for committing one of the following violations:

- a) Providing false, inadequate or inaccurate information about one of the contents prescribed in point a clause 1 Article 10 of the Law on Protection of Consumer Rights with an aim of deceiving or misleading consumers, except the case prescribed in point e clause 1 Article 53a hereof;
- b) Failing to notify or inaccurately or inadequately notifying consumers of the standard form contract/contract containing general terms and conditions before entering into transactions as prescribed;

c) Failing to provide warranty policy or failing to publicly announce the warranty policy which contains primary contents as prescribed in case products, goods and services come with warranty;

d) Failing to give warnings about products, goods and services that are likely to threaten safety, adversely affect lives, health and property of consumers or failing to notify precautions as prescribed by law;

dd) Failing to notify in advance or make publicly available to consumers the provision of sponsorship for influencers in any shape or form to use image, advice or recommendations of these persons with a view to promoting trade or encouraging consumers to purchase or use products, goods or services, except the cases prescribed in point n clause 1 Article 53a hereof;

e) Failing to provide competent authorities, through the information and reporting system as prescribed by law, with information on incurred penalties for violations committed during online trading in accordance with regulations of the Law on Protection of Consumer Rights or other relevant laws.

3. A fine ranging from VND 20.000.000 to VND 30.000.000 shall be imposed upon a third party for committing one of the following violations during provision of information on products, goods and services to consumers:

a) Providing inaccurate or inadequate information on products, goods or services supplied by traders and related review and rating programs (if any);

b) Failing to notify consumers in advance of the event that he/she is sponsored to provide information about products, goods or services in case the third party is an influencer.

4. A fine which is twice as much as that imposed for the violation in clause 3 of this Article shall be imposed if the third party providing information about products, goods or services to consumers is the media owner or media service provider.

5. A fine ranging from VND 60.000.000 to VND 80.000.000 shall be imposed upon a media owner or media; service provider that is a third party providing information about products, goods or services to consumers for committing one of the following violations:

a) Failing to produce or develop or adopt technical solutions to prevent the use of the media and services under their management for the purpose of harassing consumers;

b) Allowing traders or service providers to use the media and services under their management to harass consumers;

c) Failing to comply with a competent authority's request for prevention of traders from using the media and services under their management to harass consumers.

6. Remedial measure:

The entity that commits any of the violations in point a clause 1, point a clause 2, point a clause 3 of this Article is compelled to correct false or misleading information.

Article 48. Violations against regulations on formats of contracts signed with consumers, standard form contracts and contracts containing general terms and conditions

1. A fine ranging from VND 10.000.000 to VND 20.000.000 shall be imposed for committing one of the following violations when signing contracts with consumers or using or applying standard form contract/contract containing general terms and conditions:

a) Using a language other than Vietnamese.

b) Failing to strictly comply with regulations on minimum font sizes or the contrast between background and text colors or layout, design of the document in case of written contract.

2. A fine which is twice as much as that imposed for the violation prescribed in Clause 1 of this Article shall be imposed if the violation involves 02 provinces or central-affiliated cities or more.

3. Remedial measure:

The entity that commits any of the violations in clause 1 and clause 2 of this Article is compelled to modify the standard form contract/contract containing general terms and conditions in accordance with regulations.

Article 49. Violations against regulations on contents of contracts signed with consumers, standard form contracts and contracts containing general terms and conditions

1. A fine ranging from VND 80.000.000 to VND 100.000.000 shall be imposed for committing one of the following violations:

a) Using a standard form contract which does not have adequate contents as prescribed;

b) Including clauses which are prohibited as prescribed by law in contracts signed with consumers, standard form contract or contract containing general terms and conditions, except the cases prescribed in point a clause 1 Article 53a hereof.

2. A fine which is twice as much as that imposed for the violation prescribed in Clause 1 of this Article shall be imposed if the violation involves 02 provinces or central-affiliated cities or more.

3. Remedial measure:

The entity that commits one of the violations prescribed in this Article is compelled to modify the standard form contract or contract containing general terms and conditions in accordance with regulations.

Article 50. Violations against regulations on conclusion and performance of standard form contracts and contracts containing general terms and conditions

1. A fine ranging from VND 20.000.000 to VND 30.000.000 shall be imposed for committing one of the following violations:

- a) Failing to keep the signed standard form contract until it expires as prescribed;
- b) Failing to provide a copy of the contract to the consumer in case the contract kept by the consumer is lost or otherwise damaged or failing to do so within the prescribed time limit.

2. A fine ranging from VND 30.000.000 to VND 50.000.000 shall be imposed for committing one of the following violations:

- a) Failing to publicly announce or announcing the standard form contract or contract containing general terms and conditions against regulations, except the cases prescribed in clause 2 Article 51 and point b clause 1 Article 52 hereof;
- b) Failing to specify the specific time of application in the contract containing general terms and conditions.

3. A fine which is twice as much as that imposed for the violations prescribed in Clause 1 and clause 2 of this Article shall be imposed if the violation involves the standard form contract or contract containing general terms and conditions applied in 02 provinces or central-affiliated cities or more.

Article 51. Violations against regulations on registration, re-registration, disclosure and notification of standard form contracts and contracts containing general terms and conditions subject to registration

1. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for failing to submit reports on registration and application of standard form contract/contract containing general terms and conditions to the competent authority that received the registration application as prescribed or submitting such reports against regulations.

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

- a) Failing to publicly disclose the notice of completion of registration or re-registration of standard form contract/contract containing general terms and conditions as prescribed;
- b) Failing to carry out or improperly carrying out public disclosure of the standard form contract/contract containing general terms and conditions for which registration or re-registration procedures have been completed as prescribed.

3. A fine ranging from VND 60.000.000 to VND 80.000.000 shall be imposed for failing to carry out registration or re-registration of standard form contract/contract containing general terms and conditions with a consumer right protection authority as prescribed.

4. A fine which is twice as much as that imposed for the violations prescribed in clause 1, clause 2 and clause 3 of this Article shall be imposed if the violation involves the standard form contract or contract containing general terms and conditions applied in 02 provinces or central-affiliated cities or more.

Article 52. Violations against regulations on cancellation or modification of standard form contract/contract containing general terms and conditions at the request of consumer right protection authorities

1. A fine ranging from VND 80.000.000 to VND 100.000.000 shall be imposed for committing one of the following violations:

a) Failing to comply with a consumer right protection authority's request for cancellation or modification of the contents of the standard form contract or contract containing general terms and conditions which are found to have violated regulations of law on protection of consumer rights;

b) Failing to carry out public disclosure of the standard form contract or contract containing general terms and conditions whose violating contents have been modified or removed, or failing to carry out such public disclosure in the prescribed form and within the prescribed time limit;

c) Failing to notify consumers that have signed contracts of application of new contract containing general terms and conditions;

d) Failing to re-concluding standard form contracts at the request of consumers after modifying or cancelling violating contents of the standard form contract or contract containing general terms and conditions.

2. A fine which is twice as much as that imposed for the violations prescribed in clause 1 of this Article shall be imposed if the violation involves the standard form contract or contract containing general terms and conditions applied in 02 provinces or central-affiliated cities or more.

Article 53. Violations against regulations on remote transactions

1. A fine ranging from VND 10.000.000 to VND 20.000.000 shall be imposed for failing to notify right at the outset the trader's name, address and the purpose of the conversation in case a transaction is made by phone or other form of communication or conversation.

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

- a) Failing to create tools or adopt the safety measures prescribed in clause 1 Article 38 of the Law on Protection of Consumer Rights when conducting remote transactions with consumers;
- b) Using a contract which does not have adequate contents as prescribed for making remote transactions;
- c) Providing inaccurate or inadequate information for consumers when making remote transactions as prescribed;
- d) Failing to return the amount paid corresponding to the unused part of the product, good or service to the consumer within 30 days from the day on which the consumer declares his/her unilateral termination of the contract or failing to pay interests on late payment of such amount to the consumer as prescribed.

3. A fine which is twice as much as that imposed for the violations prescribed in clause 1 and clause 2 of this Article shall be imposed if the violation involves online transactions or continuous supply of services through remote transactions.

4. Remedial measure:

The violating entity is compelled to return any benefits illegally obtained from the violation in point d clause 2 of this Article, even such violation is committed in the circumstance specified in clause 3 of this Article.

Article 53a. Violations against regulations on online transactions

1. A fine ranging from VND 50.000.000 to VND 70.000.000 shall be imposed upon an entity establishing, operating and supplying digital platform services for committing one of the following violations:

- a) Forcing or preventing consumers from registering or using other intermediary digital platforms as a prerequisite for using services;
- b) Limiting consumer choice by arranging products, goods or services among traders on digital platforms in certain order of priority without disclosing the arrangement criteria;
- c) Implementing any measure to prevent the display or to untruthfully display consumers' feedback or reviews on products, goods, services or traders on digital platforms, unless such feedback or reviews contradict regulations of law or social ethics;
- d) Adopting any measure to prevent the registration, operation or review by or the display of feedback of social organizations participating in protection of consumer rights;
- dd) Preventing consumers from removing built-in software programs or apps which do not affect basic technical features in support of normal operation of digital platforms or forcing consumers to install accompanying software programs or apps on digital platforms;

- e) Providing false, inadequate or inaccurate information about one of the contents prescribed in point a clause 1 Article 10 of the Law on Protection of Consumer Rights with an aim of deceiving or misleading consumer;
- g) Harassing consumers through acts of direct or indirect contact against the will of consumers to introduce products, goods, services and/or traders, or to propose the conclusion of contracts;
- h) Forcing consumers to buy products, goods and/or services against their will by the use of force, threat of force or other acts of similar nature;
- i) Requesting or forcing consumers to pay for products, goods or services supplied without reaching an agreement in advance with consumers;
- k) Failing to compensate or refund consumers or replace products, goods or services when there is fault on traders' part;
- l) Failing to provide compensation or refund or replace products, goods or services for consumers as the products, goods or services are inconsistent with those registered, notified, announced, posted, advertised, introduced, agreed or declared by traders;
- m) Swapping products, goods or services or cheating at delivery of products/goods or supply of services to consumers;
- n) Failing to notify in advance or make publicly available to consumers the provision of sponsorship for influencers in any shape or form to use image, advice or recommendations of these persons with a view to promoting trade or encouraging consumers to purchase or use products, goods or services;
- o) Preventing consumers from inspecting products, goods and services, unless otherwise prescribed by law;
- p) Requesting consumers to buy a product, good or service as a prerequisite for conclusion of a contract against the consumer's will;
- q) Including clauses which are prohibited as prescribed by law in contracts signed with consumers, standard form contract or contract containing general terms and conditions;
- r) Failing to make documents to authorize or hire a third party to collect, store, use, modify, update or destroy consumer information as prescribed;
- s) Making a document to authorize or hire a third party to collect, store, use, modify, update or destroy consumer information which does not indicate or unclearly indicates the scope and responsibility of each party for protecting consumer information in accordance with regulations of the Law on Protection of Consumer Rights and other relevant laws;

t) Authorizing or hiring a third party to collect, store, use, modify, update or destroy consumer information without obtaining consent from the consumer.

2. A fine ranging from VND 100.000.000 to VND 200.000.000 shall be imposed upon an organization establishing and operating an intermediary digital platform for committing one of the following violations:

a) Committing the violation prescribed in clause 1 of this Article;

b) Failing to designate or publicly announce the contact point, authorized representative to cooperate with competent authorities in addressing issues related to the protection of consumer rights;

c) Failing to formulate operating regulations of the intermediary digital platform, or formulating such operating regulations in which the responsibilities of the parties involved in transactions are not clearly defined, or failing to make such operating regulations publicly available to consumers;

d) Failing provide information about traders conducting their activities on the intermediary digital platform at the request of the consumers who transact with such traders;

dd) Failing to allow consumers to give their feedback and reviews on traders and their products, goods and services or failing to fully and accurately display feedback and reviews as prescribed;

e) Failing fully and publicly display information about products, goods and services sold and supplied by traders, including mandatory information shown on goods labels in accordance with regulations of law on goods labels, except for product-specific information as prescribed;

g) Failing to designate or publicly announce the contact point to receive and handle consumers' feedback, requests and complaints related to products, goods, services, and information on the intermediary digital platform;

h) Failing to receive and handle consumers' feedback, requests and complaints against the organization establishing and operating the intermediary digital platform;

i) Failing to adopt any measure to prioritize the display of reviews, feedback and recommendations of social organizations participating in protection of consumer rights or credit rating agencies in accordance with law;

k) Failing to directly store information or provide solutions to store information about products, goods, services and related transactions according to provisions of point h clause 3 Article 39 of the Law on Protection of Consumer Rights;

l) Failing to ensure transparency of online advertising activities, where performed, in accordance with law;

- m) Failing to submit reports or submitting reports which do not have adequate and accurate information on content censorship activities carried out at the request of a competent authority;
- n) Failing to maintain online reporting accounts or inaccurately or inadequately providing updated information and data until requested to deliver the report to facilitate inspection and supervision by competent authorities as prescribed;
- o) Failing to authenticate the identity of traders and suppliers of products, goods and services on their intermediary digital platform;
- p) Failing to assume responsibility to consumers according to regulations of law on e-commerce in case domestic and foreign traders sell or supply their products, goods or services to consumers within Vietnam's territory.

3. A fine ranging from VND 300.000.000 to VND 400.000.000 shall be imposed upon an organization establishing and operating big digital platform for committing one of the following violations:

- a) Committing the violation prescribed in clause 2 of this Article;
- b) Failing to set up an advertising archive using algorithms to target specific consumers and groups of consumers;
- c) Failing to carry out periodical assessment of the content censorship and the use of algorithmic and advertising systems targeting specific consumers and groups of consumers;
- d) Failing to carry out periodical assessment of the implementation of regulations on handling of fake accounts, use of artificial intelligence and fully or partially automated solutions;
- dd) Failing to publicly announce the criteria for prioritizing display of products, goods and services if a search function is provided on the digital platform;
- e) Failing to publicly announce the fact that the displayed content is a pay or sponsored one at the section displaying result of search for products, goods or services.

Article 54. Violations against regulations on continuous supply of services

1. A fine ranging from VND 30.000.000 to VND 50.000.000 shall be imposed for committing one of the following violations:

- a) Failing to designate an authorized representative in Vietnam in case there is no legal representative in Vietnam;
- b) Failing to publicly announce the legal representative in Vietnam or authorized representative in Vietnam in case there is no legal representative in Vietnam as prescribed;

- c) Requesting consumers to make payments before the service is supplied, unless otherwise agreed upon between the parties;
- d) Unilaterally terminating the signed contract or suspending supply of service against the signed contract or regulations of law;
- dd) Failing to notify the consumer in advance of the time of service suspension and time of service resumption at least 03 working days prior to the date of suspension in case the service has to be suspended due to repair or maintenance or for another reason, except force majeure circumstances;
- e) Failing to regularly inspect quality of the services supplied or failing to ensure the quality of services as committed to consumers as prescribed;
- g) Failing to sign a contract for continuous supply of services in writing or failing to provide a copy of the contract to the consumer as prescribed;
- h) Refusing or obstructing the termination of contracts for supply of services by consumers;
- i) Forcing a consumer to make payment for the unused part of service.

2. A fine which is twice as much as that imposed for the violations prescribed in clause 1 of this Article shall be imposed if the violation involves online transactions.

3. Remedial measure:

The violating entity is compelled to return any benefits illegally obtained from the violation in point c or i clause 1 of this Article, even such violation is committed in the circumstance specified in clause 2 of this Article.

Article 55. Violations against regulations on door-to-door sales

A fine ranging from VND 10.000.000 to VND 20.000.000 shall be imposed for committing one of the following violations:

1. An individual performing door-to-door sales fails to introduce his/her name, phone number, address, head office of the trader responsible for the selling or supply of the product, good or service or fails to present the documents proving his/her relationship with the trader.
2. An individual performing door-to-door sales still insists on the selling or supply of the product, good or service after being refused by the consumer.
3. Failing to provide explanation or providing inadequate or inaccurate explanation for consumers about contents of the contract and other information related to the product, good or service which the consumer is interested in.

4. Failing to sign a door to door sales contract in writing or failing to provide a copy of the signed contract to the consumer as prescribed, unless otherwise agreed upon between the parties.
5. Failing to give a minimum cooling-off period of at least 03 working days from the date of conclusion of a written door-to-door sales contract to the consumer to consider his/her decision to perform the contract.
6. Obstructing consumers in exercise of their rights to unilaterally terminate the signed contracts as prescribed.
7. An individual performing door-to-door sales refuses to accept responsibility for damage caused to consumers.

Article 56. Violations against regulations on multi-level marketing (MLM)

1. A fine ranging from VND 5.000.000 to VND 10.000.000 shall be imposed upon an MLM participant for committing one of the following violations:

- a) Carrying out marketing, sale and recruitment of downline distributors before obtaining a membership card;
- b) Failing to present the membership card before introducing or selling products;
- c) Failing to keep MLM contract as prescribed in business rules;
- d) Failing to attend the basic training program as prescribed in business rules within 30 days from the date of conclusion of the MLM contract.

2. A fine ranging from VND 10.000.000 to VND 20.000.000 shall be imposed upon an MLM participant for committing one of the following violations:

- a) Failing to comply with terms and conditions of the signed MLM contract or the MLM company's business rules;
- b) Participating in MLM without fulfilling eligibility requirements;
- c) Performing MLM activities in a province in which the MLM company is not yet granted certificate of registration of MLM activities.

3. A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed upon an MLM participant for committing one of the following violations:

- a) Requesting a person to deposit or pay a certain amount of money in any way to obtain eligibility to enter into an MLM contract;

b) Requesting a person to buy a certain quantity of products in any way to obtain eligibility to enter into an MLM contract;

c) Providing false or misleading information about benefits from participation in MLM, operations of an MLM company, or features or uses of products, or providing information about foods using images, equipment, costumes, names, correspondences of health facilities, health units, physicians, pharmacists, health workers, testimonials of patients, articles written by physicians, pharmacists, health workers, or providing information about foods that represents or quotes patients' opinions that the foods have medicinal use;

d) Organizing MLM conferences, meetings or training courses without obtaining a written authorization from the MLM company;

dd) Luring, enticing or bribing participants of another MLM company to participate in the network of the MLM company of which he/she is a participant;

e) Taking advantage of his/her position, powers or social position to encourage, request, lure or entice other persons to participate in the MLM network or buy products sold through the MLM model.

4. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for committing one of the following violations:

a) Participating in the MLM network of an entity that is not yet issued with a MLM registration certificate;

b) Organizing conferences, meetings, training courses in or introduction of the MLM network of an MLM company before obtaining the MLM registration certificate.

5. A fine ranging from VND 60.000.000 to VND 80.000.000 shall be imposed upon a MLM company for committing one of the following violations:

a) Failing to carry out or improperly carrying out procedures for modification of the MLM registration certificate as prescribed by law;

b) Failing to carry out or improperly carrying out procedures for notification of changes in the list of products sold through the MLM network as prescribed by law;

c) Failing to carry out procedures for re-issuance of MLM registration certificate in the cases prescribed by law;

d) Signing MLM contracts with individuals who fail to fulfill eligibility requirements for MLM participants as prescribed by law;

dd) Signing a MLM contract which does not contain adequate primary contents as prescribed by law;

- e) Failing to terminate the MLM contract signed with the participant who incurs penalties for committing prohibited acts in the MLM sector;
- g) Failing to compile the list of trainers, keep relevant documents, publish the list of trainers on its website and send it to the Ministry of Industry and Trade, or performing such tasks against regulations;
- h) Failing to update the list of trainers on its website and send the updated list of trainers to the Ministry of Industry and Trade upon occurrence of any changes in that list or performing such tasks against regulations;
- i) Failing to implement or improperly implementing regulations on publishing of documents concerning its operation and goods sold through its MLM network at its head office, branches, representative offices and business locations;
- k) Failing to set up and announce the prices of goods sold through the MLM model or failing to sell goods at the announced prices;
- l) Failing to supervise participants in its MLM network so as to ensure that they strictly comply with the signed MLM contracts, the company's business rules and compensation plan;
- m) Failing to implement or improperly implementing regulations on registration of modification of or supplements to registered MLM activities carried out in a province with the relevant Provincial Department of Industry and Trade in cases prescribed by law;
- n) Failing to give a written notification to the Provincial Department of Industry and Trade of its failure to organize the conference, meeting or training course which has been notified to this Department as prescribed;
- o) Failing to carry out procedures for modification of the written deposit confirmation with the bank upon occurrence of changes therein;
- p) Failing to comply with the prescribed time limit for completing procedures for renewal of MLM registration certificate;
- q) Failing to promptly report the failure of its information technology system used for managing MLM participants to the authority that issued the MLM registration certificate;
- r) Failing to implement or improperly implementing regulations on retention and submission of documents concerning MLM activities carried out in a province at the request of competent authorities;
- s) Failing to implement or improperly implementing regulations on reporting on MLM activities.

6. A fine ranging from VND 80.000.000 to VND 100.000.000 shall be imposed for operating an MLM network without obtaining an MLM registration certificate as prescribed if the illegal

profit earned from this violation is less than VND 200.000.000 or this violation causes damage estimated at less than VND 500.000000 to other persons.

7. A fine ranging from VND 80.000.000 to VND 120.000.000 shall be imposed upon an MLM company for committing one of the following violations:

a) Carrying out MLM activities in a province or central-affiliated city without obtaining a written certification of registration of MLM activities from the Department of Industry and Trade of that province or central-affiliated city;

b) Failing to maintain a contact point in charge of working with local competent authorities as prescribed or designating an individual who fails to meet relevant eligibility requirements to act as a contact point in charge of working with local competent authorities in case there is no head office, branch, representative office or business location in a province or central-affiliated city;

c) Failing to discharge or improperly discharging the responsibility to notify the relevant Provincial Department of Industry and Trade when holding an MLM conference, seminar or training program which has to be notified as prescribed;

d) Failing to cooperate with relevant competent authorities in monitoring, inspecting and supervising its MLM conferences, meetings and/or training programs;

dd) Paying a sum of commissions, bonuses and other economic benefits, including those benefits earned from promotion programs, to participants during a year in excess of 40% of its sales from goods sold through MLM network in the same year;

e) Failing to make payment of commissions, bonuses, promotional amounts and other economic benefits in cash to participants by bank transfer;

g) Failing to sign written MLM contract with every participant or signing a MLM contract which does not meet format requirements as prescribed by law or failing to deliver the signed contract to the MLM participant as prescribed by law;

h) Failing to fulfill or improperly fulfilling the obligation to pay commissions, bonuses and other economic benefits which a participant is entitled to receive during his/her participation in the company's MLM network after terminating the MLM contract signed with that participant;

i) Failing to provide or improperly providing basic training programs to participants in its MLM network or collecting fees when providing such training programs;

k) Failing to issue or issuing membership cards to participants in its MLM network against regulations or collecting fees when issuing membership cards;

l) Appointing unqualified trainers to provide basic training programs for participants in its MLM network;

- m) Failing to strictly comply with its registered business rules or compensation plan;
- n) Failing to operate the information technology system for managing participants in its MLM network as prescribed;
- o) Failing to operate or regularly update its website in Vietnamese version in order to publish information concerning its profiles and MLM status as prescribed;
- p) Failing to operate a communications system to receive and take actions against complaints and queries of MLM participants, including telephone, email and contact address;
- q) Failing to provide the right to access its information technology system for managing participants at the written request of an MLM authority;
- r) Failing to discharge or improperly discharging the responsibility to deliver goods as prescribed by law;
- s) Failing to ensure the minimum amount of its revenue from MLM activities in a fiscal year which is earned from clients other than its participants as prescribed.

8. A fine ranging from VND 120.000.000 to VND 160.000.000 shall be imposed upon an MLM company for committing one of the following violations:

- a) Maintaining more than an MLM contract, position, identity number or another form of equivalent validity for a participant;
- b) Implementing sales promotion program using a multi-level network in which a participant has more than a position, identity number or another form of equivalent validity;
- c) Providing commercial intermediary services as regulated in the Law on commerce with the aims of maintaining, expanding and developing its own MLM network;
- d) Receiving or accepting a participant's application or another document which states that the participant relinquishes a part or all of his/her rights as prescribed by laws or says that the MLM company must not fulfill obligations towards to the participant as prescribed by laws;
- dd) Failing to use the management system registered with the authority that issued the MLM registration certificate to manage its MLM participants;
- e) Trading or transferring the network of MLM participants to another enterprise, except for acquisition, consolidation or merger of enterprises.

9. A fine ranging from VND 160.000.000 to VND 200.000.000 shall be imposed upon an MLM company for committing one of the following violations:

- a) Requesting a person to deposit or pay a certain amount of money in any way to obtain eligibility to enter into a MLM contract;
- b) Requesting a person to buy a certain quantity of products in any way to obtain eligibility to enter into an MLM contract;
- c) Paying money or other economic benefits to a participant in compensation for his/her recruitment of new participants without consideration of his/her sale of goods to such new participants;
- d) Refusing to pay, without legitimate reasons, commissions, bonuses or other economic benefits to eligible participants;
- dd) Providing false information concerning the compensation plan or benefits obtained from the participation in its MLM network;
- e) Providing false or misleading information about features or uses of products or the MLM company's operation or providing information about foods using images, equipment, costumes, names, correspondences of health facilities, health units, physicians, pharmacists, health workers, testimonials of patients, articles written by physicians, pharmacists, health workers, or providing information about foods that represents or quotes patients' opinions that the foods have medicinal use;
- g) Failing to repurchase goods or repurchasing goods against regulations;
- h) Operating the MLM network against the issued MLM registration certificate if the illegal profit earned from this violation is less than VND 200.000.000 or this violation causes damage estimated at less than VND 500.000.000 to others;
- i) Using the MLM strategy to trade or sell goods which cannot be sold through the MLM business model.

10. A fine which is twice as much as the corresponding fine prescribed in clause 6, 8 and 9 of this Article shall be imposed if the violation involves 02 provinces or central-affiliated cities or more.

11. Remedial measures:

- a) The violating entity is compelled to return any benefits illegally obtained from the violation in point a, b clause 3, clause 6, point h, i or k clause 7, point e clause 8, point a, b, d, h or i clause 9 of this Article, even such a violation prescribed in clause 6, point e clause 8, or point a, b, d, h or i clause 9 of this Article is committed in the circumstance specified in clause 10 of this Article;
- b) The entity that commits any of the violations in point c clause 3, point dd and point e clause 9 of this Article is compelled to correct false or misleading information, even such a violation

prescribed in point dd or e clause 9 of this Article is committed in the circumstance specified in clause 10 of this Article.

Article 57. Violations against regulations on sale of goods at locations other than regular transaction locations

1. A fine ranging from VND 10.000.000 to VND 20.000.000 shall be imposed for committing one of the following violations when selling products, goods or supplying services at locations other than regular transaction locations if the violation involves products, goods or services worth more than VND 10.000.000 (unless otherwise prescribed by law):

a) Failing to give a prior notice to the People's Committee of the commune where the product, good or service is to be sold or supplied as prescribed or giving such a notice which does not have adequate information as required or giving such a notice against regulations;

b) Failing to publicly disclose information about the trader and the product, good or service at the location of sale;

c) Providing consumers with inadequate, untruthful or inaccurate information about the product, good or service and activities of the trader;

d) Failing to deliver the contract for supply of product, good or service to the consumer in case such contract is made in writing;

dd) Failing to deliver invoices and records evidencing the sale and delivery of product, good or service to the consumer.

2. A fine ranging from VND 20.000.000 to VND 30.000.000 shall be imposed for committing one of the following violations when selling products, goods or supplying services at locations other than regular transaction locations if the violation involves products, goods or services worth more than VND 10.000.000 (unless otherwise prescribed by law):

a) Failing to maintain contact and handle consumers' feedback, requests and complaints during and after selling or supplying the product, good or service;

b) Failing to take the product, good or service back within 30 days from the date of sale or supply provided that its packaging, label and stamp (if any) remains intact and it remains unexpired;

c) Requesting the consumer to make deposit or payment or perform the contract within 03 working days from the day on which the consumer receives the written contract for supply of the product, good or service, unless otherwise prescribed by law.

3. Remedial measure:

The violating entity is compelled to return any benefits illegally obtained from the violation in point c clause 2 of this Article.

Article 58. Violations against regulations on warranty on products, goods, parts and accessories

1. A fine ranging from VND 5.000.000 to VND 10.000.000 shall be imposed for committing one of the following violations if the trading value of products, goods, parts or accessories covered by warranty is less than VND 20.000.000:

a) Failing to accurately and fully discharge liability to provide warranty or implement policy for warranty on products, goods, parts and accessories supplied;

b) Failing to provide the consumer with a warranty claim receipt or another document of equivalent validity, or providing such a receipt or document which does not clearly specify the time for settling the warranty claim;

c) Failing to strictly comply with regulations on warranty period when replacing parts, accessories or replacing the product or good with a new one;

d) Failing to provide consumers with similar products, goods, parts or accessories for temporary use or failing to adopt other appropriate solutions as agreed upon with the consumer during the settlement of their warranty claim;

dd) Failing to provide the consumer with new and similar products, goods, parts or accessories or failing to take back products, goods, parts or accessories and make refund to the consumer if, at the end of the time limit for settling the warranty claim, the attempt at a repair or rectification of defects is unsuccessful, or, after the product, good, part or accessory has been warranted 03 times or more, the defect still remains;

e) Failing to pay the costs of repairing or transporting products, goods, parts or accessories from the consumer's place of residence or the place where the products, goods, parts or accessories are used to the place of warranty and vice versa;

g) Failing to take responsibility for warranty on products, goods, parts or accessories even in case of authorizing or hiring another organization or individual to provide warranty services.

2. A fine ranging from VND 10.000.000 to VND 20.000.000 shall be imposed for the violation in clause 1 of this Article if the trading value of products, goods, parts or accessories covered by warranty is from VND 20.000.000 to under VND 50.000.000.

3. A fine ranging from VND 20.000.000 to VND 30.000.000 shall be imposed for the violation in clause 1 of this Article if the trading value of products, goods, parts or accessories covered by warranty is from VND 50.000.000 to under VND 100.000.000.

4. A fine ranging from VND 30.000.000 to VND 40.000.000 shall be imposed for the violation in clause 1 of this Article if the trading value of products, goods, parts or accessories covered by warranty is from VND 100.000.000 to under VND 500.000.000.

5. A fine ranging from VND 40.000.000 to VND 50.000.000 shall be imposed for the violation in clause 1 of this Article if the trading value of products, goods, parts or accessories covered by warranty is from VND 500.000.000 to under VND 1.000.000.000.

6. A fine ranging from VND 50.000.000 to VND 70.000.000 shall be imposed for the violation in clause 1 of this Article if the trading value of products, goods, parts or accessories covered by warranty is from VND 1.000.000.000 to under VND 2.000.000.000.

7. A fine ranging from VND 70.000.000 to VND 100.000.000 shall be imposed for the violation in clause 1 of this Article if the trading value of products, goods, parts or accessories covered by warranty is VND 2.000.000.000 or higher.

Article 59. Violations against regulations on liability for defective products and goods

1. A fine ranging from VND 20.000.000 to VND 30.000.000 shall be imposed for committing one of the following violations:

a) Failing to make announcement or notice of the defective product or good and the recall thereof, or making such announcement or notice which does not have adequate information as prescribed;

b) Failing to submit reports to the consumer right protection authority and relevant regulatory authorities before and after the recall of defective products or goods as prescribed.

2. A fine ranging from VND 30.000.000 to VND 50.000.000 shall be imposed for committing one of the following violations:

a) Failing to promptly implement necessary measures to stop the supply of defective products or goods on the market and recall them as prescribed;

b) Failing to implement necessary measures to protect consumer rights during the recall and handling of defective products or goods;

c) Failing to carry out the recall of defective products or goods according to the submitted reports or published notice or failing to pay the costs incurred during the recall.

3. A fine ranging from VND 40.000.000 to VND 60.000.000 shall be imposed for the violation prescribed in clause 1 of this Article if it involves defective products or goods of Group A.

4. A fine ranging from VND 60.000.000 to VND 100.000.000 shall be imposed for the violation prescribed in clause 2 of this Article if it involves defective products or goods of Group A.

5. A fine which is twice as much as that imposed for the corresponding violation prescribed in clause 1 through 4 of this Article shall be imposed if the violation involves the recall of defective products or goods in 02 provinces or central-affiliated cities or more.

6. Remedial measure:

The violating entity is compelled to recall defective products or goods in case of commission of the violation in point a or c clause 2 of this Article, even such violation is committed in the circumstance specified in clause 4 or 5 of this Article.

Article 60. Harassing or forcing consumers

1. A fine ranging from VND 30.000.000 to VND 50.000.000 shall be imposed for committing one of the following acts of harassing consumers:

a) Harassing consumers through acts of direct or indirect contact against the will of consumers to introduce products, goods, services or traders, or to propose the conclusion of contracts, except the case prescribed in point g clause 1 Article 53a hereof;

b) Performing acts of hindering or causing adverse influence on normal works and daily activities of consumers.

2. A fine ranging from VND 50.000.000 to VND 70.000.000 shall be imposed for committing one of the following acts of forcing consumers:

a) Forcing consumers to buy products, goods and/or services against their will by the use of force, threat of force or other acts of similar nature, except the case prescribed in point h clause 1 Article 53a hereof;

b) Requesting or forcing consumers to pay for products, goods or services supplied without reaching an agreement in advance with consumers, except the case prescribed in point i clause 1 Article 53a hereof;

c) Requesting consumers to buy a product, good or service as a prerequisite for conclusion of a contract against the consumer's will, except the case prescribed in point p clause 1 Article 53a hereof.

3. Remedial measure:

The violating entity is compelled to return any benefits illegally obtained from the violation in clause 2 of this Article.

Article 61. Violations against regulations on responsibility for receiving and handling consumers' feedback, requests and complaints

A fine ranging from VND 20.000.000 to VND 40.000.000 shall be imposed for committing one of the following violations:

1. Failing to organize the receipt of or failing to handle consumers' feedback, requests and complaints as prescribed.
2. Failing to notify consumers of the receipt of their feedback, request or complaint within 03 working days from the date of receipt.
3. Failing to formulate or publicly announce the procedures for receiving and handling consumers' feedback, requests and complaints by posting them at noticeable places at the head office and business locations, and publishing them on website and apps (if any) as prescribed.
4. Failing to provide information and documents at the request of competent authorities or social organizations participating in protection of consumer rights during settlement of consumers' complaints or disputes between consumers and traders in accordance with regulations of law, or failing to provide such information and documents in an adequate, accurate and timely manner as prescribed.
5. Failing to receive consumers' negotiation requests or failing to enter into negotiation with the consumer within 07 working days from receipt of the consumer's negotiation request.
6. Failing to enter into negotiation with the consumer within 07 working days from the receipt of the consumer's negotiation request transferred from a consumer right protection authority or social organization participating in protection of consumer rights as prescribed.
7. Failing to give a written response within 07 working days from the receipt of a negotiation request directly from a consumer or transferred from a consumer right protection authority or social organization participating in protection of consumer rights when rejecting such request as prescribed, or giving such a written response which does not clearly state the reasons for rejection.
8. Failing to give a written notice of negotiation results to consumer right protection authority or social organization participating in protection of consumer rights within 05 working days from the end of the negotiation conducted with the consumer as prescribed.

Article 61a. Other violations committed during conduct of transactions with consumers

1. A fine ranging from VND 1.000.000 to VND 3.000.000 shall be imposed for committing one of the following violations involving the products, goods or services worth less than VND 5.000.000:

- a) Failing to provide customers or consumers with transaction-related records or documents when selling products or goods or supplying services as prescribed;

- b) Failing to enable customers or consumers to access, download, store and print invoices, records and other relevant documents in case transactions are conducted online;
- c) Failing to compensate or refund consumers or replace products, goods or services when there is fault on traders' part, except the case prescribed in point k clause 1 Article 53a hereof;
- d) Failing to provide compensation or refund or replace products, goods or services for consumers as the products, goods or services are inconsistent with those registered, notified, announced, posted, advertised, introduced, agreed or declared by traders, except the case prescribed in point l clause 1 Article 53a hereof;
- dd) Failing to reach an agreement with the consumer, or failing to bear all costs incurred from the implementation of measures for remedying the supplied service which is found to be inconsistent with the service-related information registered, notified, announced, posted, advertised, introduced, agreed or declared at the time of service supply as prescribed;
- e) Failing to replace goods for consumers or failing to make refund and receive goods back from consumers in case the goods sold or supplied fail to satisfy requirements regarding safety, measurements, quantity, volume, quality or uses as declared;
- g) Swapping products, goods or services or cheating at delivery of products/goods or supply of services to consumers, except the case prescribed in point m clause 1 Article 53a hereof;
- h) Preventing consumers from inspecting products, goods and services, unless otherwise prescribed by law, except the case prescribed in point o clause 1 Article 53a hereof.

2. A fine ranging from VND 3.000.000 to VND 5.000.000 shall be imposed for the violation in clause 1 of this Article if the trading value of products, goods or services is from VND 5.000.000 to under VND 20.000.000.

3. A fine ranging from VND 5.000.000 to VND 10.000.000 shall be imposed for the violation in clause 1 of this Article if the trading value of products, goods or services is from VND 20.000.000 to under VND 50.000.000.

4. A fine ranging from VND 10.000.000 to VND 20.000.000 shall be imposed for the violation in clause 1 of this Article if the trading value of products, goods or services is from VND 50.000.000 to under VND 80.000.000.

5. A fine ranging from VND 20.000.000 to VND 30.000.000 shall be imposed for the violation in clause 1 of this Article if the trading value of products, goods or services is from VND 80.000.000 to under VND 100.000.000.

6. A fine ranging from VND 30.000.000 to VND 40.000.000 shall be imposed for the violation in clause 1 of this Article if the trading value of products, goods or services is VND 100.000.000 or higher.

7. Remedial measures:

- a) The violating entity is compelled to recall products or goods which fail to meet quality requirements in case of commission of the violation in point e or g clause 1 of this Article in any of the circumstances prescribed in clauses 1 through 6 of this Article;
- b) The violating entity is compelled to return any benefits illegally obtained from one of the violations in this Article.

Article 61b. Violations committed by consumers against regulations on information provision

A fine ranging from VND 1.000.000 to VND 3.000.000 shall be imposed upon a consumer for deliberately providing inaccurate or inadequate information relating to transactions between the consumer and traders as prescribed by law.”.

6. Point dd clause 1, point c clause 2 and point e clause 4 Article 62 are amended as follows:

a) Point dd clause 1 is amended as follows:

“dd) Failing to publish or inadequately or inaccurately publishing on the e-commerce website or mobile app the information on the owner of such website or mobile app; information on products and services; information on number of certificate of eligibility to trade goods/services (in case traders are required to have this certificate when trading in such goods/services as prescribed by law); information on prices; information on transport and delivery; information on contract containing general terms and conditions; information on payment methods as prescribed;”;

b) Point c Clause 2 is amended as follows:

“c) Displaying the symbol confirming completion of notification procedures on the e-commerce website or mobile app before obtaining approval or certification of notification from a competent authority as prescribed;”;

c) Point e Clause 4 is amended as follows:

“e) Displaying the symbol confirming completion of registration procedures on the e-commerce website or mobile app before obtaining certification of registration from a competent authority as prescribed;”.

7. Points i, k and l are added following point h clause 3 Article 64 as follows:

“i) Failing to provide information within 24 hours from the receipt of the request from a competent authority about the entities denoting commission of violations against regulations of law during their provision of services of e-commerce platform with an online ordering function;

k) Failing to discharge the responsibility of a representative of foreign sellers on e-commerce platform with an online ordering function to settle consumers' complaints about products/goods supplied by such foreign traders;

l) Failing to discharge the responsibility to notify tax obligations to be fulfilled by foreign traders on the e-commerce platform with an online ordering function.”.

8. Points b clause 1 is amended and points e, g, h, i, k, l and m are added following point dd clause 1 Article 78 as follows:

a) Point b clause 1 is amended as follows:

“b) Failing to promulgate internal regulations on operation of supermarket, shopping mall or market internal regulations, or promulgating such internal regulations which do not have adequate contents as prescribed or are not approved by competent authorities;”;

b) Points e, g, h, i, k, l and m are added following point dd clause 1 as follows:

“e) Failing to mediate disputes between consumers and sellers within the premises of market or shopping mall when requested;

g) Failing to place or maintain operation of checkweighing scales or measuring devices in markets or shopping malls for consumers to inspect the quantity and weight of goods themselves as prescribed;

h) Failing to regularly supervise the quality and quantity of goods, checkweighing scales, and other measuring devices in markets or shopping malls;

i) Failing to set up or publicly announce the hotlines for receiving and responding to consumers' requests in conformity with the classification of the market or shopping mall as prescribed;

k) Failing to notify on a periodical basis of every 06 months or cooperate with commerce, market surveillance, food safety, standards, measurement and quality authorities in controlling the quality, quantity, origin, and food safety regarding goods and services supplied within the premises of markets or shopping malls under their management;

l) Failing to submit reports to competent authorities when detecting violations against regulations of the Law on Protection of Consumer Rights and other relevant laws;

m) Failing to take actions against violations according to internal regulations promulgated in accordance with regulations of law.”.

9. Point d clause 1 and point dd clause 2 Article 81 are amended as follows:

a) Point d Clause 1 is amended as follows:

“d) Impose the remedial measures specified in point dd clause 1 Article 28 of the Law on penalties for administrative violations.”;

b) Point dd clause 2 is amended as follows:

“dd) Impose the remedial measures specified in points dd, e, h and i clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”.

10. Point d Clause 2 Article 82 is amended as follows:

“dd) Impose the remedial measures specified in points dd, e, g, h and i clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”.

11. Point d clause 3, point dd clause 4, point dd clause 5 and point dd clause 6 Article 83 are amended as follows:

a) Point d Clause 3 is amended as follows:

“d) Impose the remedial measures specified in point dd clause 1 Article 28 of the Law on penalties for administrative violations.”;

b) Point dd clause 4 is amended as follows:

“dd) Impose the remedial measures specified in point dd clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”;

c) Point dd Clause 5 is amended as follows:

“dd) Impose the remedial measures specified in points dd, i clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”;

d) Point dd Clause 6 is amended as follows:

“dd) Impose the remedial measures specified in points dd, i clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”.

12. Point d clause 3, point dd clause 4 and point d clause 5 Article 84 are amended as follows:

a) Point d Clause 3 is amended as follows:

“d) Impose the remedial measures specified in points d, dd, g, i clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”;

b) Point dd clause 4 is amended as follows:

“dd) Impose the remedial measures specified in points d, dd, g, i clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”;

c) Point c clause 5 is amended as follows:

“d) Impose the remedial measures specified in points d, dd, g, i clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”.

13. Point d clause 3, point d clause 4, point d clause 5 and point d clause 6 Article 85 are amended as follows:

a) Point d Clause 3 is amended as follows:

“d) Impose the remedial measures specified in point dd clause 1 Article 28 of the Law on penalties for administrative violations.”;

b) Point d clause 4 is amended as follows:

“d) Impose the remedial measures specified in points d, dd clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”;

c) Point d clause 5 is amended as follows:

“d) Impose the remedial measures specified in points d, dd, i clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”;

d) Point dd Clause 6 is amended as follows:

“d) Impose the remedial measures specified in points d, dd, i clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”.

14. Point c clause 3, point d clause 4, point d clause 5, point dd clause 6 and point dd clause 7 Article 86 are amended as follows:

a) Point c clause 3 is amended as follows:

“d) Impose the remedial measures specified in point dd clause 1 Article 28 of the Law on penalties for administrative violations.”;

b) Point d clause 4 is amended as follows:

“d) Impose the remedial measures specified in points d, dd clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”;

c) Point d clause 5 is amended as follows:

“d) Impose the remedial measures specified in points d, dd clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”;

d) Point dd Clause 6 is amended as follows:

“dd) Impose the remedial measures specified in points d, dd clause 1 Article 28 of the Law on penalties for administrative violations and in Clause 3 Article 4 of this Decree.”;

dd) Point dd Clause 7 is amended as follows:

“dd) Impose the remedial measures specified in points d, dd clause 1 Article 28 of the Law on penalties for administrative violations and in clause 3 Article 4 of this Decree.”.

15. Point d Clause 1 Article 87 is amended as follows:

“d) Impose the remedial measures specified in point dd clause 1 Article 28 of the Law on penalties for administrative violations.”.

16. Clause 5 and Clause 6a Article 88 are amended as follows:

a) Clause 5 is amended as follows:

“5. Competent persons of border guard forces shall have the power to impose administrative penalties and remedial measures for the administrative violations prescribed in Section 2 Chapter II and Articles 15, 17, 30, 34, 36, 37, 40, 41, 42, 46, 46a, points b, c, d clause 1, points b, c, d, dd, e clause 2, point b clause 3, clause 4, clause 5 Article 47, Articles 59, 60, 61, 72 and 79 of this Decree within their jurisdiction prescribed in Article 85 of this Article and the ambit of their assigned functions, tasks and powers.”;

b) Clause 6a is amended as follows:

“6a. Chairman of Vietnam Competition Commission shall have the power to impose administrative penalties and remedial measures for the administrative violations prescribed in Section 9 Chapter II and Article 78 of this Decree within his jurisdiction prescribed in Article 87a of this Decree and within the ambit of his assigned functions, tasks and powers.”.

Article 2. Addition, replacement and abrogation of some words, phrases, points, clauses and Articles of Government’s Decree No. 98/2020/ND-CP dated August 26, 2020 prescribing penalties for administrative violations against regulations on commerce, production and trade in counterfeit and prohibited goods, and protection of consumer rights, as amended in Government’s Decree No. 17/2022/ND-CP dated January 31, 2022 providing amendments to decrees prescribing penalties for administrative violations against regulations on chemicals and industrial explosive materials; electricity, hydroelectricity dam safety, effective and efficient use of energy; commerce, production and trade of counterfeit and prohibited goods, and protection of consumer rights; petroleum, petrol, oil, and gas trading

1. Some words, phrases in some Articles, clauses and points of Decree No. 98/2020/ND-CP, as amended in Decree No. 17/2022/ND-CP, are added, replaced and abrogated as follows:

a) The phrase “hoạt động kinh doanh theo giấy phép kinh doanh” (“business operations requiring business licenses”) is replaced with the phrase “điều kiện đầu tư kinh doanh trong hoạt động kinh doanh ngành, nghề đầu tư kinh doanh có điều kiện” (“business conditions when engaging in conditional business lines”) in point a clause 2 Article 1, heading of Section 1 Chapter II and heading of Article 6;

b) The phrase “sản phẩm,” (“products,”) is added before the phrase “hàng hoá, dịch vụ” (“goods, services”) in clause 12 Article 3;

c) The phrase “và hàng hoá khác thuộc danh mục ngành, nghề đầu tư kinh doanh có điều kiện” (“and other goods included in the list of conditional business lines”) is added following the phrase “giống vật nuôi” (“animal breeds”) in point c clause 2 Article 15;

d) The phrase “mà không bị truy cứu trách nhiệm hình sự” (if not liable to a criminal prosecution”) in the introductory paragraph of clause 1 Article 31 is abrogated; the phrase “mà không bị truy cứu trách nhiệm hình sự” (if not liable to a criminal prosecution”) is added following the phrase “từ 500.000.000 đồng đến dưới 1.000.000.000 đồng” (“from VND 500.000.000 to under VND 1.000.000.000”) in clause 4 Article 31 and following the phrase “từ 1.000.000.000 đồng trở lên” (“from VND 1.000.000.000 or higher”) in clause 5 Article 31;

dd) The phrase “(sau đây gọi là website thương mại điện tử bán hàng)” (“hereinafter referred to as “e-commerce shopping website”) and the phrase “(sau đây gọi là ứng dụng bán hàng)” (hereinafter referred to as “shopping app”) in point a clause 1 Article 62 are abrogated;

e) The phrase “Chánh Thanh tra tỉnh;” (“provincial Chief Inspectors;”) is added before the phrase “Cục trưởng Cục Quản lý chất lượng sản phẩm, hàng hóa” (“Director of Department for Management of Goods and Product Quality”) in the introductory paragraph of clause 3 Article 87.

2. Clause 11 Article 3, Article 73, point a clause 4 Article 77 of Decree No. 98/2020/ND-CP, as amended in Decree No. 17/2022/ND-CP, are abrogated.

Article 3. Transition

1. The administrative violations against regulations on commerce, production and trade in counterfeit and prohibited goods, and protection of consumer rights which occur before the effective date of this Decree but are detected afterwards or are put under consideration shall be handled in accordance with the Government’s Decree prescribing penalties for administrative violations in effect at the time of commission of the violation. If this Decree does not provide for legal liability or impose less serious legal liability on such violations, regulations of this Decree shall prevail.

2. Any complaints against the administrative penalty imposition decisions issued before the effective date of this Decree shall be settled in accordance with the Law on penalties for administrative violations, the Government's Decree No. 98/2020/ND-CP dated August 26, 2020, and the Government's Decree No. 17/2022/ND-CP dated January 31, 2022.

Article 4. Implementation

1. This Decree comes into force from the date on which it is signed.
2. Ministers, heads of ministerial agencies, heads of Governmental agencies, and Chairpersons of People's Committees of provinces or central-affiliated cities are responsible for the implementation of this Decree.

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

Bui Thanh Son