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PERSONAL DATA PROTECTION COMPLIANCE CHECKLIST AND PENALTY RISKS FOR BUSINESSES

UPDATED UNDER DECREE 330/2026/ND-CP · EFFECTIVE FROM 19 AUGUST 2026

54 obligations · 3 parts

Personal Data Protection Law No. 91/2025/QH15 · Decree 356/2025/ND-CP · Decree 330/2026/ND-CP

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THREE MAXIMUM FINE CEILINGS IN PERSONAL DATA PROTECTION

10x ILL-GOTTEN GAINS

Buying or selling personal data

The maximum fine is 10 times the gains obtained from the violation. Where there are no such gains, or the amount calculated is below VND 3 billion, a fine of VND 3 billion applies.

Article 7.4.a, Decree 330/2026/ND-CP

5% OF REVENUE

Violating cross-border personal data transfer rules

The maximum fine is 5% of the organization's revenue in the Vietnamese market for the immediately preceding year, together with suspension of cross-border data transfer activities for 6 to 12 months.

Article 7.4.b and Articles 56.3, 56.5.b, Decree 330/2026/ND-CP

VND 3 BILLION

Other violations in the field of personal data protection

The maximum fine is VND 3 billion. This ceiling applies to organizations; for individuals committing the same violation, the maximum fine is one-half of that amount.

Article 7.4.c and 7.4.d, Decree 330/2026/ND-CP

Personal Data Processing Impact Assessment Dossier

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
1	- Applies to: PD Controllers, PD Controller-cum-Processors, and PD Processors. - Competent authority: the specialized personal data protection authority (Department of Cybersecurity and Hi-tech Crime Prevention (A05)). - Required action: PD Controllers and PD Controller-cum-Processors must: (i) prepare and retain a PD processing impact assessment dossier, keeping it available at all times for inspection by the specialized PDP authority; and (ii) submit one original of the Impact Assessment Dossier to the specialized PDP authority within 60 days from the first date of PD processing. - Processing time: 15 days	Article 21.1, 2025 PDPL; Articles 19.4 and 19.5, Decree 356	A fine of VND 20–30 million applies if PD processing begins without preparing or maintaining the Impact Assessment Dossier at the head office, or without submitting one original to Department A05 within 60 days from the first date of PD processing (Article 55.1.a and 55.1.b). Remedial measures: mandatory preparation, completion and submission of the dossier; mandatory SUSPENSION of PD processing until the dossier is fully submitted and confirmed by the specialized authority (Article 55.3.a and 55.3.b).

Personal Data Processing Impact Assessment Dossier (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
2	The Impact Assessment Dossier comprises: a) Notice of submission of the personal data processing impact assessment dossier for organizations (Form No. 02a) b) Personal data processing impact assessment report under Form No. 10 of Decree 356; c) A copy of the contract or agreement on personal data processing, evidencing the binding obligations and responsibilities among the organizations/individuals involved in the processing; d) Policies, procedures, regulations, forms and other documents relating to personal data protection of the PD Controller, PD Controller-cum-Processor, and PD Processor.	Articles 19.1 and 19.4, Decree 356	A fine of VND 20–30 million applies for intentionally failing to complete the dossier as requested by the specialized authority when it is incomplete or non-compliant (Article 55.1.c). A fine of VND 50–100 million applies for deliberately falsifying data, providing misleading information in the dossier, or refusing to make corrections after receiving a written remediation request from Department A05 (Article 55.2).
3	The Impact Assessment Dossier must be updated periodically every 6 months where any of the following changes occur: a) A new purpose for transferring or processing personal data arises; b) A new or changed PD Controller, PD Controller-cum-Processor, PD Processor, or third party is involved.	Article 22.1, 2025 PDPL Article 20.1, Decree 356	A fine of VND 20–30 million applies for failing to update the Impact Assessment Dossier every 6 months as required when changes occur (Article 55.1.d). Remedial measures: mandatory preparation, completion and submission of the dossier as required, with evidence provided to the competent authority (Article 55.3.a).

Personal Data Processing Impact Assessment Dossier (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
4	The Impact Assessment Dossier must be updated immediately, within 10 days, upon any of the following events: a) The Company is reorganized, ceases operations, is dissolved, or goes bankrupt under law; b) There is a change in information about the organization/individual providing PDP services; c) A new or changed business line, trade, or service relating to PD processing arises, as registered in the PD processing impact assessment dossier or the cross-border PD transfer impact assessment dossier.	Article 22.2, 2025 PDPL, and Article 20.2, Decree 356	A fine of VND 20–30 million applies for failing to update the dossier within 10 days when immediate updating is required (Article 55.1.đ). Remedial measures: mandatory preparation, completion and submission of the dossier, with evidence provided to the competent authority (Article 55.3.a).

Cross-Border Personal Data Transfer Dossier

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
5	The Company must prepare the Cross-Border PD Transfer Dossier and submit one original to the specialized PDP authority within 60 days from the first date of cross-border PD transfer. Processing time: 15 days	Article 20.2, 2025 PDPL Article 18.5, Decree 356	A fine of VND 30–50 million applies for failing to prepare the Cross-Border PD Transfer Dossier before or during the transfer, or failing to submit one original to the specialized authority within 60 days from the first transfer date (Article 56.1.a and 56.1.b). MORE SEVERE: transferring PD cross-border without an impact assessment dossier, or concealing or misdeclaring data flows resulting in a PD breach or loss, is penalized as a PERCENTAGE OF REVENUE from the preceding financial year in the Vietnamese market — specifically 1–2% where the breach/loss affects 10,000 to under 100,000 Vietnamese citizen data subjects; 2–3% for 100,000 to under 1,000,000 data subjects; 3–5% for 1,000,000 or more data subjects (Article 56.3). Where there is no revenue in Vietnam, or the revenue-based amount is lower, a corresponding fine of VND 200 million to VND 3 billion applies (Article 56.4). Additional sanction: SUSPENSION of cross-border PD transfer activities for 6–12 months (Article 56.5.b). Remedial measures: mandatory preparation, completion and submission of the dossier; mandatory STOPPING of the data transfer until the dossier obligation is completed and confirmed by the specialized authority; mandatory requirement that the recipient destroy/delete data transferred in violation, with evidence provided (Article 56.6).

Cross-Border Personal Data Transfer Dossier (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
6	The dossier comprises: a) Notice of submission of the cross-border personal data transfer impact assessment dossier for organizations (Form No. 01a) b) Cross-border PD transfer impact assessment report under Form No. 09 of Decree 356; c) A copy of the contract or transfer instrument evidencing the binding obligations and responsibilities between the parties transferring and receiving PD across borders; d) Policies, procedures, regulations, forms and other documents relating to personal data protection of the entity carrying out the cross-border PD transfer.	Article 18.2, Decree 356	A fine of VND 30–50 million applies for failing to complete the cross-border PD transfer impact assessment dossier within 30 days of receiving a request from the specialized authority (Article 56.1.c). Remedial measures: mandatory preparation, completion and submission of the dossier as required (Article 56.6.a).

Cross-Border Personal Data Transfer Dossier (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
7	Cases exempt from preparing and submitting the Cross-Border PD Transfer Dossier: a) Cross-border PD transfers by competent state authorities; b) An agency/organization storing PD of its own employees on cloud computing services; c) A data subject transferring their own PD across borders; d) Other cases as prescribed by law.	Article 20.6, 2025 PDPL	These are EXEMPT cases, so no direct sanction applies (Article 20.6, 2025 PDPL). Note: a business that self-determines it qualifies for an exemption must still be able to prove the basis when inspected by the specialized authority; if it does not qualify for exemption and fails to prepare or submit the dossier, a fine of VND 30–50 million applies, together with mandatory preparation, completion and submission of the dossier and mandatory suspension of the data transfer until confirmed by the specialized authority (Article 56.1 and 56.6).
8	The Cross-Border PD Transfer Dossier must be updated periodically every 6 months upon the following changes (the same cases as in Item 3): a) A new purpose for transferring or processing personal data arises; b) A new or changed PD Controller, PD Controller-cum-Processor, PD Processor, or third party is involved.	Article 22.1, 2025 PDPL Article 20.1, Decree 356	A fine of VND 30–50 million applies for failing to periodically update the cross-border PD transfer impact assessment dossier when changes occur as required (Article 56.1.d). A fine of VND 30–50 million applies for failing to keep the dossier readily available for inspection by the specialized authority (Article 56.1.đ).

Cross-Border Personal Data Transfer Dossier (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
9	The Cross-Border PD Transfer Dossier must be updated immediately, within 10 days, upon the following events (the same events as in Item 4): a) The Company is reorganized, ceases operations, is dissolved, or goes bankrupt under law; b) There is a change in information about the organization/individual providing PDP services; c) A new or changed business line, trade, or service relating to PD processing arises, as registered in the PD processing impact assessment dossier or the cross-border PD transfer impact assessment dossier.	Article 22.2, 2025 PDPL, and Article 20.2, Decree 356	A fine of VND 30–50 million applies for failing to update the cross-border PD transfer impact assessment dossier when changes occur as required (Article 56.1.d). ADDITIONAL NOTE: a fine of VND 50–100 million applies for failing to notify the contact information of the recipient's PDP-responsible person after completing the transfer, or for lacking a control mechanism when the recipient forwards the data to another third party (Article 56.1.e and 56.1.g).

Notification of Personal Data Protection Violations

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
10	- Cases requiring notification: (i) Discovery of an act violating PDP regulations. (ii) PD processed for the wrong purpose or inconsistent with the agreement between the data subject and the PD Controller/PD Controller-cum-Processor. (iii) Failure to ensure, or improper exercise of, the data subject's rights, and other cases prescribed by law. ("Violation") - Parties required to notify: the PD Controller, PD Controller-cum-Processor, or third party that discovers the Violation - Authority receiving the notification: the specialized PDP authority - Documentation: submit Form No. 08 attached to Decree 356	Article 23, 2025 PDPL	A fine of VND 20–40 million applies for failing to notify the specialized PDP authority upon discovering a violation, when PD is processed for the wrong purpose or inconsistent with the agreement, or when the data subject's rights are not ensured (Article 54.2). A fine of VND 40–60 million applies for notifying MORE THAN 72 HOURS after discovering a violation that causes or may cause harm to national defense, national security, social order and safety, or infringes the life, health, honor, dignity or property of the data subject (Article 54.3). A fine of VND 10–20 million applies if a PD Processor discovers a violation but fails to promptly notify the PD Controller, or intentionally conceals or provides misleading information about the nature and scale of the incident, the types of PD involved, and the number of data subjects affected (Article 54.1.a and 54.1.c). Remedial measures: mandatory full performance of the notification obligation with correct content, form and timing, with evidence provided (Article 54.5.a).

Notification of Personal Data Protection Violations (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
11	The Company must prepare a minutes confirming the occurrence of the violation and cooperate with the specialized authority in handling it.	Article 23.2, 23.4, 2025 PDPL	A fine of VND 10–20 million applies for failing to prepare a minutes confirming the occurrence of a PDP violation (Article 54.1.b). A fine of VND 60–80 million applies for failing to take measures to stop the violation, failing to remedy the consequences, or failing to cooperate with the specialized PDP authority in handling the violation (Article 54.4.a and 54.4.b). Remedial measures: mandatory implementation of measures to stop the violation and remedy its consequences as required by the specialized authority (Article 54.5.b).

Personal Data Protection Personnel and Department

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
12	Where the Company itself designates a PDP department/personnel: (i) The designated personnel must meet the PDP competency conditions ("Personal Competency"), including: + College-level education or higher; + At least 2 years of work experience (from graduation) in one of the fields of legal affairs, information technology, cybersecurity, data security, risk management, compliance control, human resource management, or personnel organization; + Has been trained by the Company in legal knowledge and professional skills on personal data protection. (ii) The Company must sign a confidentiality responsibility agreement with the PDP personnel, which may include agreed exemptions from liability in the event of a violation or damage to the protected PD. (iii) The Company must provide ongoing PDP knowledge and skills training to its PDP personnel.	Article 33.2, 2025 PDPL; Articles 13.5, 13.6, Decree 356	A WARNING or a fine of VND 10–20 million applies for failing to sign a confidentiality responsibility agreement with PDP personnel; failing to provide PDP knowledge and skills training to personnel; or issuing a personnel designation document or department establishment decision that does not clearly state functions, duties and powers (Article 57.1.a, 57.1.b and 57.1.c). A fine of VND 20–30 million applies for designating personnel who DO NOT MEET the conditions — i.e., below college-level education or with less than 2 years of experience in legal affairs, information technology, cybersecurity, data security, risk management, compliance control, or human resource management; designating personnel who have not been trained; or FAILING to issue a personnel designation document or department establishment decision (Article 57.2.a, 57.2.b and 57.2.c). Remedial measures: mandatory replacement with qualified personnel; mandatory issuance of the designation document with full functions and duties, and evidence provided (Article 57.3).

Personal Data Protection Personnel and Department (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
13	Where the Company engages an external organization or individual to provide PDP services: (1) For individuals: (i) The individual must meet the Personal Competency conditions in Item 12: college-level education or higher; at least 2 years of work experience in legal affairs, information technology, cybersecurity, data security, risk management, compliance control, human resource management, or personnel organization; and has been trained in legal knowledge and professional skills on personal data protection. (ii) The individual's information must be disclosed to data subjects and relevant parties. (iii) The Company must enter into a contract for the use of PDP personnel. (2) For organizations: (i) The service-providing organization's capacity must meet the following requirements:	Articles 15.3, 16.3, Decree 356	For the outsourcing company: failing to formally issue a document designating PDP personnel still results in a fine of VND 20–30 million (Article 57.2.c). For the service provider: a fine of VND 10–30 million for an individual, VND 30–50 million for an organization providing PDP services in violation; a fine of VND 50–100 million for exploiting the service to access, collect, use, disclose or process PD beyond the scope of the contract (Article 58.1, 58.2 and 58.3). DEDICA notes: businesses should review the provider's capacity before signing, as outsourcing does not transfer the business's own compliance responsibility.

Personal Data Protection Personnel and Department (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
13 (continued)	+ Being an organization/enterprise whose function, duty, business line or field is technology, legal, or technology/legal consulting, engaged by an agency/organization to advise on PDP compliance and perform PDP duties under agreement; + Having at least 3 personnel meeting the Personal Competency conditions; + Having provided products/services relating to security, cybersecurity, information technology, standards assessment, or personal data protection consulting. (ii) The PDP organization's information must be disclosed to data subjects and relevant parties. (iii) The Company must enter into a service agreement and a PD processing agreement.		

Obtaining and Retaining Data Subject Consent

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
14	- Parties required to obtain consent: the PD Controller, the PD Controller-cum-Processor. - Method of obtaining consent: the Company must ask data subjects to confirm consent or refusal to PD processing, with the right to withdraw consent, through the following methods: - In writing; - By recorded phone call; - Consent syntax via text message; - Via email, or on a website, platform or application with a technical consent mechanism; - By other suitable methods that can be printed or copied in writing, including electronic or verifiable formats. - Prohibited practices: setting a default-consent method, or creating unclear or misleading instructions between consent and refusal for the data subject	Article 4.1.a, 4.1.b, 2025 PDPL Article 6.1, 6.2, Article 9.2, 9.3, 9.4, Decree 356	A fine of VND 30–50 million applies for processing PD after collection without consent; imposing mandatory conditions or refusing services when the subject declines processing for unrelated purposes; setting a DEFAULT-CONSENT method or misleading instructions; obtaining consent that is unclear or whose timing and content cannot be verified; failing to provide transparent information on the type of PD, processing purpose, rights and obligations; using a consent method that does not allow consent PER purpose; or failing to notify the subject that their sensitive PD is being processed (Article 43.1). A fine of VND 50–70 million applies for intentionally continuing to process PD after the subject requests cessation or restriction, or after a written request from a state authority, or for UNILATERALLY TREATING SILENCE AS CONSENT (Article 43.2). Additional sanction: confiscation of exhibits and instrumentalities of the violation (Article 43.3). Remedial measures: mandatory destruction/deletion, to an unrecoverable degree, of PD collected or processed without valid consent; mandatory disgorgement of illegal gains (Article 43.4).

Obtaining and Retaining Data Subject Consent (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
15	The Company must retain records of data subjects' consent.	Article 6.2, Decree 356	A fine of VND 30–50 million applies for failing to record or retain a consent log for data subjects, or failing to prove consent was obtained when requested by the subject or during a state inspection (Article 43.1.g).

Handling Requests to Exercise Data Subject Rights

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
16	The Company must establish clear procedures, processes and forms for exercising data subjects' rights.	Article 5.1, Decree 356	A fine of VND 10–20 million applies for failing to establish clear procedures, processes and forms for exercising data subjects' rights; failing to clearly allocate responsibilities among relevant departments; or failing to provide information or ensure that data subjects know the procedure for exercising their rights (Article 44.1.a, 44.1.b and 44.1.c).
17	The Company must respond to and handle PD-related requests, made in accordance with the requester's proper procedure, within the prescribed timeframe. - The Company must respond within 2 working days of receiving requests for: (1) withdrawal of consent to PD processing, restriction of PD processing, or objection to PD processing; (2) viewing, correcting or requesting correction of PD, or provision of PD; (3) deletion of PD; (4) implementation of PD protection measures/solutions.	Article 10, 2025 PDPL Article 5.2, 5.3, 5.4, 5.5, Decree 356	A fine of VND 10–20 million applies for failing to respond, or providing incomplete procedural information, MORE THAN 2 WORKING DAYS after receiving a valid request, or for failing to state a valid reason when unable to comply or needing an extension (Article 44.1.d and 44.1.đ).

Handling Requests to Exercise Data Subject Rights (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
18	For requests to withdraw consent, restrict, or object to PD processing (request (1) in Item 17), the Company must comply within 15 days. If the Company requires a third party to perform it, the period is 20 days. Compliance may be extended once by no more than 15 days.	Article 5.2, 5.3, 5.4, 5.5, Decree 356	A fine of VND 30–40 million applies to the PD Controller or PD Controller-cum-Processor for failing to comply with a withdrawal, restriction or objection request within 15 days (20 days if a third party is required, extendable by up to 15 days) (Article 44.3.a). A fine of VND 20–30 million applies to the PD Processor or third party for failing to stop processing within the timeframe set by the PD Controller (Article 44.2.a). A fine of VND 20–30 million applies for concealing, blocking or obstructing the exercise of the right to withdraw consent; failing to stop processing after the subject withdraws consent; or the PD Controller failing to instruct the PD Processor/third party to stop processing (Article 45.1). Remedial measures: mandatory full exercise of the data subject's rights with evidence provided; mandatory destruction/deletion of PD that continued to be processed; mandatory disgorgement of gains (Article 44.5 and Article 45.2).

Handling Requests to Exercise Data Subject Rights (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
19	For requests to view, correct or request correction of PD, or provide PD (request (2) in Item 17), the Company must comply within 10 days. If the Company requires a third party to perform it, the period is 15 days. Compliance may be extended once by no more than 10 days.		A fine of VND 30–40 million applies for failing to comply with a request to view, correct or provide PD within 10 days (15 days if a third party is required, extendable by up to 10 days) (Article 44.3.b). A fine of VND 20–30 million applies to the PD Processor or third party for failing to correct or provide PD within the timeframe set by the PD Controller (Article 44.2.b). A fine of VND 20–30 million applies for refusing to allow the subject to access, view or correct their own PD (Article 46.1.a); a fine of VND 30–50 million applies for DELIBERATELY DELAYING or failing to correct information after confirming it is false or fabricated in a way that affects the subject's honor, dignity, reputation, rights and interests (Article 46.2). A fine of VND 10–20 million applies for refusing to provide PD to the data subject upon a valid request (Article 49.1).

Handling Requests to Exercise Data Subject Rights (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
20	For requests to delete PD (request (3) in Item 17), the Company must comply within 20 days. If the Company requires a third party to perform it, the period is 30 days. Compliance may be extended once by no more than 20 days.		A fine of VND 30–40 million applies for failing to comply with a PD deletion request within 20 days (30 days if a third party is required, extendable by up to 20 days) (Article 44.3.c). A fine of VND 20–30 million applies to the PD Processor or third party for failing to delete, destroy or restrict PD processing within the timeframe set by the PD Controller (Article 44.2.c). Remedial measures: mandatory full exercise of the data subject's rights per the lawful request, with evidence provided to the competent authority (Article 44.5).
21	For requests to implement PD protection measures/solutions (request (4) in Item 17), the Company must comply within 15 days, extendable once by no more than 15 days.		A fine of VND 30–40 million applies for failing to apply the requested PD protection measures/solutions within 15 days, extendable by up to 15 days (Article 44.3.d). Remedial measures: mandatory full exercise of the data subject's rights, with evidence of compliance provided (Article 44.5).

Deletion, Destruction and De-identification of Personal Data

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
22	The Company must delete/destroy PD, or require a third party to delete/destroy a data subject's PD, in the following cases: - The data subject requests it and accepts the possible risks/damage to themselves - The purpose of PD processing has been completed; - The statutory retention period has expired; - As decided by a competent state authority; - As agreed.	Article 14.1, 14.3, 2025 PDPL	A fine of VND 30–50 million applies for failing to delete/destroy PD in the prescribed cases, or for the PD Controller failing to instruct the PD Processor/third party to delete/destroy PD (Article 51.2.a and 51.2.b). A fine of VND 10–30 million applies if the deletion/destruction is not carried out using secure measures, or if there is no measure to prevent unauthorized intrusion into and recovery of deleted/destroyed data (Article 51.1.b and 51.1.c). Remedial measures: mandatory destruction/deletion of PD to an unrecoverable degree (Article 51.4.a).
23	The Company must not delete/destroy PD, and must notify the data subject, where it cannot do so for valid reasons falling within the Special Cases.	Article 14.2, 14.5, 2025 PDPL	A fine of VND 10–30 million applies for failing to notify the data subject of the reason when the deletion/destruction request cannot be complied with (Article 51.1.a). Remedial measures: mandatory notification to the data subject that the deletion/destruction cannot be performed (Article 51.4.b).

Deletion, Destruction and De-identification of Personal Data (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
24	The Company must comply with the following rules on de-identification of PD: - The entity de-identifying PD is responsible for strictly controlling and supervising the de-identification process, and preventing unauthorized access, copying, appropriation, leakage or loss of PD during de-identification; - PD must not be re-identified after it has been de-identified.	Article 14.6, 2025 PDPL	A fine of VND 10–30 million applies for de-identifying PD without strict control and supervision, or without measures to prevent unauthorized access, copying, appropriation, leakage or loss of data during de-identification (Article 51.1.d and 51.1.đ). A fine of VND 30–50 million applies if unauthorized access, copying, appropriation, leakage or loss of PD OCCURS during de-identification (Article 51.2.d). A fine of VND 50–60 million applies for RE-IDENTIFYING PD after the data has been de-identified (Article 51.3.b). Remedial measures: mandatory implementation of control, supervision and unauthorized-access prevention measures; mandatory destruction/deletion of the re-identification result (Article 51.4.c and 51.4.d).

Sharing Personal Data Among Departments Within the Company

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
25	The Company must establish a control process for sharing and using PD in compliance with regulations.	Article 7.4, Decree 356/2025/ND-CP	A fine of VND 20–30 million applies for sharing PD among departments within the same agency/organization without a compliant control process for such sharing and use (Article 52.1.b). Remedial measures: mandatory supplementation and completion of the PD transfer agreement as required, with evidence provided (Article 52.5.a).
26	The Company must have measures to prevent internal personnel from unlawfully sharing PD with third parties.		A fine of VND 20–30 million applies for lacking measures to prevent internal personnel from unlawfully sharing PD with third parties (Article 52.1.b).

Providing PD

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
27	The Company may only provide a data subject's PD to a third party with the data subject's consent, unless otherwise provided by law.	Article 15.2.b, 2025 PDPL	A fine of VND 20–30 million applies for providing PD to another agency, organization or individual without the data subject's consent (Article 49.2). The fine is DOUBLED to VND 40–60 million if the data provided is SENSITIVE PD (Article 49.3). Remedial measures: mandatory recall of PD improperly provided; mandatory disgorgement of gains obtained from the violation (Article 49.4.b and 49.4.c).

Disclosure of Personal Data

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
28	The Company must disclose PD for a specific purpose, with the scope and type of PD disclosed matching that purpose.	Article 16.1, 2025 PDPL	A fine of VND 20–30 million applies for disclosing PD without a specific purpose, outside the permitted cases, or beyond the scope/type of PD necessary for the disclosure purpose (Article 50.1.a and 50.1.b). Remedial measures: mandatory removal/recall of PD disclosed without a specific purpose or beyond the necessary scope (Article 50.3.d).
29	The Company discloses PD in the following cases: - With the data subject's consent; - As required by law; - To address an emergency; a threat to national security not yet warranting a state of emergency; or to prevent riots, terrorism, crime and law violations; - To perform contractual obligations.	Article 16.2, 2025 PDPL.	A fine of VND 30–50 million applies for disclosing PD without the data subject's consent, except where permitted by law (Article 50.2.b). Remedial measures: mandatory removal/recall of disclosed PD (Article 50.3.b).
30	The Company must disclose PD accurately, true to its source, and in a manner that facilitates lawful access and use.	Article 16.1, 2025 PDPL	A fine of VND 20–30 million applies for disclosing PD that does not accurately reflect the original source data (Article 50.1.c). Remedial measures: mandatory correction of the information (Article 50.3.a).

Disclosure of Personal Data (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
31	The Company must disclose PD in lawful forms: - Posting data on websites, information portals, or mass media; - Other forms prescribed by law.	Article 16.2, 2025 PDPL.	A fine of VND 20–30 million applies for disclosing PD outside the cases permitted by law (Article 50.1.a). Remedial measures: mandatory removal/recall of disclosed PD (Article 50.3.d).
32	The Company must, within its capacity, prevent unauthorized access, use, disclosure, copying, modification, deletion, destruction, or other unauthorized processing of disclosed PD.		A fine of VND 20–30 million applies for failing to strictly control and monitor PD disclosure to ensure the correct purpose and scope, or for lacking measures to prevent unauthorized access, use, disclosure, copying, modification, deletion, destruction or other unauthorized processing of disclosed data (Article 50.1.d and 50.1.đ). Remedial measures: mandatory implementation of control, monitoring and security measures for disclosed PD, with evidence of compliance provided (Article 50.3.c).

Transfer of PD

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
33	The Company may only transfer PD in the following cases: a) With the data subject's consent; b) Sharing PD among departments within the same agency/organization to process PD consistent with the established processing purpose; c) Transferring PD to continue processing in the event of division, separation, or merger of agencies, organizations, or administrative units, or reorganization or conversion of state enterprise ownership; division, separation, merger, consolidation, or cessation of a unit/organization; or a new unit/organization established following the cessation of another; d) The PD Controller or PD Controller-cum-Processor transferring PD to a PD Processor or third party for processing as prescribed; đ) Transferring PD at the request of a competent state authority; e) Transferring PD in Special Cases.	Article 17.1, 2025 PDPL	Transferring PD OUTSIDE the permitted cases in exchange for assets or other benefits is treated as ILLEGAL BUYING/SELLING OF PD: a fine of 2 to 10 times the gains; where there are no gains, or the calculated amount is below VND 3 billion, a fine of up to VND 3 billion applies (Article 53.1.a and 53.2). Additional sanction: confiscation of exhibits and instrumentalities of the violation (Article 53.4). Remedial measures: mandatory destruction/deletion of all illegally traded PD across all storage systems; mandatory disgorgement of gains; mandatory notification to all affected data subjects (Article 53.5).

Transfer of PD (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
34	Where the PD transfer falls within the cases in Item 33 — with the data subject's consent; to continue processing upon division, separation, merger, reorganization, or conversion of state enterprise ownership; or where the PD Controller/PD Controller-cum-Processor transfers PD to a PD Processor/third party for processing — the Company must establish a PD transfer agreement clearly stating the following: a) The purpose of the PD transfer; b) The data subjects and types of PD transferred, consistent with the transfer purpose; c) The PD processing period and requirements on deletion/destruction of PD after the transfer purpose is fulfilled; d) The legal basis for the PD transfer; đ) Responsibility for PD protection during transfer and processing; e) Responsibility for exercising data subjects' rights;	Article 7.1, Decree 356	A fine of VND 20–30 million applies if the PD transfer agreement fails to specify responsibility for PD protection during transfer/processing, responsibility for exercising data subjects' rights, or responsibility for cooperation and compliance upon discovery of a violation (Article 52.1.a). MORE SEVERE: if the transfer is FOR A FEE without a transfer agreement, or the agreement fails to specify the transfer purpose, or the stated purpose is not properly performed, the penalty is the same as for ILLEGAL BUYING/SELLING OF PD — 2 to 10 times the gains, up to VND 3 billion (Article 53.1.b and 53.1.c). Remedial measures: mandatory supplementation and completion of the transfer agreement as required, with evidence provided (Article 52.5.a).

Transfer of PD (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
34 (continued)	g) Responsibility for cooperation and compliance by the parties upon discovery of a PDP violation.		
35	Where sensitive PD is transferred, the Company must apply additional security measures, such as: - Physical security measures for storage and transmission devices; - Encryption measures; - Anonymization of personal data; and - Other security measures during the transfer.	Article 7.2, Decree 356	A fine of VND 50–80 million applies for transferring SENSITIVE PD without physical security measures for storage/transmission devices, encryption, anonymization, or other security measures during the transfer (Article 52.3). Remedial measures: mandatory application of the required security measures to sensitive PD being stored and transmitted; mandatory destruction/deletion of transferred sensitive PD if security cannot be ensured (Article 52.5.b and 52.5.c).
36	The Company must de-identify PD before trading it on a data exchange.	Article 7.5, Decree 356	Failing to de-identify PD when trading it on a data exchange as part of a fee-based transfer is penalized as ILLEGAL BUYING/SELLING OF PD: a fine of 2 to 10 times the gains; where there are no gains, the fine is based on the number of data subjects, from VND 70 million to VND 1 billion, up to VND 3 billion (Article 53.1.e, 53.2 and 53.3). Additional sanction: confiscation of exhibits and instrumentalities of the violation (Article 53.4).

Fee-Based Transfer of Personal Data

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
37	The Company must establish a technical system and a transparent mechanism enabling the subject to give accurate, clear consent for each transfer (specifying the purpose, recipient and processor).	Article 7.3, Decree 356	A fee-based PD transfer without a technical system and transparent mechanism for the subject to give accurate, clear consent for EACH transfer, based on knowing the purpose and the receiving/processing organization, is penalized as ILLEGAL BUYING/SELLING OF PD — 2 to 10 times the gains, up to VND 3 billion (Article 53.1.d, 53.2 and 53.3).
38	The Company may only process PD for the transfer purpose consented to, consistent with its registered business lines.		A fee-based PD transfer where the PD is processed inconsistent with the purpose consented to by the subject, or outside the Company's registered business lines, is penalized as ILLEGAL BUYING/SELLING OF PD — 2 to 10 times the gains, up to VND 3 billion (Article 53.1.đ, 53.2 and 53.3). Remedial measures: mandatory destruction/deletion of all PD; mandatory disgorgement of gains; mandatory notification to all affected data subjects (Article 53.5).

Fee-Based Transfer of Personal Data (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
39	The Company must limit the types of PD transferred to the scope of the transfer purpose.		A fine of VND 30–50 million applies for failing to define or limit the types of PD transferred to the transfer purpose, or failing to set a retention period consistent with the purpose, or failing to delete/destroy PD once the purpose is fulfilled (Article 52.2.b and 52.2.c). Additional sanction: confiscation of exhibits and instrumentalities of the violation (Article 52.4).
40	The Company must clearly define the roles of the parties (Controller, Processor, third party), sign the PD transfer/processing agreement before performing it, and commit to its responsibilities and obligations toward the data subject.		A fine of VND 30–50 million applies for failing to clearly define the roles of the PD Controller, PD Processor, and third party in the PD transfer activity (Article 52.2.a). Additional sanction: confiscation of exhibits and instrumentalities of the violation (Article 52.4). Remedial measures: mandatory destruction/deletion of transferred PD where security cannot be ensured as required (Article 52.5.c).

Processing Personal Data in Special Cases

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
41	The Company must establish PD processing procedures and regulations, and define its responsibilities during PD processing.	Article 19.2, 2025 PDPL	A fine of VND 10–20 million applies for failing to establish PD processing procedures/regulations or failing to define responsibility during PD processing (Article 47.1.a). Remedial measures: mandatory establishment, issuance and publication of PD processing procedures/regulations, with evidence of compliance provided (Article 47.4.a).
42	The Company must implement appropriate PDP measures and regularly assess possible risks during PD processing.		A fine of VND 20–30 million applies for failing to implement appropriate PD protection measures, resulting in a LEAK or LOSS of collected PD, or for failing to conduct risk assessments during PD processing (Article 47.2.a and 47.2.b). Remedial measures: mandatory implementation of appropriate PD protection measures and risk assessments, with evidence of compliance provided (Article 47.4.đ).
43	The Company must periodically inspect and assess compliance with the law and its PD processing procedures/regulations.		A fine of VND 10–20 million applies for failing to periodically inspect and assess compliance with the law and its PD processing procedures/regulations (Article 47.1.b). Remedial measures: mandatory establishment, issuance and publication of compliant PD processing procedures/regulations, with evidence provided (Article 47.4.a).

Processing Personal Data in Special Cases (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
44	The Company must have a mechanism to receive and handle feedback and recommendations from relevant parties.		A fine of VND 10–20 million applies for lacking a mechanism to receive and handle feedback/recommendations from relevant agencies, organizations or individuals (Article 47.1.c). Remedial measures: mandatory establishment of a compliant feedback/recommendation mechanism, with evidence of compliance provided (Article 47.4.a).

Prohibited Acts

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
45	The Company must not process PD against the Socialist Republic of Vietnam, or in a manner affecting national defense, national security, social order and safety, or the lawful rights and interests of agencies, organizations or individuals.	Article 7.1, 2025 PDPL	A fine of VND 30–50 million applies for processing PD in a way that affects security and order, including: processing PD to fabricate, reinforce or spread false, distorted or inciting information; providing, transferring, disseminating or disclosing PD knowing it will be used to undermine security and order; or altering, falsifying, deleting, destroying, appropriating or disrupting PD processing so as to affect the normal operation of an agency or organization (Article 41.1). Additional sanction: confiscation of exhibits and instrumentalities of the violation (Article 41.2). Remedial measures: mandatory destruction/deletion of PD; mandatory disgorgement of illegal gains; mandatory removal/recall of information and PD unlawfully provided, transferred or disclosed (Article 41.3).
46	The Company must not obstruct PDP activities.	Article 7.2, 2025 PDPL	A fine of VND 40–60 million applies for resisting or obstructing the PDP activities of an agency, organization or individual (Article 39.2.a).

Prohibited Acts (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
47	The Company must not exploit PDP activities to commit violations of law.	Article 7.3, 2025 PDPL	A fine of VND 30–50 million applies for exploiting PDP activities, including using the guise of PDP to conceal, legitimize or facilitate legal violations; exploiting anti-infringement forces, means or measures to appropriate, falsify or unlawfully process PD; or using PDP activities to defraud or infringe lawful rights and interests (Article 40.1). Additional sanction: confiscation of exhibits and instrumentalities of the violation (Article 40.2). Remedial measures: mandatory destruction/deletion of PD unlawfully appropriated or processed; mandatory disgorgement of illegal gains; mandatory PUBLIC APOLOGY to the data subject via mass media (Article 40.3).

Prohibited Acts (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
48	The Company must not process PD in violation of law.	Article 7.4, 2025 PDPL	A fine of VND 20–40 million applies for processing PD outside the defined scope or purpose consented/agreed to, or beyond what is necessary; failing to ensure PD accuracy or promptly correct/update errors; retaining PD longer than necessary; or failing to proactively prevent, detect, and cooperate promptly with the competent authority in handling PDP violations (Article 39.1). Additional sanction: confiscation of exhibits and instrumentalities of the violation (Article 39.3). Remedial measures: mandatory destruction/deletion of PD processed outside the proper scope/purpose or retained beyond the permitted period; mandatory disgorgement of illegal gains; mandatory correction, updating and supplementation of PD for accuracy (Article 39.4).

Prohibited Acts (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
49	The Company must not use another person's PD to commit acts in violation of law.	Article 7.5, 2025 PDPL	A fine of VND 40–60 million applies for using another person's PD to commit acts in violation of law (Article 39.2.b). Additional sanction: confiscation of exhibits and instrumentalities of the violation (Article 39.3). Remedial measures: mandatory disgorgement of illegal gains; mandatory PUBLIC APOLOGY to the data subject via mass media (Article 39.4.b and 39.4.c).

Prohibited Acts (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
50	The Company must not buy or sell PD, except as otherwise provided by law.	Article 7.6, 2025 PDPL	THE HEAVIEST PENALTY IN THE DECREE. A fine of 2 to 10 times the GAINS obtained from illegal buying/selling of PD (Article 53.1 and 53.2). Where there are NO gains: a fine of VND 70–100 million for basic data of under 1,000 subjects or sensitive data of under 200 subjects; VND 100–300 million for 1,000 to under 2,000 subjects (or 200 to under 400 sensitive subjects); VND 300–500 million for 2,000 to under 10,000 subjects (or 400 to 2,000 sensitive subjects); VND 500 million to VND 1 billion for 10,000 or more subjects (or 2,000 or more sensitive subjects); VND 1 billion to VND 3 billion where national defense, security and order, foreign affairs, the macro-economy, or life, health, honor, dignity or property is infringed (Article 53.3). Additional sanction: confiscation of exhibits and instrumentalities of the violation (Article 53.4). Remedial measures: mandatory destruction/deletion of all illegally traded PD across all storage systems; mandatory disgorgement of gains; mandatory NOTIFICATION TO ALL affected data subjects (Article 53.5).

Prohibited Acts (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
51	The Company must not appropriate, or intentionally leak or lose, PD.	Article 7.7, 2025 PDPL	A fine of VND 30–50 million applies for appropriating or disrupting PD processing so as to affect the normal operation of an agency or organization (Article 41.1.c). A fine of VND 20–30 million applies for failing to implement appropriate PD protection measures, resulting in a LEAK or LOSS of collected PD (Article 47.2.a). NOTE: a PD leak or loss also triggers the 72-hour notification obligation; failing to notify, or notifying late, incurs an additional fine of up to VND 60 million (Article 54.2 and 54.3).
52	The Company must not intentionally and unlawfully recover PD that has been deleted or destroyed.	Article 14.4, 2025 PDPL	A fine of VND 50–60 million applies for intentionally and unlawfully recovering PD that has been deleted or destroyed (Article 51.3.a). Remedial measures: mandatory destruction/deletion, to an unrecoverable degree, of the data unlawfully recovered (Article 51.4.c).
53	The Company must not re-identify PD after it has been de-identified, except as otherwise provided by law.	Article 14.6.b, 2025 PDPL	A fine of VND 50–60 million applies for re-identifying PD after it has been de-identified (Article 51.3.b). Remedial measures: mandatory destruction/deletion, to an unrecoverable degree, of the re-identification result (Article 51.4.c).

Prohibited Acts (continued)

No.	COMPLIANCE OBLIGATION	LEGAL BASIS	PENALTY RISK UNDER DECREE 330/2026/ND-CP
54	The Company must not disclose PD where the disclosure infringes the lawful rights and interests of the data subject.	Article 16.1, 2025 PDPL	A fine of VND 30–50 million applies for disclosing PD in a manner that infringes the lawful rights and interests of the data subject (Article 50.2.a). Remedial measures: mandatory removal/recall of disclosed PD (Article 50.3.b).

DEDICA
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OVERVIEW OF THE SANCTIONS FRAMEWORK

Three Things to Know About How Sanctions Are Applied

1-YEAR LIMITATION PERIOD

The limitation period for administrative sanctions in cybersecurity and personal data protection is 1 year. The date the violation ends, for calculating the limitation period, is the date the organization/individual completes the required obligation, or the date the violation is confirmed by the competent authority to have actually ended.

DEDICA notes: for continuing obligations such as preparing dossiers, keeping consent logs, or designating PDP personnel, the violation only ends once the business completes the obligation — so the limitation period effectively runs from that point.

Basis: Article 3.1 and 3.2, Decree 330/2026/ND-CP

ADDITIONAL SANCTIONS

In addition to fines, a business may have its licenses or practicing certificates suspended for 1 to 24 months — including the Certificate of Eligibility for PD Processing Services and business licenses/practicing certificates for the offending business line; have its operations suspended for 1 to 24 months; have exhibits and instrumentalities of the violation confiscated; and, for foreigners, face deportation for the administrative violation.

DEDICA notes: for FDI businesses, deportation of foreign personnel and operational suspension are risks that should be assessed separately from the financial risk.

Basis: Article 4.2 and 4.3, Decree 330/2026/ND-CP

TRANSITIONAL PROVISIONS

A violation occurring BEFORE 19 August 2026 that is only later discovered, or is still being considered or resolved, is governed by the sanction decree in effect at the time of the act; where Decree 330/2026/ND-CP does not impose liability for that act, or imposes a LIGHTER liability, Decree 330/2026/ND-CP applies instead.

DEDICA notes: businesses should review and remedy any outstanding gaps predating 19 August 2026, since an unfulfilled obligation is still treated as an ongoing act.

Basis: Article 81.1, Decree 330/2026/ND-CP

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