



VIET NAM COMPETITION  
AND CONSUMER PROTECTION AUTHORITY



UNITED NATIONS  
DEVELOPMENT PROGRAMME



# CODE OF CONDUCT

ON RESPONSIBLE BUSINESS PRACTICES FOR  
CUSTOMERS IN E-COMMERCE IN VIETNAM

● APPLICABLE TO MERCHANTS AND SELLERS



2023

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# INTRODUCTION OF THE CODE

In recent years, selling on e-commerce platforms has grown rapidly both globally and in Viet Nam. This method of selling has numerous advantages and is commonly used. Many sellers have shifted away from traditional business toward selling through e-commerce platforms or combined the two methods.

United Nations Development Programme in Viet Nam (UNDP Viet Nam) in collaboration with Viet Nam Competition and Consumer Protection Authority (VCCA), Ministry of Industry and Trade (MOIT) co-lead the initiative “Promoting Responsible Business Practices in E-commerce in Viet Nam” to encourage e-commerce activities to develop healthily and sustainably. The Code of Conduct on Responsible business practices for Consumers in E-commerce in Viet Nam (applicable to Merchants and Sellers) is one of the meaningful activities of this initiative.

This Code of Conduct is a set of guidelines to help merchants and sellers do business more sustainably and efficiently and minimize the negative impacts of their business operations on the environment and society. This Code of Conduct is designed in line with the United Nations Guiding Principles on Business and Human Rights (UNGPs).

We understand that following these rules can add up to a fraction of the cost or time for merchants and sellers. However, doing business responsibly can bring numerous benefits to online merchants and sellers, such as retaining customers and employees, avoiding being sanctioned by state agencies, improving relations with partners, and contributing to the community and the environment in which the business is operating. Thus, we are hoping that businesses can cooperate for this Code to be applied to practice successfully.

We hope this Code not only fosters merchants and sellers to develop, to bring sustainable income for themselves, but also creates good values for the environment, community, and society. The Code is developed with a simple, easy-to-read layout, and friendly language for the community. However, we are aware that the Code certainly cannot possibly fulfill all of the needs of diverse audiences.

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## ACKNOWLEDGEMENT

The Code of Conduct on Responsible business practices for Consumers in E-commerce in Viet Nam (applicable to Merchants and Sellers) (hereinafter the Code) is the result of the first iteration of the deep partnership and significant collaboration between the Viet Nam Competition and Consumer Protection Authority (VCCA), Ministry of Industry and Trade (MOIT) and the United Nations Development Programme (UNDP) in Viet Nam on the initiative "Promoting Responsible Business Practices in E-commerce in Viet Nam".

The Code of Conduct is co-designed and developed by a research team: Mr. Nguyen Van Huan (Business and Human rights Coordinator, UNDP Viet Nam), Mr. Nguyen Minh Duc (UNDP national consultant), Ms. Nguyen Thi Hong Van (UNDP national consultant).

The Code of Conduct has greatly benefited from strategic advice from UNDP Viet Nam, in particular Mr. Patrick Haverman, Deputy Resident Representative and Ms. Diana Torres, Assistant Resident Representative and Head of Governance and Participation, and from VCCA, in particular Ms. Nguyen Quynh Anh, Deputy General Director.

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# Q&A ABOUT THE CODE

## ▪ **What is Responsible Business?**

Responsible Business Practices (RBPs) are the business practices that are upon legal compliance and conducting the measures to assess, prevent, mitigate, and remedy a business's adverse impacts on people, the environment, and society. RBPs also have the potential to contribute to society and sustainable development. Responsible business is when the sellers, while still pursuing the goal of profit, do not blindly ignore unethical misconduct but always pay attention to adjust business activities so that the negative impact on others is minimized. In a nutshell, responsible business is "selling from the heart", having a heart for customers, having a heart for employees, and having a heart for the environment and society. Any business or individual can practice the general principles of responsible business. We developed this Code to specify general principles of responsible business specifically to the field of e-commerce.

## ▪ **What is The Code of Conduct on Responsible business practices for Consumers in E-commerce in Viet Nam (applicable to Merchants and Sellers)?**

The Code of Conduct is a set of guidelines that encourages E-commerce merchants and sellers to practice responsible business. These guidelines include regulatory compliance guidelines and voluntary advanced guidance.

We understand that merchants and sellers must of course comply with the provisions of the law, but not everyone knows how to look up legal documents to comply with in the first place. Therefore, for mandatory legal content, this set of rules introduces and instructs the general principles and how to find common regulations to help sellers to follow more easily.

The voluntary advanced guidelines are selected from best practices in e-commerce or other related fields to meet social expectations. The criteria are selected in a direction suitable for small merchants and sellers on e-commerce platforms or websites.

## ▪ **Who should read this Code?**

**Individuals, small shops, and micro and small businesses in e-commerce** are the main objects of this Code. These sellers can find here simple, easy-to-understand instructions relevant to an everyday business such as selecting merchandise, posting product information, packing and shipping, after-sales service, and also issues such as relationships with delivery drivers, with e-commerce platforms and business neighbors.

Note that this is not a Code to guide merchants and sellers through their day-to-day profitable business. We believe that merchants and sellers are much better than us at bringing in revenue and reducing costs. However, during many distractions, merchants and sellers may unwittingly cause negative environmental and social impacts from their business activities. This Code helps merchants and sellers to be more mindful of their small but meaningful actions.

**Large enterprises selling goods through e-commerce** can also refer to the content of this Code to reinforce the issue of social responsibility and sustainable development of their businesses. We also understand that running a large business is different for individuals and small businesses, so not everything in the Code is appropriate for large businesses, and there are many things large enterprises can do that have not been included in this Code. Even so, we still hope that this is a reference (whether in part or in whole) in the process of doing business or in the process of self-developing regulations on social and sustainable development.

Besides, other stakeholders also may find this helpful in their usages.

- **Consumers** may rely on this Code to evaluate and select goods and services from responsible business merchants and sellers. For example, when confused about comparing products of the same type in some e-commerce shops, in addition to the factors of price and after-sales, consumers may prefer to buy from a merchant/seller that is committed to doing responsible business in general or committed to using recycled packaging, environmentally- friendly delivery in particular. Through that, consumers have also shown their responsibility to the community.
- **E-commerce platforms** can refer to this Code to evaluate and rank sellers on their platforms. Currently, most e-commerce platforms have developed terms and regulations governing the behavior of sellers, focusing mainly on protecting the rights of consumers and the benefits of the e-commerce platform itself. This Code can help exchanges review and supplement their regulations for the entire value chain of business activities to bring a more positive impact to society. E-commerce platforms can also conduct procurement and demand stimulation programs based on sellers who have well followed the instructions in the Code.
- **Enterprises providing support solutions** such as software services, store management applications, transport, logistics, and import-export services can refer to the contents of this Code in their products and services to support sellers to comply with these rules, for example, a sales management application can detail information about customer response time, orders that are canceled without justified reason, etc.; or transport company may apply appropriate policies for goods with special requirements for transportation.

## ▪ **Structure of the Code**

**The Code of Conduct on Responsible business practices for Consumers in E-commerce in Viet Nam (applying to Merchants and Sellers)** is divided into 4 groups according to business processes in the supply chain, including (1) source of goods; (2) operation; (3) marketing and sales; and (4) legal compliance and fair competition, including, which is divided into 10 criteria with basic implementation contents.

Basic implementation contents are assessed against three different levels of compliance:

- Compliance Level **Must do**: Applied to implementations contents that are considered essential and need to comply immediately as required by domestic and international standards or in the current context of Viet Nam.

*The "must do" guidelines are shown in red.*



- Compliance Level **Should do**: Applied for the implementation contents that are considered important and need to be compiled within a specific pathway, or compliance is in progress. Those are guidelines that help to prevent and mitigate the negative impacts of doing business that are not required by law. *The "should do" guidelines are shown in green.*
- Compliance Level **May do**: are the recommendations to help add value to society and the environment. These recommendations or practices are not mandatory to apply but are only considered as suggestions for reference, which merchants and sellers may or may not implement, depending on their specific circumstances and conditions. These are recommendations or good practices that help merchants and sellers improve their corporate social responsibility. *The "may do" guidelines are shown in orange.*

#### ▪ **How to use the Code?**

Retail merchants and sellers on e-commerce (websites, social networks, e-commerce platforms) can use the Code as a compliance manual in their business activities.

Merchants and sellers do not need to follow all criteria in this Code, but it is important that they can track, set goals, and practice to complete each instruction in the Code. Specifically, before participating, sellers should self-assess how well they are achieving the criteria, then set goals and practice on themselves to further meet the other instructions in this Code. The implementation of this Code should be tracked regularly to adjust criteria, goals, and practices accordingly.

The use of this Code makes sense when the merchants and sellers demonstrate progress in implementing these guidelines.

As the world is moving toward responsible business, we strongly encourage that the merchants and sellers should actively communicate their adherence to this Code and any progress in its implementation to consumers and relevant stakeholders, for example: by publishing their adherence and progress in their selling channels. This could help accelerate reputation, attract more customers, and facilitate long-term benefits.

#### ▪ **Is this Code mandatory?**

This Code is not a legally binding document. The application of this Code, regardless of the intended user, is entirely voluntary. Users can choose to apply only certain parts of the Code, by their needs and orientation.

It should be noted that some legal guidelines specify mandatory obligations for merchants and sellers, so it is their responsibility to comply with the law. If this provision is abolished by law, respectively, such guidance will become voluntary guidance.

## THE PRINCIPLES AND CRITERIA OF THE CODE

Standard – Criterion		Basic implementation content	Compliance Level
<b>SOURCE OF GOODS</b>	<b>Selecting business goods</b>	Do not trade in prohibited goods and services as prescribed by law.	Must do
		Only trade in goods that ensure the safety of users according to the provisions of the law on product quality.	Must do
		Ensure safety and hygiene for food and beverages.	Must do
		Do not trade in counterfeit trademarks and pirated publications.	Must do
		Do not import goods that merchants and sellers know are of illegal origin such as smuggled, stolen, or illegal mining goods.	Must do
	<b>Selecting vendors</b>	Prioritize the purchase of goods from business partners that practice responsible business, local manufacturers, and the manufacturers that produce sustainable goods, goods with local and ethnic cultures, goods produced by social enterprises associations, people with disabilities.	Should do
<b>OPERATION</b>	<b>Building the customer-centric responsible business culture</b>	Disseminating the customer-centric responsible business culture to all employees.	Should do
		Training staff on consumer rights protection.	Should do



	<b>Environmental protection</b>	Reducing waste in the packaging of e-commerce goods.	Should do
		Reducing emissions causing air pollution and the greenhouse effect in e-commerce activities.	Should do
		Save electricity and water, prioritize using energy-saving equipment.	May do
<b>MARKETING AND SALES</b>	<b>Advertising</b>	Do not create logos, images, names, or domain names that are similar to well-known brands. Do not use brand information, photos, or contact information to mislead customers.	Must do
		Provide thorough and accurate information on the order's quality, quantity, origin, price, delivery cost, usage instructions, and other details.	Must do
		Introduction pictures and videos of goods must be as similar to the real goods as possible.	Should do
		When paying celebrities to advertise, it should be clearly stated that this is promotional content.	Should do
		Ensure that the photos, videos, and product descriptions were created or allowed for use by themselves; do not steal photos and videos from competitors.	Should do
		Do not use photos or videos containing discriminatory, gender-stereotyped, obscene, or violent content.	Must do
		Do not use advertisements that make customers annoyed.	Should do
		Use age-appropriate images and videos when selling goods to children.	Must do
		Prioritize the use of images and information showing the values of sustainability, local culture and human values.	May do

		Do not perform fraudulent acts such as to comment and give good reviews for their stall by yourself or their acquaintances.	Should do
		Consciously advise customers, avoid excessive advertising because of the desire of selling.	Should do
	<b>Packing, Delivery, Payment and Shipping</b>	Packing goods to save costs and ensure product preservation requirements during transportation, storage and preservation.	Must do
		Ensure convenient and safe payment for customers.	Must do
		Delivered goods as described.	Must do
		Treat drivers with kindness such as arranging waiting seats, allowing use of toilets, and providing drinking water.	Should do
		Develop and implement warranty policies for products and services.	Must do
	<b>After sale service</b>	Quick response, dedicated and maximum the support for consumer and relevant stakeholders.	Should do
		Building an online customer care process.	Should do
		Develop policies and procedures for handling defective products.	Must do
Commitment to protect the confidentiality of customers' personal information, and not to share customers' personal information to others (except when having customers' consent).		Must do	

	<b>Handling customer complaints and participating in dispute resolution with customers</b>	Provide contact information to handle customer complaints or inquiries.	<b>Must do</b>
		Develop and make a publicly available process of handling the complaints or requests made by consumers and relevant stakeholders.	<b>Must do</b>
		Good faith and friendliness in the dispute settlement process.	<b>Should do</b>
		Actively, proactively in handling customer complaints or disputes.	<b>Should do</b>
		Providing evidence and information honestly.	<b>Should do</b>
<b>LEGAL COMPLIANCE AND FAIR COMPETITION</b>	<b>Legal compliance</b>	Carry out business registration procedures or business household registration; Apply for conditional business licenses (depending on business sectors).	<b>Must do</b>
		Declare and pay tax fully	<b>Must do</b>
		Fully comply with other provisions of the law.	<b>Must do</b>
	<b>Fair competition</b>	Do not perform acts that destroy the business of competitors such as deliberately placing, canceling orders, requesting to return goods of competitors; intentionally bad reviews of competitors' products.	<b>Should do</b>
		Do not intentionally suggest customers to trade without using e-commerce platforms; do not collude with the buyer or the carrier to fake the transaction.	<b>Should do</b>

# DETAILED INSTRUCTIONS

## STANDARD I: SOURCE OF GOODS

### ➤ Criterion 1: Selecting business goods

In e-commerce, choosing business goods that meet the needs and tastes of customers is a crucial factor for success. Merchants and sellers can import all goods from suppliers, import raw goods, and then process, and pack finished products for sale or import raw materials for self-production. In any method, merchants and sellers also need to note that in the entire production process of goods, the following requirements must be met.

#### ❖ **Do not trade in prohibited goods and services as prescribed by law.**

Merchants and sellers are not allowed to trade in goods prohibited by law, including those listed in Article 6 of the Investment Law and Decree 59/2006/ND-CP. Prohibited items include military weapons, military equipment, drugs, schedule 1 chemicals, firecrackers, debauchery, superstition, rare and precious wildlife and plants, and services of prostitution, gambling, debt collection, etc.<sup>1</sup>

#### ❖ **Only trade in goods that ensure the safety of users according to the provisions of the law on product quality**

One of the most significant criteria that consumers consider is the quality of the goods. As a result, merchants and sellers must check the information about the quality and inform the consumers.

Most of the goods are managed under the provisions of the Law on Product and Goods Quality. Products that are unsafe and potentially harmful to people, animals, plants, property, and the environment are more strictly regulated according to the minimum quality regulations and are called group-2 products and goods for short. In contrast, goods that are not capable of causing unsafe are called group-1 products and goods.

Group-2 products and goods are highly diversified and are managed by each ministries. Each ministry publishes a legal document listing of group-2 products and goods. The Ministry of Agriculture and Rural Development, for example, specifies that group-2 products and goods include veterinary pharmaceuticals, animal feed, plant protection drugs, fertilizers, etc.<sup>2</sup> The Ministry of Science and Technology is in charge of a variety of group-2 products and goods, including motorcycle helmets, children's toys, water heaters, water purifiers, hair dryers, rice cookers, electric fans, irons, microwaves, ovens, hand drills, LED lights, etc.<sup>3</sup> When trading in a product, merchants and sellers must check these categories to see whether goods are regulated or not. The legal documents included in Appendix 2 contain a list of the above-mentioned products.

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<sup>1</sup> Article 6 of the Investment Law and Decree 59/2006/ND-CP

<sup>2</sup> Ministry of Agriculture and Rural Development: Circular 16/2021/TT-BNNPTNT

<sup>3</sup> Ministry of Science and Technology: Decision 3810/QD-BKHCHN in 2019; Decision 3115/QD-BKHCHN in 2020 amending Decision 3810/QD-BKHCHN;

If merchants and sellers sell group-2 products and goods, they must be of a minimum quality. The technical regulations specify this minimum level of quality. Normally, the manufacturer or importer must ensure that the goods meet the technical regulations or have the above-mentioned circulation registration number before being allowed to leave the factory or import. If merchants and sellers manufacture or import goods, they must meet the above technical requirements. To carry out this procedure and create documentation with state agencies, merchants and sellers need to hire third-party agents with the duty of certifying and inspecting items.

If merchants and sellers do not import or create items themselves, but instead purchase them from wholesalers and then resell them via e-commerce, merchants and sellers must request documentation from the manufacturer or importer that goods have been subjected to quality inspection procedures and have been certified by the competent agent. Merchants and sellers must ensure that the goods have been stamped with the regulation-conformity stamp on the goods label. In addition, merchants and sellers must request documents on product and goods quality, which can be one of the following papers: A certificate of conformity or announcement of the satisfactory result of the state inspection of imported goods quality (for imported goods), or Self-assessment results together with the Notice of receipt of dossiers of announcement of regulation conformity. Merchants and sellers are encouraged to provide consumers with these documents.

If merchants and sellers trade in group-1 products and goods, the goods do not need to meet the minimum qualifications. However, many manufacturers will publish standards that apply to their products. These are not mandatory standards prescribed by law but will help consumers easily identify and make purchasing decisions. At that time, merchants and sellers also should ask the manufacturer or importer to provide documents related to the quality of the goods, such as the results of self-assessment or the test results of the testing centers. Merchants and sellers are also encouraged to provide consumers with these documents.

Some products, such as medications, medical equipment, plant protection drugs, cosmetics, and so on, do not have technical rules, but registration of circulation or declaration of circulation procedures are followed. The importers or producers will carry out these steps. As merchants, they are exempt from these requirements. However, merchants and sellers must ask the manufacturer or importer to provide documents proving that they have carried out this procedure. For example, for cosmetic products, the document is the receipt number of the cosmetic proclamation slip (attached to the cosmetic proclamation slip). For medicinal products, the document is the marketing authorization. Merchants and sellers can also actively look up the websites of the Ministry of Health publicizing products and manufacturers and importers that have completed registration or announced circulation procedures<sup>4</sup>.

#### ❖ **Ensure safety and hygiene for food and beverages**

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<sup>4</sup> For cosmetics products: <https://hqmc-cbmp.ehealth.gov.vn:8002/Pages/lookupCosPermitManager.zul;jsessionid=CB131194E45D0261A1FDE95668CA4078;jvm1>  
For medicine: <http://dichvucong.dav.gov.vn/congbothuoc/index>

Food is the only one of the items that must meet the minimum qualifications described above. However, because this is a product with many different suppliers and its own set of management rules, we have dedicated a section to guide merchants and sellers in more detail.

**Fresh food** is unprocessed food such as meat, eggs, fish, seafood, fresh vegetables, etc. Fresh foods must meet safety and hygiene requirements, such as (1) adhering to pesticide use instructions, particularly the time between spraying and harvesting; (2) not using banned substances in animal feed; (3) adhering to veterinary drug, chemical, and aquaculture preparations instructions; (4) not using animals that have died from or are suspected of being infected as food; and (5) proper use of food preservatives.

The manufacturers must guarantee that these requirements are met. Merchants and sellers must check the provenance of the food and not buy food that does not fit the aforementioned conditions. When preserving fresh food, merchants and sellers must meet the following requirements: (1) maintain a constant temperature; (2) keep insects, mold, and dirt at bay; and (3) separate foods, particularly those that may be eaten raw, such as vegetables, from those that must be processed, such as meat and fish.

**Prepackaged foods** are fully packaged and labeled foods that are ready for immediate sale for further processing or immediate consumption, such as instant noodles, confectionery, milk, canned goods, and so on. This type of food must follow the same technical regulations and conformity declaration processes as group-2 products.

**Processing food for takeaway (takeaway, ship/delivery)** is becoming more popular in urban areas as a result of e-commerce and fast delivery services. Food handlers selling takeaway should adhere to the following food safety and hygiene principles:

- Requirements for raw materials: (1) do not use food processing materials that are stale, moldy, of unknown origin, or expired; (2) use clean water and clean ice; and (3) do not use food additives that are forbidden or not authorized to circulate in Vietnam.
- Requirements for preservation and packaging: (4) separate processed and fresh food; (5) avoid food contact with hazardous chemicals, pollution sources, insects, and rats; (6) clean, washed, and drained food packaging; and (7) store food at an appropriate temperature and environment.
- Processing requirements: (8) guarantee adequate temperature and cooking time for food; (9) people in direct contact with food must not have infectious diseases, must wash their hands frequently, and must wear gloves, masks, and hoods.
- Requirements for processing areas include (10) regularly cleaning and sanitizing food storage and processing areas; (11) using safe cleaners; (12) cleaning utensils which are used for cooking and processing; (13) garbage collection, regular cleaning, and no standing water on the floor; (14) using and cleaning grease traps regularly; and (15) keeping the kitchen cool, well-lit, and free of cockroaches and rats.

❖ **Do not trade in counterfeit goods, pirated publications**

Counterfeit trademark items are goods/ packages of goods carrying trademarks or signs that are identical to or difficult to identify from the protected mark used for the same item without the trademark owner's

authorization. The merchants and sellers are not permitted to sell counterfeit products. The two below examples will help merchants and sellers better comprehend the rule.

*Example 1: Counterfeit goods of well-known brands.*

Some goods tend to imitate the products of well-known brands. These goods can copy almost or entirely the design of the product and have that brand on it, such as fake branded handbags, or fake famous brand shoes and clothing products. These goods are counterfeits of well-known trademarks and thus illegal goods.

*Example 2: Goods using trademarks or copyrighted images without permission.*

Some manufacturers may supply merchants and sellers with goods which have logos of well-known brands attached, or imprinted, such as Channel, Louis Vuitton (L&V), etc., or use copyright-protected images such as Mickey Mouse, Disney princesses, or Marvel superheroes, etc. The above products, without permission and royalty fee under the law, are illegal.

The merchants and sellers are encouraged to check the above information with suppliers before importing goods to avoid the legal risks involved.

Pirated goods are copies of books, papers, movies, and music created without the consent of the owner of the copyright or associated right. Merchants and sellers may not sell the items listed above if they know or have reasonable grounds to believe that products are pirated.

❖ **Do not import goods that merchants and sellers know are of illegal origin such as smuggled, stolen, or illegal mining goods**

Merchants and sellers must not import and sell goods that they know are of illegal origins such as smuggling, stolen, or illegal mining goods. A typical case to note is hand-carried goods. Hand-carried goods are usually smuggled goods, are not declared at customs, so they are illegal goods.

In many circumstances, merchants and sellers will not be able to tell whether the goods from the supplier are of legal or illegal origin. However, if merchants and sellers have any concerns about the legality of the origin of the goods (such as smuggled, theft, or illegal mining goods), merchants and sellers must double-check before deciding to import the goods. Depending on the circumstances, they can use many different ways to check the origin of the goods, such as directly questioning the supplier about the origin of the goods or asking the seller to commit or provide documents proving the origin of the goods.

➤ **Criterion 2: Selecting vendors**

❖ **Prioritize the purchase of goods from business partners that practice responsible business, local manufacturers, that manufacturers that produce sustainable goods, goods with local and ethnic cultures, goods produced by social enterprise associations, and people with disabilities.**

Vendor selection can be based on key criteria such as:

- Supplier's reputation: When assessing a supplier, its reputation is the first and most important element. It also determines whether or not to work with the supplier.



- Product/service quality: For merchants and sellers to succeed in business, they depend on the supplier's goods and services. The supplier must therefore make sure that the quality of the good or service matches the requirements of the seller.
- Product/Service Delivery Performance: Elements that assess a supplier's capability to supply goods and services, including order fulfillment time, delivery dependability, sure delivery, information interchange, adaptability, flexibility, and service level.
- Product/service prices and payment methods: Product/service prices and payment methods are indispensable criteria in the supplier evaluation criteria table. This criterion affects the seller's ability to buy and profit.
- Supplier customer service: The service that a supplier provides to a merchant/seller that helps in providing the best product/service. Especially in cases where problems arise such as product defects, not quality assurance, lack of orders, etc.
- Sustainability and sustainability of suppliers: A long-term relationship with a good supplier helps the seller's operation process to become stable, reducing the costs of finding new suppliers as well as the costs of finding new suppliers. Potential risks when not understanding the work, and product quality of another supplier.
- Supplier's financial risk: A supplier's financial stability will determine whether a supplier will continue to be a reliable partner and that supply will not be disrupted by consequences of financial risks.
- Besides the above criteria, sellers should select the vendors that perform responsible business practices. The vendors performing responsible business practices usually have the commitment to respect human rights and environment, and comply with relevant provisions and standards on responsible business (for example: this Code of Conduct) or are being certified by reliable certification/industrial schemes on responsible businesses.

Furthermore, selecting vendors who are local manufacturers and the manufacturers that produce goods with local and ethnic cultures, goods produced by social enterprise associations, and people with disabilities is encouraged. This creates positive social impacts such as reducing energy consumption in transportation, reducing waste and compensating disadvantages that are encountered by vulnerable groups like ethnic minorities and people with disabilities.

## STANDARD II: OPERATION

### ➤ **Criterion 3: Building the Customer-centric responsible business culture**

Merchants and sellers need to make it clear to their employees that they expect to build a responsible business culture for the benefit of consumers throughout the sales operations process. The employee is defined as a person hired by the merchant/seller in any form, including official, temporary, student part-time, and seasonal.

- ❖ **Disseminating the customer-centric responsible business culture to all employees.**

The dissemination of a responsible business culture that respects the rights and interests of consumers will be the foundation for sellers to operate their businesses in which each employee has a sense of doing their job. The merchants and sellers are responsible for the consumer.

#### ❖ **Training staff on consumer rights protection.**

For their employees to perform their assigned duties responsibly and with the interests of consumers in mind, the merchants and sellers should organize training activities for employees on relevant regulations of consumer protection as well as the codes of conduct and good practice outlined in this code.

Training should be carried out regularly, especially in case the merchants and sellers expand their business to new products, new customers, new locations, or newly recruited employees.

### ➤ **Criterion 4: Environmental protection**

Environmental protection is everyone's responsibility, including e-commerce merchants and sellers.

#### ❖ **Reducing waste in the packaging of e-commerce goods**

Currently, e-commerce activities and freight forwarding are using a large number of plastic bags or other types of disposable plastic packaging. These are very convenient and low-cost materials when packing goods. However, this type of material is often not collected and recycled properly, causing many negative impacts on the environment and ecosystems. The merchants and sellers are therefore encouraged to practice measures to minimize the use of waste in the packaging of their goods. Some suggested measures are as follows:

- Replace plastic and plastic packaging with biodegradable, recycled-material packaging. Packaging made from natural materials such as banana leaves, seaweed leaves, and so on (if possible);
- Replace the usage of bubble wrap when inserting products into used containers.
- Reuse carton or other sanitary packing;
- Adhesive tapes and plastic tapes should be replaced by paper tapes.
- Identify exact sizes of products and redesign product packaging to eliminate unneeded layers;
- Offer consumers eco-friendly packaging, paper cups, and straws. Depending on their abilities, options may or may not include fees.
- Make sure that the merchants/sellers and their employees do not put cutlery in the food box if the buyer has opted not to use them.
- Facilitating waste collection and segregation on different types of waste for recycle
- Encourage the recycle of packaging materials by providing recycling instructions in website or printed in the packaging.
- Use electronic invoices (e-invoice) instead of paper invoices.

#### ❖ **Reducing emissions causing air pollution and the greenhouse effect in e-commerce activities.**

Air pollution and traffic jams in some major cities have reached alarming levels. In addition, emissions from vehicles are also the cause of climate change. The merchants and sellers can contribute to solving this problem by reducing the use of vehicles that cause emissions. Some suggested measures are as follows:

- Making the best effort to reduce unnecessary returns. Of course, responding to a return request is compulsory because this is a legitimate consumer right. However, in e-commerce activities, many purchase decisions are made by momentary feelings, resulting in significant return rates, particularly in various forms of shopping such as purchases via live stream, and flash sales. The merchants and sellers are encouraged to take the following measures to prevent unnecessary returns: (i) provide accurate and detailed product information, user guide videos, even after the order has been placed; (ii) smart and responsible transportation of goods to avoid spillage, breakage, or damage of goods; (iii) to the extent possible, give priority to providing incentives with prepayment (or no preference for cash on delivery - COD).
- Within knowledge and capability, optimize transportation routes and use least-carbon-emissions modes of transportation such as electric automobiles, public transportation, and bicycles.
- Wash and maintain automobiles regularly to help reduce urban air pollution. If the merchants and sellers ship products, they should keep car washing and vehicle upkeep in mind. This not only extends the life of their automobile and motorcycle but also helps to minimize dust and air pollution in cities.
- Encourage employees to take public transportation to work or change their work arrangements so that they can work from home. Some companies are already implementing policies to cover the expenditures of employees who take public transportation to work.
- Use renewable energy resources, such as solar-power and wind-power, where possible, to serve operation activities.

❖ **Save electricity and water, give priority to using energy-saving equipment**

Saving water and electricity helps to reduce the use of non-renewable natural resources, reducing the impact on the environment. The merchants and sellers can use energy-saving appliances such as energy-saving light bulbs, air conditioners, refrigerators, freezers, and so on.

The merchants and sellers can refer to the detailed instructions in the Handbook "Saving electricity in offices and factories"<sup>5</sup>.

## Standard III: Marketing and Sales

### ➤ Criterion 5: Advertising

- ❖ **Do not create logos, images, names, or domain names that are similar to well-known brands. Do not use brand information, photos, or contact information to mislead customers**

Advertising based on logos, images, names, domains, and contacts similar to well-known brands will confuse consumers. This is not consistent with the principle of honest, responsible business.

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<sup>5</sup> [https://media.tietkiemnangluong.com.vn/Images/Upload/User/giangnguyen/2021/11/cn\\_tkd\\_nha\\_xuong-van\\_phong\\_isbn.pdf](https://media.tietkiemnangluong.com.vn/Images/Upload/User/giangnguyen/2021/11/cn_tkd_nha_xuong-van_phong_isbn.pdf)

❖ **Provide thorough and accurate information on the order's quality, quantity, origin, price, delivery cost, usage instructions, and other details.**

When the merchants and sellers advertise their goods, they must provide complete and accurate information about the goods, including information written on the goods labels, such as names of goods; the name and address of the organization or individual responsible for the goods, origin of goods, other contents which according are specified in Appendix I of Decree 43/2017/ND-CP (according to each type of goods) (except for information specific to each product such as production date, expiry date, number frame, engine number...); quality; quantity; price and other information. For goods such as food products (snack food, ready-to-eat food, cooking ingredients...), cosmetics, medicine, functional foods, etc., the merchants and sellers should pay attention to providing full product ingredients and the list of nutritional ingredients (if any), which are stated on the product label. The merchants and sellers should include this information in the product description or provide a photo of the label.

In addition to information about the features and prices of goods that consumers are interested in, the merchants and sellers should also clearly show the issues that consumers often confuse about. They should not deliberately silence or use multi-sense words to mislead customers about their goods. Some products must be named according to the regulations, for example, distinguishing between "medicine" and "dietary supplement"), or only named if it meets certain criteria, for example, fish sauce can only be used with sauces with a content of 10g/l or more protein). They should pay attention to using the appropriate name of the goods.

If their goods have minor defects or the delivery/ return conditions are more unfavorable to the buyer than the normal conditions do, the merchants and sellers should also make this clear in the posting of their goods. For goods that meet quality standards and technical regulations, the merchants and sellers should also show this when advertising.

The merchants and sellers must provide the entire electronic contract and allow the customer to read the entire contract before signing. The merchants and sellers must disclose all costs and charges to the customers before signing the contract.

The merchants and sellers must not sell expired products<sup>6</sup>. They should make every effort to guarantee that the items have a suitable expiration date from the time the customer received the products. They should disclose (or communicate) with the buyer about the product's shelf life, for example: state a commitment to the shelf life of the product (for example, at least 6 months), or discuss the remaining shelf life of the product with the buyer and have the agreement of the buyer.

❖ **Introduction pictures and videos of goods must be as similar to the real goods as possible.**

For a variety of reasons, the advertising image cannot be identical to the goods being sold. When taking advertising photos, merchants and sellers want to make the product image beautiful, eye-catching, and attract buyers. Therefore, the selection of shooting angles, lighting arrangements, backgrounds, and photo editing is done by many merchants and sellers. However, the merchants and sellers still should be honest

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<sup>6</sup>According to Article 8 of Law on Products and goods quality 2007

when taking pictures or recording videos to introduce goods, not to deceive consumers. For example, they should not use a good quality product to film or take pictures but sell lower quality products.

❖ **When paying celebrities to advertise, it should be clearly stated that this is promotional content**

If merchants and sellers hire a celebrity to advertise their product, they should make it clear that this is advertising content, so that consumers don't misunderstand this as a celebrity actively evaluating the product. This can be accomplished with a brief note in the ad copy (for example, displaying the words sponsored) or through other appropriate techniques.

❖ **Ensure that the photos, videos, and product descriptions were created or allowed for use by themselves; do not steal photos and videos from competitors.**

Because filming and photographing things can be time-consuming and expensive, many merchants and sellers will look for ways to leverage video images accessible online or photographs and videos made by competitors. The merchants and sellers should not do this.

❖ **Do not use photos or videos containing discriminatory, gender-stereotype, obscene, or violent content.**

When creating advertising content, the merchants and sellers should avoid using photos, videos, or statements that contain vulgar or violent content; anything that is discriminatory towards ethnicity, or region offends religion or fosters prejudice against women or persons with disabilities.

Amongst others, gender-stereotypes are the contents containing generalized stereotypes that a certain gender must have certain characteristics, and features or take responsibility for certain roles inside society. For instance: women must nurse, do dishwashing, or clean; men must make living and be dominant over women. These contents result in widespread adverse impacts on society, especially through advertisements. Not only does prohibit advertisements disseminate gender-stereotyped content to consumers, but the law also proscribes advertising (that usually contains gender-stereotypes) that aims at creating adverse impacts for the owners/merchants that belong to a certain gender.<sup>7</sup>

Advertisements must not explicitly compare the price, quality, and effectiveness of their products or services to those of others; must not use the phrases "most", "unique", "best", "number one", and so on without supporting evidence<sup>8</sup>.

❖ **Do not use advertisements that make customers annoyed.**

The merchants and sellers should not use advertisement methods that annoy customers such as annoying phone calls, texting or comment-automated software, sending emails, and automated messages.

❖ **Use age-appropriate images and videos when selling goods to children.**

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<sup>7</sup> Article 8, Law on Advertising 2012; Article 40, Law on gender equality 2006

<sup>8</sup> According to Article 8 of Law on Advertising 2012

For children's products or advertising in places where children are common (like in video games and children's video clips), the merchants and sellers must use age-appropriate photos or videos.

❖ **Prioritize the use of images and information showing the value of sustainability, local culture and human values**

Sustainability is the global trend. When advertising, merchants and sellers are encouraged to promote the values of sustainability, pushing consumers to have sustainable consumption to understand clearly the environmental and social impacts resulted from their consumption. For example: the content of advertisement should encourage the consumption of sustainable goods, not using excessive plastic products, not using the goods that are linked to human rights violations and supporting sustainable initiatives.

The merchants and sellers are encouraged to use images and information that show local culture or have humanistic values in their advertising content. For example, when filming or taking photos of products, the merchants and sellers can use the context of famous landmarks of a region, characters wearing traditional costumes, and national costumes. The merchants and sellers should provide more information to consumers about the origin, history, and customs of the community associated with the product or service. For example, describe how local farmers grow organic coffee when selling coffee.

❖ **Do not perform fraudulent acts such as commenting and giving good reviews for their stall by yourself or their acquaintances.**

The merchants and sellers should respect and provide accurate and complete information on the feedback, comments, and reviews of online consumers about their products, service, or store. Commenting, giving good reviews, or giving high marks to their store on e-commerce platforms/ other intermediary platforms or asking acquaintances to do so is a fraud and can mislead consumers about the quality of their goods. The merchants and sellers should not provide incorrect, unverified, or misleading feedback about the price, product quality, service, and product use. The merchants and sellers also shouldn't delete bad reviews about their products or create bad reviews about their competitors' products.

❖ **Consciously advise customers to avoid excessive advertising because of the desire of selling.**

The merchants and sellers should advise enthusiastically, honestly, and fully to customers. They should not have excessive advertising because of the desire to sell or overstate the possibility of early delivery.

➤ **Criterion 6: Packing, Delivery, Payment, and Shipping**

❖ **Packing goods to save costs and ensure product preservation requirements during transportation, storage and preservation.**

The merchants and sellers should design the packaging of goods by the size and characteristics of the product, avoiding excessive packaging that causes waste. Goods need to be packaged to prevent damage during manual handling, shipping, and the return and exchange process (if needed) to ensure the best customer experience. In addition, the merchants and sellers need to carefully study and strictly follow the

regulations on packing and stamping properly according to the requirements of the carrier and the e-commerce platform.

Some goods require special conditions to maintain quality. The merchants and sellers must take precautions during shipping, storage, and preservation<sup>9</sup>. When selling frozen food, for example, a proper refrigerator or cooling equipment is required to preserve the goods. When shipping the items to the customer, precautions must be taken to ensure that the temperature remains sufficiently low, such as packaging the goods in a frozen foam box.

The merchants and sellers have the responsibility to inform the buyer of the requirements that must be met when transporting, storing, preserving, and using the products. For instance, cold storage, a shady location, etc.

#### ❖ **Ensure convenient and safe payment for customers**

The merchants and sellers should provide popular and convenient payment options for their customers along with complete and detailed instructions. The sellers also need mechanisms to ensure that payment transactions are safe and protect consumers' information.

#### ❖ **Delivered goods as described**

The merchants and sellers must deliver the goods as described when advertising. If the products or sales conditions are different from those advertised or posted, the sellers must specify and have confirmation from the customer before closing the order.

#### ❖ **Treat drivers with kindness such as arranging waiting seats, allowing the use of toilets, and providing drinking water.**

The merchants and sellers should arrange a parking space, and a seat to wait for the shipper to pick up the goods, allow the shipper to use the toilet, and provide drinking water if the driver needs it. These are very small things but will help drivers reduce fatigue, reduce traffic accidents and reduce the number of drivers urinating indiscriminately causing urban pollution.

#### ❖ **Develop and implement warranty policies for products and services**

The merchants and sellers must develop, publicize, and inform clients about the process and warranty policy for the products and services. The warranty policy must include the following terms, content, scope, procedure, and exclusions of warranty liability. The merchants and sellers must perform their warranty responsibilities for products and services according to the law, specifically:

- During the warranty duration, the merchants and sellers must supply the customer with a similar product, component, or accessory for temporary use or another consumer-acceptable settlement.
- If the warranty time expires without being able to repair or rectify the issue, the merchants and sellers must have a return, replacement, or recovery procedure in place and refund the consumer's money.

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<sup>9</sup>Article16 Law on Products and goods quality 2007



- If the merchants and sellers authorize another organization or individual to fulfill the warranty, or if the warranty responsibility falls within the scope of a business partner, the merchants and sellers must fully assist and support consumers to protect their interests.

### ➤ **Criterion 7: After-sale service**

Completing the sale process does not mean that everything is done. The merchants and sellers need to maintain after-sales services to be able to retain customers. This is an issue that concerns many e-commerce consumers.

#### ❖ **Quick response, dedicated and maximum support for consumers and relevant stakeholders.**

When customers make requests such as exchange, refund, warranty claim, or repair damaged goods, the merchants and sellers should answer swiftly, wholeheartedly, and to the highest of their ability. They should have an internal regulation that assigns responsibility for handling complaints and disputes, a reporting mechanism, and the authorized person to settle complaints and disputes. If a request is beyond the authority of the employee, there must be a process for that employee to contact higher-level management for handling. When responding to a claimant's request, it is necessary to notify the claimant of the processing time, in case more time is needed, it must also be informed. The merchants and sellers should respond and handle complaints in a transparent, objective, and timely manner within 48 hours of receiving the request from the user. In case the merchants and sellers need more time to verify the case, the merchants and sellers must inform the claimant about the time to reply and settle the complaint.

#### ❖ **Building an online customer care process.**

To be able to get loyal customers, merchants and sellers should put in maximum effort to bring the best products, services, and experiences to customers. They should build a thoughtful online customer care and after-sales service process, for example:

- Send a thank you letter to a customer after purchasing a product/service.
- Actively contact again to survey and collect customer feedback after experiencing the product.
- Actively maintain the exchange of information and provide useful content to customers.
- Pre-promote information about new products and provide incentives to loyal customers.

The merchants and sellers may develop a customer care support team, ready to receive complaints and thoroughly resolve complaints anytime, anywhere. They should expand channels and means of customer support so that consumers can easily reach as many as they can.

#### ❖ **Develop policies and procedures for handling defective products**

Defective products are products that are not safe and are likely to cause damage to the life, health, and property of consumers, even if such products are manufactured by the standards or technical regulations effective at that time, but defects have not been detected at the time the goods are supplied to consumers. Developing policies and procedures for handling defective products demonstrates their responsibility for the quality of the goods and their efforts to ensure the interests of consumers. The merchants and sellers should take prompt and timely action to stop buying defective products on the market, make them publicly

available and conduct a thorough recall of defective products, and take necessary efforts to protect the interests of the customer during the recall of a defective product. They must fully perform the obligation to compensate for damage in case the defective product causes damage to the life, health, and property of consumers by law<sup>10</sup>.

- ❖ **Commitment to protect the confidentiality of customers' personal information, and not to share customers' personal information with others (except when having customers' consent).**

The merchants and sellers must commit and take measures to protect the privacy of customers' personal information. Personal information is information that can help identify a customer such as a name, phone number, email, address, picture, or other information from which the customer's identity can be inferred. When the merchants and sellers want to collect the customer's personal information or share such information with any other third party (like advertising or marketing services), they must inform the using purpose of the collected information and have the customer's consent. The merchants and sellers must take measures to allow customers to edit and delete personal information when they want. The security of their customer's personal information should include monitoring their staff to do so. The merchants and sellers must conduct compensation for customers due to technical errors in the system, and errors to disclose customer information. At the same time, the merchants and sellers should coordinate with customers and partners to implement measures to manage risks and ensure reliability and security when providing services.

### ➤ **Criterion 8: Handling customer complaints and participating in dispute resolution with customers**

Sales don't always go smoothly. In some cases, the customer may not be satisfied with the product, and there will be complaints and even disputes. The merchants and sellers need to pay attention to the following contents when handling complaints and participating in dispute resolution with customers:

- ❖ **Provide contact information to handle customer complaints or inquiries**

The merchants and sellers must provide complete and clear contact information, response time, and instructions on how to handle customer complaints, disputes, or other requests.

- ❖ **Develop and make publicly available a process for handling the complaints or requests made by consumers and relevant stakeholders.**

The merchants and sellers must develop, publicize, and guide customers on the process of receiving and resolving complaints and/or requests made by consumers and relevant stakeholders affected by their operations, in a prominent place on their online store. At the same time, the merchants and sellers must acknowledge the information and assign tasks to handle consumer complaints, requests according to the published process.

- ❖ **Good faith and friendliness in the dispute settlement process**

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<sup>10</sup> Article 22-24 Law on Protection of Consumers' rights 2010

Disagreements with customers can put merchants and sellers in a bad mood. However, as a responsible business, the merchants and sellers should stay as calm as possible, and gently explain thoroughly to customers to understand unclear issues. It is also necessary to explain or restate the sales policy if the customer has not read and understood these issues carefully. Merchants and sellers should not use words that are offensive, insulting, or abusive to customers.

In any case, the merchants and sellers must not post information and photos of customers who are having complaints or disputes on social networks, whether to share stories or ridicule or for other purposes. This is a violation of privacy and may offend the honor and dignity of the customer.

#### ❖ **Actively and proactively handle complaints or disputes**

The merchants and sellers should proactively and quickly handle customer complaints, ensuring response time as committed. If it is their fault, the merchants and sellers should try to propose solutions that, within their capabilities, match the needs and desires of the customer. Possible solutions such as (i) return for money; (ii) exchange for goods of the same type or other goods; (iii) receiving a gift or discount voucher or (iv) any other suitable solution.

If a consumer chooses to use dispute resolution methods (negotiation, mediation, arbitration, court, or other), the merchants and sellers are encouraged to participate actively in this process by confirming participation, actively completing relevant papers, and providing documents and evidence.

The merchants and sellers should perform fully and on time as committed or as a result of dispute resolution. The merchants and sellers should not avoid or delay making these commitments.

#### ❖ **Providing evidence and information honestly**

Information and evidence are important grounds for dispute resolution. Therefore, the merchants and sellers should provide accurate documents and information and truthfully present the facts of the dispute. In many cases, the parties to a dispute intentionally conceal information and/or evidence against themselves. The merchants and sellers should not do this.

## **Standard IV: Legal compliance and fair competition**

### ➤ **Criterion 9: Legal compliance**

#### ❖ **Carry out business registration procedures or business household registration; Apply for conditional business licenses (depending on business sectors)**

The merchants and sellers are responsible for complying with the legal provisions related to their production and business activities, including licensing procedures and providing information by the law, such as: (1) Business registration certificate, Business household registration certificate (unless registration is not required); (2) License in the field of conditional business; (3) Certificate of eligibility for food safety (for diners opening a restaurant or coffee shop); Liquor retail license; (4) Fire safety plan (approved); (5) Notice of setting up sales e-commerce website (if any); (6) Providing information about business

certificates or personal tax identification numbers; phone number or another contact method for the e-commerce platform (if trading via the e-commerce platform).

The conditional business lines are specified in Appendix 4 of the Law on Investment. Merchants and sellers can look up to see if their business lines are subject to business investment conditions. For example, trading in alcohol, tobacco, food, printing, aqua feed, animal feed, plant protection drugs, veterinary drugs, fertilizers, plant varieties, livestock breeds, pharmaceuticals, manufacturing cosmetics, insecticides, rats, medical equipment, gold, etc. If doing business in one of these industries, it is necessary to meet the conditions prescribed by law and apply for permits and certificates. The merchants and sellers can easily look up these regulations by searching by keywords: business conditions + industry name.

#### ❖ **Declare and pay tax fully**

The merchants and sellers are responsible for fulfilling their tax obligations in full and on time as prescribed by law. In the case of importing goods from abroad, the sellers must go through customs procedures, pay import tax according to regulations and keep attached invoices and documents. Individuals doing business on e-commerce platforms or social networks are obliged to pay taxes to the State. Taxes and fees to be paid include license fees, personal income tax, value-added tax, and special consumption tax (if any). Individuals doing online business are encouraged to contact the local tax Department if doing business online for the first time or have not made a tax return before.

In addition, the merchants and sellers should perform the following steps: (1) Registering for a tax identification number if they do not have one (this procedure can be done online); (2) Providing tax identification information to the e-commerce platform (if trading through the e-commerce platform) or the Ministry of Industry and Trade (if setting up a sales e-commerce website with online ordering function); (3) Completing the tax declaration for the following year (Form No. 01/CNKD according to Circular 40/2021/TT-BTC) and submit it no later than December 15 (they should try to declare the main revenue as accurate as possible); (4) Paying tax as notified by the tax authority; (5) Contact the local tax department for instructions on tax payment procedures if they do not receive the tax payment notice.

#### ❖ **Fully comply with other provisions of the law**

Like anyone else when doing business, the merchants and sellers must fully comply with the legal regulations related to their business activities, including regulations on labor, environment, safety, food, and other relevant regulations. The merchants and sellers need to pay attention to the following issues to comply with the law:

- Regulations on prohibited behaviors (usually in the first chapter of laws): not to perform these behaviors;
- Regulations on obligations of businesses: fully and seriously implement these requirements.

The merchants and sellers can refer to the way to look up the legal regulations that are included in Appendix 1 of this Code. Always remember, though, that the merchants and sellers are allowed to do anything in their business, as long as it's not prohibited by law.

## ➤ **Criterion 10: Fair competition**

- ❖ **Do not perform acts that destroy the business of competitors such as deliberately placing, canceling orders, requesting to return goods of competitors; or intentionally bad reviews of competitors' products.**

When competing with competitors, many online merchants and sellers have engaged in acts of sabotage of their competitors' business activities such as deliberately placing orders then canceling those orders, requesting to return goods of competitors; intentionally giving bad reviews of competitors' products.... These are all acts of unfair competition and should not be done.

- ❖ **Do not intentionally suggest customers trade without using e-commerce platforms; do not collude with the buyer or the carrier to fake the transaction.**

When dealing with business partners, in many cases fraud can lead to greater profits. For example, merchants and sellers can transact directly with customers without going through the e-commerce platform to save costs. Another example is colluding with a buyer or a carrier to fake a transaction. In some other cases, when the supplier's employee suggested that the merchants and sellers collude to reduce the amount payable to the company, the merchants and sellers should not commit such fraudulent acts

# APPENDIX 1

## SIMPLE INSTRUCTIONS FOR FINDING REGULATIONS

We understand that looking up legal regulations is not easy. Therefore, we present several ways to do legal research that can benefit their business.

Note that these are simple instructions that can be done quickly and , and because of that, the result is only accurate at a certain level. The merchants and sellers still need to contact or hire legal professionals if they want to be sure that the uncovered legal provisions are appropriate and comprehensive.

### 1. Simple lookup

The fastest way when the merchants and sellers need to find a legal regulation is to use Google with keywords: legal regulations + issues to find. For example, if wanting to know the law on the cosmetics business, they can search: for cosmetic law regulations.

### 2. National database of legal documents

Currently, there are quite a few legal databases available online for free. Here, we introduce the search on the National Database of legal documents at <http://vbpl.com.vn>.

The merchants and sellers can use the optional keyword search function. The advanced search function can help the merchants and sellers choose a search method, including the keyword "exactly above" or "all of above"; Search in "extract" is the name of the text, or "all" includes both the name and content of the text; Type of desired document such as law, decree, circular...; and other options.

For example, the merchants and sellers search for "cosmetic" with the option "exactly the above phrase" and search in "extract" will bring up all legal documents whose name includes the word "cosmetic". Topping this list is Decree 93/2016/ND-CP stipulating conditions for cosmetic production.

### 3. Amendment, replacement, and invalidation documents

The regulation remains in effect until another legal document amends or replaces it.

Regulation is only invalidated in one or two of the following cases:

- A legal document that directly amends, supplements, or annuls the clause containing such provision. If the legal document amends or supplements the document containing such provision, but not mentioning the clause containing the content of the regulation, the regulation is still valid;
- A legal document annuls the legal document containing that provision. In this case, the rule is invalidated. It is the provisions of the new legal document to be complied with.

If the validity status is "Valid", it means that the regulations still apply.

Hiệu lực: **Còn hiệu lực** Ngày có hiệu lực: **01/01/2018**

**BỘ CÔNG THƯƠNG**  
Số: 33/2017/TT-BCT

**CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM**  
**Độc lập - Tự do - Hạnh phúc**  
*Hà Nội, ngày 28 tháng 12 năm 2017*

**BỘ CÔNG THƯƠNG**  
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Số: **33/2017/TT-BCT**

**CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM**  
**Độc lập - Tự do - Hạnh phúc**  
-----  
*Hà Nội, ngày 28 tháng 12 năm 2017*

If the validity status is "Partially invalidated", it means that these documents have been amended and supplemented. The merchants and sellers need to check whether the article or clause containing the specified content has been amended or supplemented.

Hiệu lực: **Hết hiệu lực một phần** Ngày có hiệu lực: **01/01/2016**

**BỘ CÔNG THƯƠNG**  
Số: 41/2015/TT-BCT

**CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM**  
**Độc lập - Tự do - Hạnh phúc**  
*Hà Nội, ngày 24 tháng 11 năm 2015*

**THÔNG TƯ**

**Quy định Danh mục sản phẩm, hàng hóa có khả năng gây mất an toàn thuộc trách nhiệm quản lý của Bộ Công Thương**

If the validity status is "Completely Expired", this document is no longer valid. The merchants and sellers need to check the valid legal document, which can be viewed in the "Scheme" section.

[Toàn văn](#) [Thuộc tính](#) [Lịch sử](#) [VB liên quan](#) [Lược đồ](#) [Bản PDF](#) [Tải về](#) [Bản in](#)

Hiệu lực: **Hết hiệu lực toàn bộ** Ngày có hiệu lực: **25/05/2012** Ngày hết hiệu lực: **01/01/2016**

**BỘ CÔNG THƯƠNG**  
Số: 08/2012/TT-BCT

**CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM**  
**Độc lập - Tự do - Hạnh phúc**  
*Hà Nội, ngày 9 tháng 4 năm 2012*

**THÔNG TƯ**

**Ban hành Danh mục sản phẩm, hàng hóa có khả năng gây mất an toàn thuộc trách nhiệm quản lý của Bộ Công Thương**

The valid legal document is displayed in the "Scheme" section.



<p><b>Văn bản hiện thời</b> <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>■ Thông tư 08/2012/TT-BCT Ban hành Danh mục sản phẩm, hàng hóa có khả năng gây mất an toàn thuộc trách nhiệm quản lý của Bộ Công Thương</li> </ul>	<p><b>Văn bản HD, QĐ chi tiết (0)</b> <input type="checkbox"/></p>
<p><b>Văn bản căn cứ (4)</b> <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>■ Nghị định 132/2008/NĐ-CP Quy định chi tiết thi hành một số điều của Luật chất lượng sản phẩm, hàng hóa [Thuộc tính] [VB Liên quan] [Toàn văn]</li> <li>■ Luật 05/2007/QH12 Chất lượng sản phẩm, hàng hoá [Thuộc tính] [VB Liên quan] [Toàn văn]</li> <li>■ Nghị định 189/2007/NĐ-CP Quy</li> </ul>	<p><b>Văn bản quy định hết hiệu lực (1)</b> <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>■ Thông tư 41/2015/TT-BCT Quy định Danh mục sản phẩm, hàng hóa có khả năng gây mất an toàn thuộc trách nhiệm quản lý của Bộ Công Thương(Văn bản thay thế) [Thuộc tính] [VB Liên quan] [Toàn văn]</li> </ul>

## APPENDIX 2

### LIST OF LEGAL DOCUMENTS RELATED TO POTENTIALLY UNSAFE GOODS (GROUP 2)

- Ministry of Industry and Trade:

[Circular 41/2015/TT-BCT](#), [Circular 29/2016/TT-BCT](#), [Circular 33/2017/TT-BCT](#). For easy lookup, the sellers can look up the text summarizing the content of the above documents: [Consolidated Document 13/VBHN-BCT 2018](#);

In addition, the sellers also need to pay attention to the following items: textile products ([Circular 21/2017/TT-BCT](#)); cigarettes ([Circular 23/2015/TT-BYT](#))

- Ministry of Agriculture and Rural Development: [Circular 16/2021/TT-BNNPTNT](#)
- Ministry of Science and Technology: [Decision 3810/QD-BKHCHN in 2019](#); [Decision 3115/QD-BKHCHN in 2020](#) amending Decision 3810/QD-BKHCHN;
- Ministry of Information and Communications: [Circular 02/2022/TT-BTTTT](#)
- Ministry of Labor, Invalids and Social Affairs: [Circular 01/2021/TT-BLDTBXH](#)
- Ministry of Construction: [Circular 19/2019/TT-BXD](#)
- Ministry of Transport: [Circular 12/2022/TT-BGTVT](#)

## APPENDIX 3

### LIST OF LEGAL DOCUMENTS RELATED TO POTENTIALLY UNSAFE GOODS (GROUP 2)

The main documents regulating e-commerce businesses include:

1. Law on Protection of Consumers' Rights
2. Law on Advertising
3. Decree 52/2013/ND-CP
4. Decree 85/2021/ND-CP

In addition, other relevant legal documents include:

1. Law on Investment
2. Law on Product and Goods Quality
3. Commercial Law
4. Law on Standards and Quality Regulation
5. Law on Food Safety
6. Law on Intellectual Property
7. Criminal Code
8. Law on Customs
9. Law on Biodiversity
10. Law on Forestry
11. Law on Environmental Protection
12. Law on economical and efficient use of energy
13. Law on Advertising
14. Law on Telecommunications
15. Law on Prices
16. Children Law
17. Cybersecurity Law
18. Law on Cyberinformation Security
19. Competition Law
20. Law on Enterprises
21. Law on Tax Administration
22. Law on Personal Income Tax

23. Law on Value-Added Tax
24. Law on Corporate Income Tax
25. Law on special excise duty
26. Law on Environmental Protection Tax
27. Laws regulating group 2 commodities: Law on Pharmacy, Law on Veterinary Medicine, Law on Animal Husbandry, Law on Crop Production, Law on Plant Protection and Quarantine,
28. Decree 59/2006/ND-CP
29. Decree 39/2009/ND-CP
30. Decree 43/2009/ND-CP
31. Decree 93/2016/ND-CP
32. Decree 15/2018/ND-CP
33. Decree 01/2021/ND-CP
34. Decree 98/2021/ND-CP



**UNITED NATIONS  
DEVELOPMENT PROGRAMME**

Address: 304 Kim Ma, Ba Dinh, Hanoi,  
Viet Nam  
Tell: +84.24. 38500100  
Fax: +84.24.37265520  
Email: [registry.vn@undp.org](mailto:registry.vn@undp.org)  
Website: <https://www.undp.org/vietnam>



**VIET NAM COMPETITION AND  
CONSUMER PROTECTION AUTHORITY**

Address: 25 Ngo Quyen, Hoan Kiem, Hanoi,  
Viet Nam  
Tell: +84.24.22205002  
Fax: +84.24.22205003  
Email: [vcca@moit.gov.vn](mailto:vcca@moit.gov.vn)  
Website: <http://vcca.gov.vn>