



PwC Vietnam Newsbrief

New rules on personal data protection

January 2026





At a glance

Following enactment of the Personal Data Protection Law (refer to our previous [Newsbrief](#)), the Government has recently issued Decree No. 356/2025/ND-CP, which has immediate effect from 01 January 2026.

This Decree provides guidance and implementation measures for the Personal Data Protection Law, superseding Decree No. 13/2023/ND-CP.

In detail



Decree 356 sets out the core obligations that businesses need to comply with as stipulated in the PDPL, including:

- Obtaining valid consents from individuals upon processing their personal data
- Instituting technical and managerial measures appropriate to the personal data processing activities and to address data subjects' rights upon request
- Having assigned department/personnel in charge of personal data protection
- Preparing and submitting personal data processing impact assessments and cross-border personal data transfer impact assessments (if applicable)

Additionally, Decree 356 provides clearer guidance relative to prior regulations. We set out below certain critical points that require attention:

01

Clear timelines for handling data subjects' requests

There are now more reasonable timeframes to handle data subjects' requests (e.g., up to 30 days) as compared with the 72 hour deadline under Decree 13. The timeframes may be extended subject to the nature and complexity of the request.

02

Method to obtain consent and opt-in safeguards

Consent for collection of data subjects must not be set as default to opt-in, and guidance must not cause confusion between consent and non-consent.

In detail



03

Requirements for transferring personal data

- Transferring personal data requires an agreement (with prescribed content) to be in place between the transferring and receiving parties. Additional requirements apply when there is a fee charged for the transfer.
- For personal data shared among internal departments, enterprises must ensure data sharing and usage is limited & what is required for the processing purpose, and implement safeguards to prevent improper data sharing.

04

Formal qualification of DPO

Decree 356 sets out requirements for qualifications of personnel in charge of personal data protection (DPO). These include 2+ years of experience in specific fields (such as legal, IT, cybersecurity or human resource management), training in specialised skills and personal data protection law.



In detail



05

DPIA and CTIA

- Decree 356 promulgates new template forms for the Data Processing Impact Assessment Report (DPIA) and Cross-Border Data Transfer Impact Assessment Report (CTIA).
- Upon submission, the Ministry of Public Security will, within 15 days, assess the DPIA/CTIA and issue a result as to whether they meet the requirements. This is a new mechanism as compared with Decree 13.
- Additionally, DPIAs and CTIAs must be updated **every six months** when new transfer or processing purposes arise or when the involved parties change. In cases of enterprises undergoing reorganisation, termination, dissolution, changing personal data protection service providers, or changing personal data processing business lines, updates must be completed **within 10 days**.

06

Increased enforcement and oversight by MPS

The Ministry of Public Security will carry out both regular and ad hoc inspections covering (i) compliance status of personal data protection, (ii) DPIA and CTIA matters, and (iii) personal data processing service businesses.

Contact us

This publication has been prepared for general guidance on matters of interest only, and does not constitute professional advice. For further information or if you require our official advice or assistance, please reach out to us.



Phan Thi Thuy Duong

Partner

phan.thi.thuy.duong@pwc.com



Tran Thi Than Niem

Senior Manager

tran.thi.than.niem@pwc.com



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