Global Data and Cyber Handbook - Vietnam

DPOs and Notification Requirements

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# Is the concept of data protection officer (DPO) recognized in the jurisdiction?

*Last review date: 2 January 2025*

Yes.

# Are there circumstances in which it is mandatory to appoint a DPO or similar position?

*Last review date: 2 January 2025*

Yes.

If yes, under what circumstances?

☒  other

The PDPD requires the designation of a data protection officer and department when sensitive personal data is under processing.

# Where a DPO is appointed, does the DPO have to meet specific requirements?

*Last review date: 2 January 2025*

N/A

The PDPD is silent on the specific requirements that a DPO must meet.

# Are there obligations to notify, submit filings to, register with or obtain approval from local data protection authorities to collect and/or process personal data generally?

*Last review date: 2 January 2025*

Yes.

Data controllers and processors are required to submit a Personal Data Impact Assessment ("**DPIA**") to the MPS (the A05 Department) when engaging in personal data processing operations regulated by the PDPD. If personal data of a Vietnamese citizen is transferred overseas, data exporters must submit an Overseas Data Transfer Impact Assessment ("**OTIA**") to the MPS A05. Decision No. 4660/QD-BCA announcing newly issued administrative procedures in personal data protection under the Ministry of Public Security's authority ("**Decision 4660**") stipulates new DPIA and OTIA templates, according to which consent forms and data processing agreements must accompany the assessment dossier. Approval of the DPIA and OTIA is, however, not a prerequisite for data processing or overseas transfer.

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