

FIRST-EVER ELECTRONIC NOTARIZATION LEGAL FRAMEWORK INTRODUCED IN VIETNAM

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For the first time in Vietnam, electronic notarization (“**e-notarization**”) will be permissible, as from July 1, 2025, under the new Notarization Law and its implementing Decree 104/2025/ND-CP (collectively, the “**New Laws**”).

1. Key Principles and Scope of Electronic Notarization

Under the New Laws, e-notarization is defined as notarization conducted through electronic means to create an electronic notarized document.

E-notarization must adhere to the general notarization principles and additional e-notarization principles such as information security, data integrity, and legal accessibility.

The New Laws recognize two forms of e-notarization:

- **Direct e-notarization:** The parties are physically present in the same location to conclude the transaction before the notary, but the transaction is digitally signed and certified using digital signatures to create an electronic notarized document.
- **Online e-notarization:** The parties are in different locations and execute the transaction via a secure online platform under the real-time supervision of the notaries. The transaction is then digitally signed and certified. Each party must be present before a notary at their respective location. One notary is designated to initiate and complete the e-notarization transaction on the platform as well as organize the real-time video connection between the locations.

E-notarization is permissible for all types of transactions, except that online e-notarization is not permissible for wills and other unilateral legal acts.

2. Eligibility to Provide E-Notarization Services

To provide e-notarization services:

- Notaries must possess an e-notarization account, a digital signature, and use a timestamping service pursuant to regulations on e-transactions;
- Notarial organizations must also meet the above requirements and be equipped with adequate technological infrastructure.

Digital signatures of both the notaries and notarial organizations must be registered with the local Department of Justice.

3. Nature and Legal Status of Electronic Notarized Documents

An electronic notarized document is a type of electronic instrument. It becomes legally effective once signed by both the notary and notarial organization using digital signatures.

Electronic notarized documents must include identifiers such as QR codes, links, or unique codes to allow authenticity verification.

4. Platforms and Infrastructure

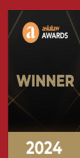
E-notarization must be carried out via an e-notarization platform, which must:

- utilize technology that supports electronic identification accounts of at least level 2;
- for online e-notarization, ensure authentication systems meet at least level 2;
- enable accurate collection, verification, and cross-checking of electronic copies to ensure their accuracy, completeness, and consistency with the originals;
- support video calls for notary-client interaction and capture images of parties signing the notarized documents;
- integrate with the local notarial database for real-time data updates; and
- use digital signature software compliant with legal requirements on e-signatures and authentication services.

5. Mandatory Use of Digital Signatures for Transaction Parties

All parties involved must use digital signatures issued by properly licensed Vietnamese providers or foreign providers recognized in Vietnam.

Organizations and individuals may register for e-notarization services via an e-notarization platform or have their digital signature certificates authenticated through VNeID or other approved applications at the time of the transaction. Notaries and notarial organizations are responsible for assisting with account registration and guiding compliance with applicable laws.



The New Laws provide a robust legal foundation for modernizing notarial practices. This may streamline the notarization process through automation, reducing paperwork, physical storage, and administrative delays. It may also help increasing trust in notarized documents through verifiable digital signatures and traceable document history, and align with global trends in digital governance and paperless transactions.

The rollout of e-notarization not only modernizes notarization services but may also unlock new opportunities for innovation and investment in Vietnam's digital transformation. However, certain practical challenges remain - most notably, the remaining requirement for physical submission of notarized documents in many legal procedures, despite the availability of electronic alternatives. Addressing such inconsistencies through further legal reform will be important to unleashing the full potential of e-notarization and advancing meaningful administrative modernization.

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