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Simplified Licensing in Vietnam's TMT Sector: Key Changes from 1 March 2027

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Vietnam's 2026 regulatory reforms reduce selected licensing conditions and streamline administrative procedures affecting the technology, media and telecommunications sector. Government Resolution No. 66.16/2026/NQ-CP dated 7 April 2026 (***Resolution 66.16***) and Resolution No. 66.18/2026/NQ-CP dated 18 May 2026 (***Resolution 66.18***) introduced interim measures to this effect. Law No. 20/2026/QH16 (**Amending Law**) places selected reforms on a statutory footing and introduces further changes to the laws on radio frequencies, telecommunications, electronic transactions and technology transfer.

Resolution 66.16 took effect on 15 April 2026. Resolution 66.18 generally took effect on 1 July 2026, with specified provisions effective from 20 May 2026. Both Resolutions are scheduled to expire at the end of 28 February 2027, but corresponding provisions may cease to apply earlier when qualifying replacement legislation takes effect. The Resolutions therefore need to be read alongside subsequent legislation, rather than treated as a single regime continuing unchanged until their sunset date.

Adopted on 24 August 2026, the Amending Law generally takes effect on **1 March 2027**. It preserves selected simplifications beyond the Resolutions' sunset dates. It does not replace every measure contained in those instruments.

Two sets of provisions have applied since **1 October 2026**: the revised framework for dual-use frequency bands allocated to State-owned enterprises directly serving national defence and security, and the amendments concerning technology-transfer policies and programmes. Other amendments discussed below generally apply from 1 March 2027.

Key takeaways. Businesses should:

- distinguish the removal of specified licensing conditions from the removal of the licence itself;
- update application checklists for the relevant licence category; and
- assess transitional treatment before relying on the new dual-use spectrum terms.

Trust-service providers should also confirm the applicable implementing procedures before planning for licence expiry.

The principal changes and practical implications are set out below.

1. Dual-use spectrum: longer initial terms, subject to approval and transitional safeguards

Article 1.3 of the Amending Law revises the special framework for allocating frequency bands to State-owned enterprises directly serving national defence and security for economic development combined with defence and security tasks. The Ministry of National Defence or Ministry of Public Security must prepare a scheme, obtain the prescribed inter-ministerial opinions and submit it to the Prime Minister for approval before the Ministry of Science and Technology issues the licence.

The initial allocation may be for **up to five years**. At least nine months before licence expiry, the responsible ministry must evaluate spectrum use and report to the Prime Minister, who decides whether the scheme should end or continue for **up to ten further** years. Licence extension follows the Prime Minister's continuation decision. These are maximum periods, not an entitlement to a 15-year licence.

Practical impact. Eligible enterprises should assess investment horizons against the approved initial term and possible continuation period, while preserving the nine-month review lead time. Schemes must safeguard defence and security, State secrets and fair telecommunications competition, specify the enterprise's assigned tasks and allocate the principal share of the requested spectrum to defence and security tasks.

Transitional treatment is critical. Schemes submitted before 1 October 2026 but not yet approved are subject to the new framework. Schemes approved before that date

but not yet licensed remain governed by the law applicable when approved. Licences issued before that date remain governed by the law applicable when issued. Existing approvals and licences therefore do not automatically benefit from the revised terms.

2. Radio-frequency licensing: fewer entry conditions, not licence-free operation

Resolution 66.16 initially retained a telecommunications-licence condition for organisations seeking radio frequency and equipment use licences to establish telecommunications networks. Resolution 66.18 repeals that interim provision and disapplies the conditions in Article 19.2 of the Law on Radio Frequencies for issuance, amendment, supplementation and extension of radio frequency and equipment use licences. Article 1.13 of the Amending Law repeals the same Article 19.2 from 1 March 2027. This removes the specified statutory conditions for licence issuance, not the requirement to obtain a licence or all applicable application and operating rules.

Band and satellite orbit licences require separate analysis. Under Resolution 66.18, direct band licensing retains a telecommunications-licence requirement. Reissuance also requires completion of relevant radio-frequency financial obligations. With respect to satellite orbit licensing, the Resolution requires a feasible, efficient satellite-orbit use plan for lawful purposes and services. From 1 March 2027, the Amending Law expressly requires a facilities-based telecommunications service licence for direct band licensing and, for reissuance, the same telecommunications licensing requirement plus completion of relevant radio-frequency financial obligations. For frequency and satellite-orbit licensing, the amended Article 21.2 instead requires a satellite launch plan meeting International Telecommunication Union deadlines for bringing the satellite into use.

Practical impact. Applicants should review their evidence requirements by licence category and distinguish initial issuance, extension and reissuance. Reduced statutory conditions may ease preparation and assessment, but the Amending Law does not itself guarantee a shorter processing period or automatic approval.

The reforms should not be read as a general exemption from operational compliance. Businesses should maintain a separate compliance checklist for their licensed activities, including applicable technical, interference-management and operator-qualification requirements, rather than assume that removal of an entry condition also abolishes the underlying obligation.

3. Radio-operator certificates: revised allocation of ministerial responsibilities

From 1 March 2027, the amended Article 32 continues to require operators of maritime mobile, aeronautical mobile and amateur radio equipment to hold a certificate issued or recognised by a competent body. The Amending Law reallocates responsibility for regulating issuance, recognition and revocation. This is a ministerial allocation of functions, not a transfer to provincial authorities.

The Ministers of National Defence and Public Security regulate certificates for maritime mobile and aeronautical mobile services in the defence and security sector.

Outside that sector, the Minister of Construction regulates certificates for maritime mobile and aeronautical mobile services. The Minister of Science and Technology regulates amateur radio certificates. Operators should confirm the relevant implementing rules and competent issuing or recognising body before applying.

4. Telecommunications licensing: fewer conditions and a combined business and technical plan

Resolution 66.16 sets out revised telecommunications licensing conditions without the requirement that the applicant must not be undergoing dissolution or bankruptcy. Article 2.5 of the Amending Law gives statutory effect to that simplification by repealing

Article 36.1(c) of the Law on Telecommunications from 1 March 2027. Other applicable conditions remain relevant to the licence sought.

Resolution 66.16 uses a combined business and technical plan in the revised licensing conditions. Article 2.4(a) of the Amending Law likewise replaces the separate references to technical and business plans in Article 36.1(d) with a single business and technical plan. Applicants should align their submissions with that requirement and the applicable implementing rules. The amendment should not be described as eliminating all supporting technical or commercial information.

5. Infrastructure sharing: more flexible documentation and revised dispute mechanisms

From 1 March 2027, Article 2.3 of the Amending Law revises Articles 47.2 to 47.4 of the Law on Telecommunications:

(i) infrastructure sharing may be documented by contract or another written instrument, subject to protection of the parties' lawful rights and interests;

(ii) mechanisms and policies for infrastructure sharing to perform defence and security tasks in each period are to be governed by Government regulations; and

(iii) where sharing falls within Article 47.1(a) and the parties cannot agree on price, price conciliation follows the law on pricing. Where the parties cannot agree on other sharing terms, the competent State authority decides, protecting their lawful rights and interests. The Government will prescribe detailed rules. Parties should review documentation and escalation provisions rather than assume that every sharing arrangement is subject to the same price-dispute mechanism.

6. Trust services: removal of separate amendment and extension procedures

Resolution 66.18 disapplies the separate procedures for changing the contents of and extending trust-service business licences. Article 3.1 of the Amending Law revises Article 28.4 of the Law on Electronic Transactions to refer to issuance, reissuance, temporary suspension and revocation, without separately listing amendment or extension. Licensing itself remains. The supplied provision establishes implicitly that extension request should be assessed as a reissuance application, and the removal of amendment procedures should be attributable to the use of a shared database. Nevertheless, providers should still check and identify the applicable Government rules and filing requirements before licence expiry or changes to licensed particulars.

7. Technology transfer and decentralisation: distinguish the statutory changes from the interim measures

Effective from 1 October 2026, Article 4 of the Amending Law gives the Ministry of Science and Technology the lead role, in coordination with relevant ministries and bodies, in developing and issuing the national science and technology market development programmes. It also revises the Ministry's role in developing and issuing, within its authority, or submitting to the competent authority, programmes, schemes and policies on technology imports, market development, technology transfer, application and innovation. These are institutional and policy changes, not a general exemption from technology-transfer requirements.

Provincial decentralisation under Resolution 66.18. Separately, Appendix I.3, Section 1 allocates to provincial People's Committee chairpersons the power to consider and permit imports of used IT products on the prohibited-import list under the specified framework. This is a targeted approval route, not a general lifting of the import prohibition. Affected importers should identify the relevant provincial procedure and evidence requirements. The measure should not be presented as a reform permanently enacted by the Amending Law.

8. Transitional rules and immediate client actions

For applications received or postmarked before the relevant Resolution took effect, Resolution 66.16, Article 18, and Resolution 66.18, Article 6.1, preserve the applicable pre-commencement treatment for the procedures within their respective scope. Resolution 66.18 separately requires processing of applications for abolished procedures to stop, with files returned on request. Documents issued before its commencement that remain valid or within their period of use continue to be usable in accordance with law until expiry.

Recommended actions:

- map each planned filing to the relevant licence category, commencement date and transitional rule;
- distinguish abolished procedures from merely simplified conditions;
- review existing spectrum approvals and licences before assuming the new terms apply; and
- confirm the operative implementing rules with the responsible authority.

The Amending Law supports continuity of selected reforms from 1 March 2027, but should not be treated as a blanket continuation of every measure in either Resolution.

FRASERS
LAW COMPANY
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Authors



Ho Thuy Ngoc Tram
Partner
tram.ho@frasersvn.com



Nguyen Van Long
Senior Associate
long.nguyen@frasersvn.com



Ngo Quy Dang
Legal Assistant
dang.ngo@frasersvn.com

Ho Chi Minh City

19th Floor, Deutsches Haus
33 Le Duan Boulevard
Sai Gon Ward
Ho Chi Minh City, Vietnam
T: +84 28 3824 2733

Hanoi

15th Floor, Pacific Place
83B Ly Thuong Kiet Street
Cua Nam Ward
Hanoi, Vietnam
T: +84 24 3946 1203

Website www.frasersvn.com
Email legalenquiries@frasersvn.com

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