



LEGAL UPDATE

NEW REGULATIONS UNDER VIETNAM'S LAW ON NOTARIZATION NO. 46/2024/QH15

On 26 November 2024, the National Assembly of Vietnam passed Law No. 46/2024/QH15 ("**2024 Law on Notarization**"), which took effect on 1 July 2025. This new law introduces major reforms to modernize notarization practice in Vietnam, aiming to enhance accessibility, streamline procedures, and integrate technology into notarial services.

1. Introduction of E-notarization

The 2024 Law on Notarization formally recognizes two forms of electronic notarization alongside traditional paper-based notarization:

- Direct e-notarization: The requester appears in person, and the notary applies a registered digital signature instead of a wet-ink signature and red seal. The outcome is an e-notarized document.
- Online e-notarization: Conducted entirely via an online platform without physical presence, with real-time interaction between the requester and the notary.

E-notarized documents carry the same legal validity as paper notarized documents, and paper notarized documents may be converted to electronic form. Notaries and notarial organizations must meet technical and procedural requirements, including registered digital signatures and secure systems.

Accordingly, electronic notarized documents are legally equivalent to physical ones and form an integral part of the official notarial record.

2. Photo/Video Recording of Signing

When signing before a notary, the process must be photographed, showing both the signer and the notary, unless exempt (e.g., authorized representatives with registered specimen signatures, or signers unable to sign). The images must be clear, unaltered, and stored in the notarial file.

Video recording is also permitted when deemed necessary. In special cases, where both the requester of notarization and the notary agree, the signing process of the notarized

document by the parties involved may be recorded on video.

3. Transactions Subject to Notarization

The law replaces fixed statutory lists with a criteria-based approach: transactions that require high legal protection and are mandated by law or government decree. The Ministry of Justice will publish and regularly update an official list online, enabling individuals and enterprises to more easily determine their notarization obligations.

4. Shift in Translation Certification

Translated documents will no longer be notarized; instead, the translator's signature will be authenticated by the communal-level People's Committee. Notarized translations issued before 1 July 2025 remain valid. This change reduces the workload for notarial offices and clarifies the procedural scope between notarization and authentication.

5. Simplified Notarization Dossier

The notarization request form has been removed. A dossier now only includes:

- Draft transaction document;
- Copy of requester's identification;
- Ownership or use-right certificates, or equivalent legal documents, if applicable; and
- Other documents required by law for the transaction.

6. Practical Implications and Conclusion

The 2024 Law on Notarization presents both opportunities and challenges for practice.

On the opportunity side, digital notarization has the potential to significantly shorten transaction timelines, enable remote execution, and reduce paperwork, while the introduction of criteria-based transaction lists brings greater clarity and legal certainty.

On the challenge side, the successful adoption of e-notarization will depend on the availability of adequate digital infrastructure, robust cyber-security measures, and the operational readiness of notarial offices. In addition, the



requirement for mandatory photo or video recording of the signing process introduces new procedural steps and data management responsibilities, while the shift in translation certification may cause inconvenience where translation services are required alongside notarized transactions.

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