International Journal of Law
www.lawjournals.org
ISSN: 2455-2194
Received: 25-06-2026, Accepted: 25-07-2026, Published: 10-08-2026
Volume 12, Issue 3, 2026, Page No. 276-281

# The legal liability of influencers for unfair competition practices on digital platforms: international experience and recommendations for Vietnam

**Nguyen Thi Tam, Nguyen Ngoc Anh Tien**
Lecturer, Faculty of Economic Law, Ho Chi Minh University of Banking, Vietnam
**DOI:** https://doi.org/10.66856/ijl.2026.12.3.12272

## Abstract
The influencer economy blurs personal sharing and commercial activity, creating legal gaps over liability for deceptive claims, fake reviews, and unfair competition. This article analyzes the legal roles of influencers, brands, and platforms, comparing Vietnam's framework with those of the United States, the European Union, and the United Kingdom. It shows that, although Vietnam's 2025–2026 legislative updates have begun to define influencer responsibilities, these rules remain institutionally disconnected from the Competition Law 2018. As a consequence, the mechanisms of joint liability, the standards of disclosure, and the level of sanctions fail to match the scale of potential digital harm. To address this, the article proposes some solutions that would integrate these instruments into a unified liability framework. These measures aim to hold the key actors in the digital market accountable for dishonest commercial promotion. Ultimately, closing these legislative gaps would better safeguard online consumers and foster fair competition in the marketplace.

**Keywords:** Influencers, KOL/KOC, unfair competition, digital platforms, consumer protection, livestream selling, affiliate marketing

## Introduction
In Vietnam, the community of content creators engaged in product promotion is estimated at around 50,000 people. These creators not only promote products but also shape consumption trends and directly influence the public's purchasing decisions [1]. Livestream selling and affiliate marketing have become the fastest-growing distribution channels in domestic e-commerce, and the e-commerce market in 2025 was estimated at around USD 31–32 billion [2]. These figures are drawn from secondary press sources and should be treated as indicative rather than definitive.

This growth carries a structural downside. Influencers occupy an intermediary position between brands, sellers, and consumers, where the line between a genuine personal recommendation and a paid advertising act is increasingly hard to draw. When that line is exploited, for example through a paid but undisclosed product review, a distorted comparison with a competitor's product, or an artificial sense of scarcity in a livestream session, the conduct may amount to more than false advertising in the narrow sense. In some cases it may also constitute unfair competition. The two categories overlap rather than coincide, however, since not every act of false advertising automatically rises to the level of unfair competition. Where it does, the conduct can cause simultaneous harm to consumers and to honest competitors who are unable or unwilling to use similar tactics.

Until recently, Vietnamese law contained a significant gap in identifying the personal liability of influencers. The Competition Law 2018 was drafted primarily with the conduct of enterprises in mind, whereas most influencers operate as individuals or household businesses. This raises the question of whether, and in what circumstances, they fall within the personal scope of Article 45. The 2025–2026 legislative developments have begun to narrow this gap. The Law amending and supplementing a number of articles of the Law on Advertising (Law No. 75/2025/QH15, effective 1 January 2026) for the first time names the "conveyor of advertising products" in Article 15a, a category that includes experts, celebrities, KOLs, and influencers [3]. The Law on Electronic Commerce (Law No. 122/2025/QH15, effective 1 July 2026) for the first time names livestream selling and affiliate marketing at the statutory level and sets out the specific responsibilities of each actor [4]. Decree No. 248/2026/ND-CP details the operating rules for livestream selling, including obligations to verify identity and to comply with the platform's published rules [5]. These three instruments nonetheless operate as separate regulatory layers. None has been expressly connected to the Competition Law 2018, so the gap is one of cross-referencing between norms rather than a simple absence of commentary. No unified mechanism yet handles conduct that at once constitutes an advertising violation, a breach of an e-commerce obligation, and unfair competition.

Accordingly, this article poses three research questions. First, what legal position does an influencer hold within the digital commercial chain, and how should their liability be distinguished from that of the brand or seller and of the platform? Second, using the prohibited practices in Article 45 as a frame of reference, which common influencer practices may be characterised as unfair competition, and on what criteria can conduct governed by advertising and e-commerce rules be mapped onto that competition-law frame? Third, what specific lessons do the legislative experiences of the United States, the European Union, and the United Kingdom offer for improving Vietnam's legal framework?

## Materials and Methods
The article uses doctrinal analysis of the relevant Vietnamese legal instruments, cited by their full titles and numbers: the Competition Law 2018 (Law No. 23/2018/QH14); the Law on Protection of Consumer Rights 2023 (Law No. 19/2023/QH15) and its implementing

Decree No. 55/2024/ND-CP; the Law amending and supplementing a number of articles of the Law on Advertising (Law No. 75/2025/QH15); the Law on Electronic Commerce (Law No. 122/2025/QH15); and Decree No. 248/2026/ND-CP. The official titles, numbers, and effective dates of these instruments have been cross-checked against the texts of the promulgating authorities. A comparative legal method is applied to the frameworks governing influencer advertising in the United States (the Federal Trade Commission's Guides Concerning the Use of Endorsements and Testimonials in Advertising, 16 CFR Part 255), the European Union (Directive 2005/29/EC on unfair commercial practices, together with France's Law No. 2023-451 of 9 June 2023 on influencers), and the United Kingdom (the Digital Markets, Competition and Consumers Act 2024). Finally, analytical and evaluative methods are used to identify the gaps in Vietnamese law and to propose solutions suited to the fast-changing nature of digital content formats.

## Results and Discussion

### 1. The legal position of influencers within the digital commercial chain

An influencer is not a single legal subject but covers several roles with different degrees of control over a transaction: the content creator who is paid to post or tag products; the livestream host who directly closes orders and collects payment on behalf of, or in coordination with, the seller; and the affiliate marketer who earns a commission on each transaction generated through their link. The Law on Electronic Commerce 2025 marks an important advance by naming these roles at the statutory level for the first time. It further provides that any individual or organisation selling through electronic means, including livestream and affiliate marketing, is treated as a seller subject to the Law; the authors read this provision as extending the notion of “seller” broadly enough to capture influencers who close sales, though the precise reach of the term will depend on implementing guidance [6]. In parallel, the amended Law on Advertising 2025 approaches the issue from a different angle. Article 15a names the “conveyor of advertising products” as a subject distinct from the advertiser (the brand) and from the advertising service provider, regardless of whether the conveyor has signed an employment contract, a service contract, or merely received in-kind sponsorship [7].

The parallel existence of two forms of naming, one as a seller under the Law on Electronic Commerce and one as a conveyor of advertising under the Law on Advertising, accurately reflects the dual nature of an influencer. In livestream selling they are at once the conveyor of the advertising message and the direct performer of the sale. This is a fundamental difference from a traditional advertising spokesperson, who appears only on a fixed publication, and it is why an influencer's liability cannot be fully established by either instrument alone.

### 2. The basis of liability and the problem of attributing conduct

When promotional content causes damage, three actors are usually involved: the brand or seller, who obtains the direct commercial benefit and typically supplies product information to the influencer; the platform, which operates the technical infrastructure, the content-distribution algorithm, and the payment mechanism; and the influencer, who directly speaks or performs the content before the audience. On the model of responsibility-allocation adopted here by the authors, none of the three holds all of the information and all of the control. The brand often cannot control how the influencer phrases the message in a live session; the platform cannot verify the truth of each product claim; and the influencer, who under the new rules is expected to verify the truthfulness of information before promoting it, though the extent to which this duty is imposed directly rather than inferred from the advertising and e-commerce rules remains open to interpretation, often lacks the technical means to check the origin and quality of products supplied by the seller. This is a multi-party attribution structure in which responsibility must be distributed among actors with asymmetric information and control; here it appears as the triad of brand, platform, and influencer.

Article 15a of the amended Law on Advertising 2025 begins to address this problem by imposing independent obligations on the conveyor of advertising products: to verify the truthfulness and legality of product information before promotion; to disclose sponsored content and separate it from personal sharing; to fulfil tax obligations on the resulting revenue; to provide relevant documents when requested by the competent state authority; and to bear legal liability if the advertising content fails to meet the requirements of Article 19 of the Law, for example where the information is false or misleading. The authors read the disclosure duty as requiring sponsored content to be flagged clearly, by text, image, or sound, throughout the transmission rather than only in the description; this is an interpretation of, and a proposed standard for, the general obligation, not a verbatim statutory requirement. The liability arising under Article 19 is best understood as administrative in the first instance, without prejudice to civil liability or to characterisation as unfair competition where the further conditions of the Competition Law are met. Decree No. 248/2026/ND-CP adds an operational dimension for livestream selling. The platform must publish its livestream rules, while the livestreamer must verify their identity, comply with those rules, refrain from providing deceptive or misleading information about the utility, origin, quality, price, or promotional policy of products, and stop broadcasting and remove content as soon as a violation is detected or upon the request of the seller or the competent state authority [8].

### 3. Influencer conduct measured against Article 45 of the Competition Law 2018

The Law on Advertising and the Law on Electronic Commerce treat influencer misconduct mainly as a matter of consumer protection and management of the advertising market. When such conduct directly harms a specific competitor, however, its legal nature shifts into the category of unfair competition. This occurs, for example, where an influencer distorts a comparison with a competitor's product to promote a brand that pays them, or organises a network of fake reviews to discredit a competing brand. Table 1 maps some common influencer practices on digital platforms against the practices prohibited under Article 45 of the Competition Law 2018.

**Table 1:** Common influencer practices mapped against Article 45 of the Competition Law 2018

| Article 45 provision | Prohibited practice under the law | Typical influencer manifestation on digital platforms |
|---|---|---|
| Article 45(3) | Providing untruthful information causing damage to another enterprise | Distorted comparison or disparagement of a competitor's product quality in sponsored content |
| Article 45(5) | Improperly enticing customers through deceptive information or unfounded comparison | Paid but undisclosed reviews or endorsements; manufacturing scarcity and fake offer countdowns in a livestream |
| Article 45(7) | Other unfair competition practices as provided by other laws | Coordinating a network of multiple accounts to inflate engagement; organised fake reviews |

(Source: compiled by the authors)

This mapping reveals two limitations. First, Article 45 was drafted primarily with enterprises in mind, whereas most influencers operate as individuals or household businesses. Absent a clear cross-referencing rule, an enforcement authority could argue that an individual's conduct falls outside the personal scope of the Competition Law, so that the entire matter must be handled under the Law on Advertising or the Law on Protection of Consumer Rights even though the economic substance of the conduct is unfair competition. Second, the maximum administrative fine applicable to organisations under the Competition Law's sanctioning regime, set at VND 2 billion, does not account for the case in which a highly influential individual earns remuneration far exceeding that ceiling from a single promotional campaign, leaving the sanction without a proportionate deterrent effect.

## 4. International experience

**United States:** The Federal Trade Commission (FTC) regulates influencer endorsements through the Guides Concerning the Use of Endorsements and Testimonials in Advertising (16 CFR Part 255), revised in 2023 to reflect social-media advertising formats. The core of the revision is the requirement that a disclosure be “clear and conspicuous.” The FTC applies this standard in a format-specific way: a disclosure placed only in a video description, without any indication in the video itself, is treated as inadequate, and a disclosure that suits a static image may be insufficient for a fast-scrolling short video. The specific platform practices commonly cited, such as a spoken disclosure in the opening seconds of a short video together with an on-screen caption, are best regarded as illustrations of the standard rather than as rules stated verbatim in the Guides [9].

The significance of this approach lies in its refusal to treat disclosure as a single abstract duty; it recognises instead that each platform's format shapes how a consumer actually perceives sponsored content, and it calibrates the obligation accordingly. A further feature of the 2023 revision is that an advertiser may itself be held responsible where an influencer it works with fails to disclose the sponsorship relationship, at least where the advertiser knew or should have known of the omission. The FTC frames this in terms of the advertiser's own responsibility rather than “joint liability” in a strict private-law sense, but the practical effect is to create an incentive for brands to self-monitor and to write the disclosure obligation into cooperation contracts [10].

In late 2023, the FTC sent warning letters to two trade associations and twelve health-sector influencers for failing to disclose sponsorship relationships adequately when promoting products containing artificial sweeteners, reportedly the first time the FTC addressed food-industry trade associations over social-media advertising [11]. This action shows that the FTC's reach extends beyond individual influencers to the organisational actors that coordinate promotional campaigns.

**European Union:** EU law has no dedicated statute for influencers but may treat an influencer as a “trader” under Directive 2005/29/EC on unfair commercial practices (UCPD) where the conditions for that status are met, since “trader” is a legal concept of conditional application rather than a label that attaches to every influencer in every context. Within that framework, Article 7(2) treats the failure to disclose commercial intent as a misleading omission where the omission causes, or is likely to cause, the average consumer to take a transactional decision they would not otherwise have taken; Article 8 prohibits aggressive commercial practices involving undue pressure; and Annex I, point 11 prohibits presenting paid advertising content as objective editorial content without disclosure [12]. The strength of this approach is its technological neutrality: by relying on long-established rules on misleading omissions, EU law captures new advertising formats without requiring fresh legislation each time a platform emerges.

The prohibition in Annex I, point 11 is particularly apt for influencer marketing, whose persuasive power rests precisely on the appearance of authentic, unpaid personal opinion. The European Commission's guidance on the UCPD devotes a dedicated section to influencer marketing, which indicates that this group is a supervisory priority [13]. At the national level, France went beyond the general UCPD framework with Law No. 2023-451 of 9 June 2023, which for the first time defines influencers and their agents as distinct legal subjects and lays down rules on disclosing commercial relationships together with specific sanctions [14]. The French model is instructive because it complements the harmonised EU baseline with a bespoke national regime that names the influencer explicitly, addresses the role of the intermediary agents who negotiate and manage sponsorship deals, and introduces sanctions targeting the influencer's capacity to operate rather than relying on monetary penalties alone.

**United Kingdom:** The Digital Markets, Competition and Consumers Act 2024 equips the Competition and Markets Authority (CMA) with a strengthened administrative enforcement role in relation to unfair commercial practices, with the relevant provisions understood to take effect during 2025 and an initial focus on practices such as drip pricing and fake reviews. Commentators also anticipate that a future EU Digital Fairness Act may extend regulatory attention to influencer advertising, although that instrument is a matter of prospective policy rather than law currently in force, and both the commencement dates and the scope should be verified against official sources [15]. The salient feature of the UK model is its move toward direct administrative enforcement: rather than pursuing lengthy court proceedings to establish a breach, the CMA is designed to determine and address unfair practices itself, which compresses the time between a violation and its consequences. This matters greatly in the digital-advertising context, where offending content is often ephemeral and the harm to consumers and competitors accrues quickly. The initial focus on fake reviews is also directly relevant to influencer advertising, since fabricated or undisclosed endorsements sit at the intersection of the two problems.

A comparison of the three models reveals a common approach that transcends their differences in legislative technique. First, each treats the influencer as an independently responsible subject, regardless of whether they have registered a business, in recognition that the capacity to influence consumer behaviour, not formal commercial status, is what warrants regulation. Second, each makes disclosure standards concrete for particular content formats rather than resting on a generic disclosure obligation, acknowledging that the effectiveness of disclosure depends on how it is presented in the specific technical environment in which the consumer encounters it. Third, each attaches, in varying forms, a measure of responsibility to the brand alongside the influencer, thereby shifting part of the monitoring burden onto the party with greater resources. Taken together, these three features express a coherent regulatory philosophy: meaningful protection of a fair competitive environment requires reaching the actors who actually shape consumer perception, defining their obligations with technical precision, and distributing responsibility according to each party's real capacity to control the content. It is against these three lessons that the gaps in Vietnamese law, examined next, come into sharp relief.

## 5. Some gaps in Vietnamese law

Measured against the three lessons drawn above, Vietnamese competition law currently exhibits four principal gaps, spanning the identification of subjects, the standards of disclosure, the mechanism of shared liability, and the level of sanctions. These gaps are mutually reinforcing rather than isolated, and together they make the handling of unfair-competition conduct in influencer advertising both uneven and, in practice, ineffective.

**As to subjects:** The first gap is one of missing norm rather than missing guidance. Existing law contains no explicit cross-referencing rule among Article 15a of the Law on Advertising, Articles 22 to 26 of the Law on Electronic Commerce, and Article 45 of the Competition Law that would confirm that conveyors of advertising products, livestream sellers, and affiliate marketers fall within the personal scope of competition law when their conduct harms a specific competitor, whatever their business-registration status. Without such a connecting rule, conduct that is unfair competition in substance is liable to be handled as a mere administrative advertising violation, on the view that the actor is not a business entity in the usual sense. This does not mean individuals are formally excluded from the Competition Law; the difficulty is the absence of an express bridge, which leaves the point contestable in practice. In the digital economy the boundary between an individual and a business entity is increasingly blurred, since an influential individual can generate revenue comparable to that of an enterprise without completing any registration procedure. Identifying subjects mechanically by the criterion of registration therefore risks creating a de facto zone of exemption for precisely those persons capable of the greatest impact on the competitive environment.

**As to disclosure standards:** The second gap, by contrast, is one of missing guidance rather than missing norm. The obligation to notify advertising content publicly under Article 15a of the Law on Advertising has not been made concrete by content format, as the FTC has done. As a result, compliance is assessed in practice without a unified standard and is prone to divergent interpretation across platforms. A provision that states a general principle but offers no technical guidance on the form, placement, and timing of a sponsorship disclosure gives rise to conflicting understandings: whether a brief note at the end of a post counts as public disclosure, or whether a single hashtag buried among many others satisfies the transparency requirement. This ambiguity hampers the regulator's ability to prove violations and allows those who wish to evade the obligation to adopt a formalistic, non-substantive mode of compliance that leaves consumers unaware of the commercial nature of what they are viewing. [16]

**As to shared liability:** Vietnamese law currently places responsibility mainly on the conveyor of advertising products. It lacks any mechanism (unlike the FTC's 2023 approach) that would attach responsibility to the brand where the brand fails to monitor the influencer or to require disclosure of the sponsorship. It should be emphasised that no such mechanism yet exists in Vietnamese law; the point is a gap to be filled, not a rule to be described. The present allocation places nearly the entire burden on the influencer, the party typically in the weaker informational position. In reality it is the brand that holds full information about the origin, quality, and characteristics of the product, while the influencer often merely relays messages supplied by the brand without the means to verify them independently. Exempting the brand is not only inequitable; it also removes any incentive for the brand to build a content-control and due-diligence process before entering promotional cooperation.

**As to sanctions:** The maximum administrative fine of VND 2 billion applicable to organisations under the Competition Law's sanctioning regime, already noted as low relative to the revenue of large platform operators, becomes still more disproportionate when applied to an influential individual who may earn very large sums from a single promotional campaign. Where the illicit benefit from an infringement far exceeds the maximum sanction the law permits, the sanction loses its deterrent and preventive function. A violator may treat the fine as a foreseeable and acceptable cost of doing business, a trade-off accepted in order to continue reaping profit. This disproportion undermines the efficacy of the competition-law framework in digital advertising, reducing the sanction to a symbolic barrier rather than a genuine instrument for regulating conduct.

The four gaps outlined above show that Vietnamese competition law has not kept pace with the rapid development of influencer-based advertising in the digital economy. Addressing all four together is a necessary precondition for securing a healthy, transparent, and fair competitive environment.

## Recommendations for improving the law of Vietnam

On the basis of the analysis above, the article proposes five groups of solutions, offered as recommendations de lege ferenda rather than as descriptions of law currently in force. They are designed to be implemented along a roadmap tied to decrees and guiding circulars, so as to avoid the need to amend several statutes simultaneously. This approach favours legislative feasibility while allowing the new rules to enter practice without waiting for the often protracted process of statutory amendment.

**First, issue an inter-agency guiding document on the identification of subjects:** The competent authorities should consider issuing an inter-agency guiding document, jointly developed by the Ministry of Industry and Trade and the Ministry of Culture, Sports and Tourism, to confirm that conveyors of advertising products under Article 15a of the Law on Advertising, together with livestreamers and affiliate marketers under the Law on Electronic Commerce, fall within the personal scope of Article 45 of the Competition Law 2018 when their conduct harms a specific competitor, regardless of whether they have registered a household business or operate as free individuals. Because the current instruments do not clearly allocate overlapping jurisdiction, such a document is itself a legislative proposal rather than a restatement of existing competence. A cross-referencing rule of this kind would prevent conduct that is unfair competition in nature from being treated as a mere advertising violation on the ground that the actor is not an enterprise in the narrow sense, and it would give the regulatory authorities a unified basis for coordinated enforcement across the advertising, electronic-commerce, and competition fields.

**Second, issue disclosure standards for each content format:** The Ministry of Industry and Trade should adopt operational disclosure standards for each content format, on the model of the FTC's platform-by-platform approach. The following requirements are put forward as the authors' proposal, not as a description of current law: for livestreams, the continuous on-screen display of a sponsorship indicator throughout the session rather than only in the introduction; for short videos, a verbal disclosure in the opening seconds combined with an on-screen caption for the video's full duration; and for static posts, placement of the sponsorship indicator at the start of the content rather than only in a hashtag or the comment section. Such standards could be incorporated into a circular guiding the implementation of Article 15a, or into an amendment of Decree No. 248/2026/ND-CP. Concretising the disclosure obligation by format would create a unified yardstick for assessing compliance, reduce arbitrary interpretation, and ensure that consumers can recognise the commercial nature of content in whatever form they encounter it.

**Third, establish a mechanism of shared liability between the brand and the influencer:** A mechanism of shared liability between the brand or seller and the influencer should be introduced—this being a proposal for reform, since no such mechanism presently exists—for cases in which the brand fails to include the disclosure and verification obligations in the cooperation contract, or fails to provide documents proving the origin and quality of products when the influencer requests them. This both fits the reality that the brand usually holds product information the influencer cannot independently verify and creates an incentive for the brand to build an internal due-diligence process before entering promotional cooperation. When responsibility is allocated in proportion to each party's capacity to control information, both the brand and the influencer are encouraged to ensure the truthfulness of advertising content, which protects consumers and competitors alike.

**Fourth, calibrate sanctions to the remuneration earned:** Sanctions against an individual influencer could be calculated as a multiple of the remuneration or commission earned from the infringing campaign rather than by rigid application of the VND 2 billion ceiling designed for commercial legal entities. Because the present sanctioning regime does not provide for this method, its adoption would require amendment of the governing rules and is proposed on that footing. A benefit-based measure would ensure deterrence proportionate to the illicit gain and avoid a fixed penalty that may prove too heavy or too light depending on the scale of the individual concerned. Tying the sanction to the benefit obtained would also remove the possibility of a violator treating the fine as a foreseeable cost of doing business, since the penalty would exceed the gain the infringement produces.

**Fifth, require platforms to retain data:** Platforms should be obliged to retain livestream session logs, sponsorship-tagging data, and affiliate-marketing link data for a minimum period, for example twenty-four months, so that the competition and market-management authorities can reconstruct a challenged claim after a session has ended. So that this obligation does not conflict with data-protection law, it should be grounded in an express legal basis specifying the retention purpose and the safeguards applicable to any personal data, and it can build on the existing livestream rules under Decree No. 248/2026/ND-CP. In a digital environment where content may disappear immediately after broadcast, a traceable source of evidence is a precondition for effective enforcement of competition law in practice.

These five groups of solutions are closely linked and mutually reinforcing: the rule on identifying subjects lays the basis for applying competition law; the disclosure standards and the shared-liability mechanism shape compliant conduct; the benefit-based sanction ensures deterrence; and the data-retention obligation supplies the evidentiary foundation for the whole process. Implemented in a coordinated way along a roadmap of decrees and circulars, they would help Vietnamese competition law adapt to influencer-based advertising in the digital economy.

## Conclusion

The 2025–2026 wave of Vietnamese legislation marks an important shift from a position in which influencers stood almost entirely outside personal legal liability to one in which they are named and bound by specific obligations. As matters stand, however, these three instruments still operate as parallel regulatory layers and remain unconnected to the Competition Law 2018. As a result, the law does not yet address squarely the case in which a single act at once breaches an advertising-disclosure obligation and constitutes unfair competition harming a specific competitor. The experience of the United States, the European Union, and the United Kingdom points in a common direction: naming the responsible subject clearly, making disclosure standards concrete by content format, and attaching a measure of responsibility to the brand alongside the influencer. By way of reform, connecting Vietnam's existing instruments, making disclosure standards concrete, introducing shared liability, calibrating sanctions to the benefit obtained, and adding an obligation to retain livestream data would together build a unified liability framework proportionate to the pace of growth of the influencer economy on digital platforms, promoting legal transparency in online commerce.

**References**


1. Tuong N. Responsibility of celebrities in advertising: the new law reshapes the "game,".Available at: https://baoxaydung.vn/trach-nhiem-cua-nguoi-noi-tieng-trong-quang-cao-luat-moi-dinh-hinh-lai-cuoc-choi-192251011221202754.htm [Accessed 31 July 2026], 2025.
2. Hoang NQ. The Law on Electronic Commerce 2025: a new legal framework for livestream selling and affiliate marketing. Journal of Economics and Finance. Available at: https://nghiencuu.tapchikinhtetaichinh.vn/luat-thuong-mai-dien-tu-2025-khung-phap-ly-moi-cho-livestream-ban-hang-va-tiep-thi-lien-ket-157230.html [Accessed 31 July 2026], 2026.
3. National Assembly of the Socialist Republic of Vietnam. Law No. 75/2025/QH15 amending and supplementing a number of articles of the Law on Advertising, Article 15a, 2025.
4. National Assembly of the Socialist Republic of Vietnam. Law No. 122/2025/QH15 on Electronic Commerce, Articles 3 and 22–26, 2025.
5. Government of the Socialist Republic of Vietnam. Decree No. 248/2026/ND-CP detailing a number of articles of the Law on Electronic Commerce, 2026.
6. Ha A. Mekong Asean Magazine. Participants in livestream selling and affiliate marketing must verify their identity. Available at: https://mekongasean.vn/tham-gia-livestream-ban-hang-tiep-thi-lien-ket-phai-xac-thuc-danh-tinh-57439.html [Accessed 31 July 2026], 2026.
7. Le T. Notable new points of the amended Law on Advertising 2025. Dak Lak Department of Justice. Available at: https://sotuphap.daklak.gov.vn/nhung-diem-moi-dang-chu-y-cua-luat-quang-cao-sua-doi-nam-2025-14428.html [Accessed 31 July 2026], 2025.
8. Phuong D. From July 2026: livestreamers must bear legal liability for advertising content. Available at: https://thuonghieucongluan.com.vn/tu-thang-7-2026-nguoi-livestream-phai-chiu-trach-nhiem-phap-ly-voi-noi-dung-quang-cao-a327889.html [Accessed 31 July 2026], 2026.
9. Truli. FTC Endorsement Guides – Influencer Disclosure Requirements for Food and Supplement Brands. Available at: https://trytruli.com/blog/ftc-endorsement-guides-influencer-marketing [Accessed 31 July 2026], 2026.
10. Federal Trade Commission. Guides Concerning the Use of Endorsements and Testimonials in Advertising, 16 CFR Part 255, 2023.
11. Hall Render. A Year Later – Revisiting the FTC's Updated Endorsement Guides. Available at: https://hallrender.com/2024/07/17/a-year-later-revisiting-ftcs-updated-endorsement-guides/ [Accessed 31 July 2026], 2024.
12. Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices (Unfair Commercial Practices Directive), Articles 7(2) and 8 and Annex I, point 11. Official Journal of the European Union, 2005.
13. Osborne Clarke. Digital Fairness Act Unpacked: Social Media Influencers. Available at: https://www.osborneclarke.com/insights/digital-fairness-act-unpacked-social-media-influencers [Accessed 31 July 2026], 2025.
14. Fidal. Influence marketing: the keys to legal compliance in Europe. Available at: https://www.fidal.com/en/news/influence-marketing-keys-legal-compliance-europe [Accessed 31 July 2026], 2025.
15. Osborne Clarke. Advertising and marketing: UK Regulatory Outlook. Available at: https://www.osborneclarke.com/insights/regulatory-outlook-january-2026-advertising-marketing [Accessed 31 July 2026], 2026.
16. National Assembly of the Socialist Republic of Vietnam. Law No. 19/2023/QH15 on Protection of Consumer Rights, 2023.