



Digital asset market reshaped by new legal system



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The Vietnamese government has taken a decisive step towards regulating the country's emerging digital asset sector with the issuance of Resolution No.05/2025/NQ-CP last month. The new framework marks the first official recognition of digital and cryptoassets as lawful property under Vietnamese law, signalling a major milestone for the country's fintech landscape.

Resolution 05 establishes a five-year pilot programme applicable to both service providers, issuers, as well as domestic and foreign investors. This pilot mechanism aims to create a structured and monitored environment for the fast-evolving crypto sector, balancing innovation with investor protection and financial stability.

Notably, under Resolution 05,

digital assets and cryptoassets have officially been recognised as assets under Vietnamese law. By classifying digital and cryptoassets as lawful property, Vietnam offers long-awaited legal certainty for investors, entrepreneurs, and regulators alike.

To manage entities participating in the digital asset ecosystem, the resolution introduces specific regulations governing cryptoasset service providers (CASPs). These must be Vietnamese entities and are permitted to operate within four defined areas: organising trading markets, proprietary trading, custody, and providing platforms for issuance.

Each CASP must meet several stringent licensing and operational conditions to obtain a licence from the Ministry of Finance (MoF), including a minimum charter capital of \$400 million, limits on foreign ownership (49 per cent), and institutional shareholding thresholds (65 per cent). These standards are expected to boost market discipline and transparency, encouraging only financially sound and technologically competent players to enter the field.

Under the new regime, cryptoassets issued by a Vietnamese company must be backed by real assets, excluding securities or fiat currencies. Such tokens are tradable only by foreign investors. Foreign investors are also obliged to open a local VND payment account with a licensed bank in

Vietnam for crypto transactions.

Transactions of cryptoassets must be conducted through a CASP licensed by the MoF after six months from the date the first CASP is licensed. Any violation shall be subject to sanctions.

The tax policy applicable to cryptoasset transactions shall be implemented in the same manner as that for securities transactions. This interim alignment offers regulatory predictability and simplifies compliance for businesses.

Meanwhile, mandatory adherence to anti-money laundering, counter-terrorism financing, and cybersecurity laws places Vietnam in line with global best practices. This holistic approach is expected to strengthen investor trust, improve cross-border compatibility, and attract foreign institutional capital seeking compliant markets in Asia.

Across Southeast Asia, Singapore has developed a comprehensive and balanced regulatory framework for cryptocurrencies under the Payment Services Act (2020), supervised by the Monetary Authority of Singapore (MAS). The laws classify assets like Bitcoin and Ether as digital payment tokens (DPTs), thereby recognising them as legal assets in Singapore.

In 2020, the Securities and Futures Act was expanded to include public offerings and issuances of DPTs, categorising approved tokens

as capital market products.

When compared to regional peers, Resolution 05 reflects a similar commitment to establishing legal certainty for cryptoassets and their associated market participants. Like Singapore and Thailand, Vietnam now recognises cryptoassets as lawful property and have established legal frameworks governing market organisation, primary issuance, and secondary trading activities.

However, while Singapore's and Thailand's frameworks are already in full operation, Vietnam's approach remains a five-year pilot programme, focusing on controlled experimentation and progressive implementation. The resolution's provisions, such as stringent capital requirements for CASPs, limits on foreign ownership, and comprehensive compliance obligations, mirror regional best practices and demonstrate Vietnam's intent to align with ASEAN standards.

Nevertheless, Singapore and Thailand have implemented strict regulatory frameworks to prevent money laundering and other financial crimes in the cryptoasset market. These jurisdictions require full transparency of all funding sources, as the tokenisation of assets can provide strong conditions for money laundering. Therefore, strict enforcement measures are necessary to help maintain the integrity of the market.

Thus, it can be seen that Reso-

lution 05 aligns with the regulatory approaches of other countries in the ASEAN region. However, Vietnam still needs to strengthen its legal framework to ensure market transparency, prevent money laundering, and safeguard the legitimate rights and interests of investors.

Under Resolution 05, Vietnam is formally opening up to reputable domestic and foreign investors through establishment of CASPs, enterprises authorised to operate cryptoasset platforms. Within this legal framework, businesses are permitted to adopt a new form of capital mobilisation through the issuance of cryptoassets to foreign investors. At the same time, investors are allowed to transfer and trade these digital assets under official supervision.

Previously, most crypto-related transactions in Vietnam took place outside the scope of regulation, exposing investors to risks, market manipulation, lack of transparency, and limited legal protection.

The introduction of Resolution 05 provides a clear legal pathway for digital asset trading, helping to legitimise the market, reduce illegal activities, and enhance investor confidence through compliance and oversight. This framework not only enhances investment opportunities but also positions Vietnam as an emerging and transparent hub for digital asset activities in the region. ■

By Oanh Do

While many unlicensed exchanges have announced temporary suspension of operations, international investors continue to show strong interest.

At a meeting with Deputy Prime Minister Ho Duc Phoc in October, Marco Dal Lago, vice president of global expansion and strategic partnerships at Tether, noted that Vietnam is a market of potential for the group.

"We look forward to cooperating and accompanying Vietnamese partners to develop a sustainable cryptoasset trading market. The group is also willing to share its experience in building a legal framework for transactions and to attract external resources and support the growth of the Vietnamese economy," Marco said.

Tether is one of the issuers of stablecoin USDT, one of the most popular and valuable cryptocurrencies in the world with a total reserve asset value of over \$177 billion, of which approximately \$120 billion is US treasury bonds.

Tether is not the only foreign company looking for development opportunities in Vietnam's new financial sector. In mid-August, MB Bank signed an MoU on technical cooperation with Dunamu, the operator of Upbit, the world's third-largest cryptocurrency exchange.

Digital asset arena in restructuring phase

Upbit, which holds about 80 per cent of the market share in South Korea, has six million customers, with a trading volume of over \$1.1 trillion in 2024.

Under the agreement, Dunamu will transfer Upbit's technology to MB, provide operational experience and support the establishment of a cryptocurrency exchange.

Since the government issued Resolution No.05/2025/NQ-CP allowing a pilot of the cryptoasset market, in September, the landscape is transforming from a legal grey area into a promising investment field with the participation of major financial institutions.

According to the resolution, the Ministry of Finance (MoF) will coordinate with the State Bank of Vietnam (SBV) and the Ministry of Public Security to consider and license the operation of up to five cryptoasset trading platforms in the pilot phase, with the first licensed enterprises expected to start operating before 2026.

To Tran Hoa, deputy head of the Department of Securities Market Development under the State Securities Commission, said that all

cryptocurrency transactions in Vietnam must be conducted through licensed exchanges. Therefore, investors trading on international exchanges need to proactively transfer their assets to domestic exchanges when the system officially goes into operation.

"After six months from the first virtual asset service provider is licensed, Vietnamese investors trading cryptoassets without going through a provider licensed by the MoF will be subject to sanctions based on the nature and extent of the violation," he said.

As of October 6, the SBV has recorded the establishment of nine enterprises related to cryptoassets, of which at least four enterprises were indirectly linked to banks including Techcombank, VPBank, HDBank and MBBank.

However, no enterprise has officially registered to provide services related to cryptoassets.

While investors are hopeful for a more transparent legal framework following the issuance of Resolution 05, specific regulations on the establishment of pilot crypto exchanges are forcing many

unqualified businesses to temporarily suspend operations.

Coin98 Wallet, a non-custodial wallet service owned by blockchain startup Ninety Eight, has announced that it temporarily stopped providing services to users who are citizens or residents of Vietnam since September.

Tran Xuan Tien, a spokesperson for the startup, explained that this move aims to comply with the new legal regulations in Vietnam regarding cryptocurrency assets.

"Some regulations are still awaiting detailed guidance, so we proactively adjust policies to suit. Coin98 is a Vietnamese product, with legal status in Vietnam and will continue to serve users within the legal framework," Tien said.

Meanwhile, users of KyberSwap, one of the first decentralised exchanges developed by Vietnamese, have also reported being unable to access the platform in Vietnam. Many domestic IP addresses were blocked, while international users could still access it normally. KyberSwap is developed by Kyber Network, a blockchain venture launched in 2017.

Bach Nghiem, co-founder of the ATX crypto exchange, said they are discussing with partners to explore joint venture opportunities to satisfy the requirements of Resolution 05 to continue operating in compliance with the law.

"We have developed an anti-money laundering process, although there is currently no specific guidance from the regulatory agency. ATX will wait for detailed circulars to determine the development direction in the future. If we are not licensed, we will stop providing services to Vietnamese citizens," Nghiem said.

ATX is a crypto exchange founded by Vietnamese individuals in 2021. The platform currently has 1.3 million users, of which about 90 per cent are in Vietnam.

According to CoinMarketCap, the global cryptoasset market value is currently over \$4.27 trillion, expected to exceed \$10 trillion by 2030, with over 600 million users and 850 exchanges. About 60 countries and territories have clear legal mechanisms for cryptoasset exchanges, of which nearly half have specific licensing processes.

In Vietnam, around one-fifth of the population is believed to own digital assets, ranking third in the world according to Triple-A statistics. However, the majority of transactions still take place on the international exchanges. ■