MINISTRY OF EDUCATION MINISTRY OF JUSTICE
HANOI LAW UNIVERSITY

**DO XUAN MINH**

# LAW ON TELECOMMUNICATIONS IN VIETNAM – SITUATION AND SOLUTIONS

**SUMMARY OF DISERTATION**

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**SUMMARY OF DISERTATION**

**Specialization**: Economic Law

**Code: 9380107**

**Supervisors: Dr. PHAN CHI HIEU**
**Dr. DONG NGOC BA**

**HANOI – 2022**

# INTRODUCTION

## 1. Rationale of the research project

In recent years, along with the development of the country, Vietnam's telecommunications industry is developed quickly. It has become a key economic sector of the country. With positive policies on telecommunications, Vietnam has created a legal corridor to promote competition, encourage and support new businesses to enter the market. The telecommunications technical infrastructure network and the quality of telecommunications services are increasingly being improved, while freight rates are gradually reduced to equal and lower than regional and world averages.

During the past three years, the Covid-19 pandemic has shown the particularly important role of telecommunications in maintaining production and business activities as well as people's lives. Digital transformation has never been as powerful as it is today, all human actions can be done online, online shopping channels, online financing, online education, online health care system,… and various forms show the role of telecommunication in modern society.

However, the development of telecommunications also has disadvantages, especially in terms of telecommunications infrastructure, telecommunications safety, network security and information management on telecommunications. With the rapid development, unlimited scope of space and time, the information content on the Internet has great power, posing great requirements and challenges for management. Facing these complex issues, many countries have issued strategies and completed the legal framework on telecommunications and management of telecommunications information in order to create a healthy and equal information environment for all individuals and organizations.

In Vietnam, after more than 10 years of applying the Law on Telecommunications and its guiding documents, it has created a legal corridor to promote competition, develop modern telecommunications network infrastructure, and develop the telecommunications market with many types of services, better meet the needs of users, creating a foundation for the development of the country. However, when implementing regulations on telecommunications, especially when Vietnam has joined the WTO as well as joined a number of new generation FTAs, the most prominent of which is the Comprehensive Partnership Agreement and Trans-Pacific Progress and the Free Trade Agreement between Vietnam and the European Union, some contents of the telecommunications law have revealed a number of limitations and inadequacies that are not compatible with international practices. Along with that, science and technology has developed strongly, especially in Industry 4.0,

the telecommunications field has appeared new types of services, new business models, forming new telecommunications infrastructure combined with other technical infrastructure to serve development needs, etc....

Therefore, the analysis and assessment of the current situation of the telecommunications law and the practice of law enforcement on telecommunications to detect the shortcomings and limitations, thereby proposing solutions to improve the telecommunications law in Vietnam is very necessary and topical in the present time.

## 2. Research purpose and tasks

### *2.1. Research purpose*

On the basis of the views and guidelines of the Communist Party and State as well as from the practice of building telecommunications legislation in Vietnam over the past time, the aim of the thesis is to clarify theoretical and practical issues, legal status and law enforcement in the field of telecommunications in Vietnam, thereby identifying requirements and proposing specific solutions to improve the law on telecommunications in Vietnam in the coming time.

### *2.2. Research tasks*

To achieve the research purpose of the thesis, the thesis will focus on the following basic tasks:

- Clarifying theoretical issues related to the field of telecommunications, telecommunications law, specifically: the concept and content of the law on telecommunications as well as the role of the telecommunications law.
- Analysis and assessment of the current legal status and practice of implementing the law on telecommunications in Vietnam.
- Identify requirements and solutions that contribute to perfecting the law on telecommunications and improving the efficiency of the implementation of the law on telecommunications in Vietnam.

## 3. Subjects and scope of the research

### *3.1. Research subjects*

- System of theoretical perspectives on telecommunications.
- System of legal regulations on telecommunications of Vietnam and experience from some countries in the world.
- Practical implementation of the law on telecommunications in Vietnam.

### *3.2. Scope of the research*

The telecommunications law has many theoretical and practical issues that need to be discussed, but with the requirement of capacity, the scope of this study only focuses on theoretical issues of telecommunications law; the basic contents of the telecommunications law in Vietnam; thereby pointing out the inadequacies, limitations and incompatibility with international practices and laws in order to identify requirements and provide solutions to improve the telecommunications legislation in Vietnam.

**4. Research methods**

To clarify the object and scope of the above research, the PhD student uses a variety of scientific research methods based on viewpoints, the basis of the dialectical materialism method, and the views and policies of the Party and the State. Vietnam such as the method of synthesis and analysis, the method of statistics, the method of comparison and contrast, the combination of theoretical research with practice, etc.

Firstly, the method of dialectical and historical materialism is mainly used by the author when studying the contents of Chapter 1 of the thesis to evaluate and solve problems of telecommunications theory and telecommunications law, the basis of the specific conditions of Vietnam as well as the experience of foreign countries in order to selectively absorb international legal initiatives.

Secondly, methods of analysis, synthesis, commentary and interpretation are mainly used when studying Chapters 2 and 3 of the thesis to generalize, evaluate and comment on the current state of the law on telecommunications, as well as clarifying requirements and solutions to improve the law on telecommunications in Vietnam.

Third, the comparative jurisprudence method is used by the author throughout the entire content of the thesis.

**5. New contributions of the research**

On the basis of selectively inheriting the research results of the previous works related to the thesis topic, along with the research and development, the thesis will have new legal scientific contributions, as follows:

Firstly, the thesis builds a theoretical scientific and legal system on telecommunications, expressed through the construction of concepts, contents, and analysis of the role of the law on telecommunications.

Secondly, the thesis makes a relatively comprehensive and systematic assessment of the current state of telecommunications legislation and the practice of implementing the law on telecommunications in Vietnam. At the same time, the thesis analyzes and evaluates international experiences in this field.

Third, the thesis identifies the scientific requirements for the improvement of the telecommunications law in Vietnam, and at the same time offers solutions to improve the telecommunications law in Vietnam comprehensively.

**6. Theoretical and practical significance of the thesis**

*Theoretically*, the research results of the thesis contribute to perfecting the theoretical and legal issues of telecommunications.

*In practical terms*, the proposals on specific solutions for the improvement of the telecommunications legislation are valuable references for legislative work as well as businesses in the process of implementing the telecommunications legislation. pine. The research results of the thesis can also

serve as a reference for research, teaching and learning about telecommunications law in jurisprudence training institutions.

**7. Thesis structure**

In addition to the opening; overview of the research situation related to the thesis topic; Conclusion and list of references, the thesis content is structured into 3 chapters, including:

Chapter 1: Theoretical issues on telecommunications and the law on telecommunications.

Chapter 2: Current legal status and practice of law enforcement on telecommunications in Vietnam.

Chapter 3: Orientations and solutions to improve the law on telecommunications in Vietnam.

## LITERATURE REVIEW AND THEORETICAL BASIS OF RESEARCH

At present, in-depth studies related to telecommunications law in general and information management on telecommunications networks in particular are still few and limited. Therefore, in-depth research and analysis of legal regulations related to other contents of telecommunications and information management on telecommunications networks need to be carried out methodically and systematically. This is an important point that the thesis will develop.

*Firstly, the thesis continues to study and deepen the concept of "telecommunications" and characteristics of telecommunications in the new situation:*

The published works have introduced the concept of "telecommunications", the concepts are relatively unified in understanding, however, the concepts of "telecommunications" have not yet covered issues related to social trends. Convergence of technology, digital transformation, information management, this is a real need in the context of strong development of technology, especially the fourth industrial revolution with the foundation of Artificial Intelligence (AI), Internet of Things (Internet of Things, IoT), Big Data (Big Data), etc.

The thesis focuses on perfecting the concept of "telecommunications" on the basis of inheriting the traditional "telecommunications" concepts along with the trend of technology convergence, digital transformation, and information management. This is a new point of the thesis compared to previous studies.

The thesis builds the characteristics of telecommunications on the basis of research works, in the spirit of inheritance and expansion, further analysis in the direction of legal characteristics. Accordingly, the legal characteristics will

emphasize on the following criteria: Subject, object, purpose, and state management.

*Second, the thesis analyzes the role of telecommunications in the context of international economic integration, barriers to telecommunications management:*

The PhD student inherits the analysis on the role of telecommunications in economic development in the context of international integration, on that basis analyzes the barriers to the management of telecommunications activities as factors. cross-border service provision, technical and technological factors, security factors, information control. Thereby clarifying the need for state management of telecommunications activities.

*Third, the thesis analyzes the theoretical issues of telecommunications law and international experience in building telecommunications legislation:*

The PhD student will inherit the research results of the research works of domestic and foreign authors on the experience of building telecommunications legislation. The author selects the research countries on the basis of representative legal systems (Common Law, Civil Law) and countries with similarities in management views on telecommunications.

*Fourth, the thesis analyzes and evaluates the current state of the law and the practice of implementing the law on telecommunications in Vietnam:*

The analysis and assessment of the legal status of telecommunications is still quite scattered, many legal issues have not been analyzed and evaluated deeply. The thesis will focus on researching and evaluating the current legal situation and practical implementation of 04 basic issues: firstly, the law on telecommunications business; second, the law on telecommunications licensing; third, the law on telecommunications technology; Fourth, the law on information management on telecommunications networks. Thereby clarifying the current state of law and practice of law enforcement on telecommunications as the basis for the directions and complete solutions of the law.

*Fifth, develop solutions to complete and improve the efficiency of law enforcement on telecommunications:*

On the basis of inheriting development views from research works, the thesis author orients the improvement of the law as follows: firstly, perfecting the law on telecommunications must be consistent with guidelines and policies. of the Party and State; second, perfecting the law on telecommunications must be based on the current situation of telecommunications infrastructure and development direction in the coming time; third, perfecting the law on telecommunications must be suitable to the context of international integration; Fourth, perfecting the law on telecommunications must ensure freedom of business while ensuring safety and security of information.

# CHAPTER 1
# THEORETICAL ISSUES ON TELECOMMUNICATIONS AND LAW ON TELECOMMUNICATIONS

## 1.1. Theoretical issues about telecommunications

### *1.1.1. Telecommunications concepts and characteristics and telecommunications activities*

Synthesizing the concepts of telecommunications in the world and in Vietnam, the concept of telecommunications activities can be defined as the basis for carrying out legal studies as follows: *"Telecommunications activities are activities aimed at carry out the transmission of information through different forms of transmission, including: telecommunications equipment manufacturing activities, telecommunications service business activities, telecommunications technical and professional activities and management activities. information on telecommunications networks".*

On the basis of the concept of telecommunications activities, the characteristics of telecommunications activities can be identified as follows:

*Firstly, the subjects of telecommunications activities include: telecommunications enterprises, telecommunications service users and state management agencies in charge of telecommunications.*

*Second, the object of telecommunications activities is telecommunications services*. Telecommunications service means a service that sends, transmits, receives and processes information between two people or a group of users of a telecommunications system, so it has no physical properties and cannot be grasped. The process of producing and consuming telecommunications services is inseparable. The production process of telecommunications services must be uninterrupted and indivisible. The production and consumption of services take place at the same time.

Telecommunications services are volatile. Telecommunications services cannot be reserved.

*Third, telecommunications activities are formed on the basis of contractual agreements*. In telecommunications activities, telecommunications contracts include: telecommunications service agency contracts, telecommunications service use contracts.

### *1.1.2. The role of telecommunications*

*1.1.2.1. Telecommunications plays an important role in building infrastructure for the economy*

Telecommunications belongs to both production infrastructure and social infrastructure. As a production infrastructure, telecommunications facilitates the provision of all basic information necessary for production and promotes business activities. As a social infrastructure, telecommunications

creates the necessary preconditions for socio-cultural development, improving and enhancing the people's material and spiritual life.

*1.1.2.2. Telecommunications is a large economic sector*

In the general development trend in the world, telecommunications has become an important economic - service sector of Vietnam when entering the information era. Modern telecommunications has a strong impact on the process of transforming production structure and socio-economic structure, promoting industrialization and modernization of the country.

*1.1.2.3. Telecommunications is a tool to run and manage the country*

Information is a tool for the State to manage and run all activities of the country. Any government that comes to power uses the means of communication to manage and run the country.

*1.2.2.4. Telecommunications activities contribute to the expansion of international cooperation*

Telecommunications development creates favorable conditions for Vietnam's economy to integrate, access to the world economy, attract capital, transfer technology, and cooperate in business for development.

Thus, telecommunications activities play an important role in building infrastructure for the economy, as a major economic sector, as a tool for the Government to run and manage the country, contributing to the expansion of the economy. international cooperation. Therefore, telecommunications activities need to have a full and transparent legal system for the State to manage telecommunications activities, while ensuring the development and at the same time ensuring that telecommunications activities do not deviate from the state target.

## 1.2. Theoretical issues of telecommunications law

### *1.2.1. The concept of telecommunications law*

In the process of building a market economy in Vietnam, the law on telecommunications, together with other legal regulations, is an indispensable tool for the State to regulate the market economy towards development. Socialist. If the provisions of common law such as the Civil Code, the Enterprise Law, the Commercial Law, etc. are the legal basis to create a common playground for all organizations and individuals in society, The law on telecommunications, as a legal institution of a specialized nature (specialized law), is the legal basis to ensure telecommunications activities such as investment and telecommunications business. ; public telecommunications; telecommunications management; construction of telecommunications works; etc. take place in practice.

*Telecommunications law is a synthesis of legal regulations promulgated or recognized by the state governing social relations arising in telecommunications business and investment activities; telecommunications management; infrastructure construction, telecommunications works; management of information systems on telecommunications networks; rights and*

*obligations of organizations and individuals engaged in telecommunications activities*

***1.2.2. Features of telecommunications law***

The telecommunications law has three main characteristics:

Firstly, telecommunications law is a service law field where the technical regulations are highly specialized and specialized. The law on telecommunications has a specific and separate nature, with highly specialized and technical regulations that not everyone can understand and grasp. The telecommunications law prescribes technical standards and regulations to manage the compliance of entities in socio-economic activities to ensure the safety of service users, and protect national interests and security. family, consumer rights and other essential requirements.

Secondly, telecommunications law is an interdisciplinary field of law, having relationships with other legal fields such as: Investment Law, Enterprise Law, Intellectual Property Law, Electronic Transaction Law, etc. Law on Cybersecurity, Commercial Law…

The law on business in telecommunications services has a close relationship with the law on investment, the law on enterprises and the law on commerce.

The law on telecommunications licensing has a close relationship with the law on business conditions, the law on electronic transactions, and the law on intellectual property. In which telecommunications is the foundation to perform operations on the system.

The law on technical and professional expertise in telecommunications belongs to the national infrastructure, so the telecommunications law has legal relations governing other national infrastructure sectors such as traffic, electricity, country…to ensure the general development of national resources.

The law on information management on telecommunications networks has a relationship with the Law on Intellectual Property, the Law on Cybersecurity, etc.

Third, telecommunications law is an increasingly internationalized area of law. Therefore, the telecommunications law is influenced by international regulations, in addition, the telecommunications system has a very rapid technological change with the appearance of many methods of providing services. New information, especially social networking models such as Facebook, Tiktok, etc., requires the telecommunications law to be regularly revised to match.

***1.2.3. Contents of telecommunications law***

With the subject of regulation is the social relations arising in telecommunications activities as above, the content of telecommunications legislation of countries in the world as well as of Vietnam, within the scope of

this thesis, the content of the law on telecommunications Telecommunications includes the following 04 contents:

First, regulations on telecommunications service business, regulations on telecommunications services business are included in the overall regulations on business, influenced by the doctrines of freedom of business, freedom to choose a business model, scale of business, freedom of choice. forms and methods of capital mobilization, freedom of contract, freedom of competition, freedom to choose a method of dispute settlement.

Second, the regulations on telecommunications licensing. Telecommunications services are complex services that require the management and regulation of business activities of the State. Telecommunications activities have many different types of licenses, including licenses for business in telecommunications services and licenses for telecommunications operations.

Third, technical regulations on telecommunications. These are specialized and specific regulations in the field of telecommunications such as public-utility telecommunications; terminal equipment, setting up telecommunications networks, connecting and sharing telecommunications infrastructure; telecommunications resources; telecommunications charges; management of standards, technical regulations, quality of telecommunications services and telecommunications works, etc.

Fourth, regulations on information management on telecommunications networks and protection of information and data of telecommunications service users. The content of the regulations ensures that organizations and individuals do not post bad information, information that is provocative, distorts, slanders, offends the reputation of the organization, the honor and dignity of individuals.

### *1.2.4. Telecommunications laws in some countries around the world*

#### *1.2.4.1. Telecommunications Law of Singapore*

In 1999, Singapore promulgated the Telecommunications Law with the orientation of developing and developing short and medium-sized strategies to ensure that policies and regulations are effective and appropriate, aiming at a fair competitive environment for businesses. domestic and foreign telecommunications enterprises, bringing benefits to businesses and consumers. The Telecommunications Law of Singapore is a framework law, general regulations on management and administration of telecommunications. Specific contents are shown in sub-law documents, specific regulations and implementation procedures, etc.

#### *1.2.4.2. Telecommunications Law of China*

On September 20, 2000, the State Council of China approved the "Telecommunications Regulations of China". This is the highest legal document regulating China's telecommunications sector with the aim of creating order in the telecommunications market, protecting the legitimate interests of consumers and telecommunications businesses. ensure the safety of telecommunications

networks and news, and promote the healthy development of the telecommunications industry. China implements the licensing regime according to the telecommunications business classification for the telecommunications business.

*1.2.4.3. Telecommunications Law of Australia*

The Law on Telecommunications (Telecommunications act 1997) passed by the National Assembly is the basis for the Ministry and the telecommunications enforcement agency to implement the management of the telecommunications industry, the contents related to the actual implementation of the law. specified in the Regulations on Implementation in Telecommunications issued by the Minister.

The Australian telecommunications legal system is updated and revised periodically on the basis of legal provisions with the main purpose of ensuring the long-term interests of users, service providers and international competitiveness. economy of the telecommunications industry.

*1.2.4.4.An overview of telecommunications laws of other countries and experiences applied to Vietnam*

The process of completing the telecommunications legislation of other countries is associated with the reform of the telecommunications industry. This process faces many difficulties because it depends on the political institutions, economic and social conditions of each country. However, the general purpose is to create a stable legal basis for telecommunications development and create an attractive investment environment.

The process of perfecting the telecommunications regulatory environment of countries has some outstanding features as follows:

This process is usually divided into two main groups:

+ The first group: Creating a legal corridor for competition at the same time as the establishment of an enforcement agency, an independent regulatory agency.

+ The second group: The new group, the result of re-adjusting for convergence in management.

## CHAPTER 1'S CONCLUSTION

Contents Chapter 1 summarizes some views related to the concept of telecommunications and telecommunications activities. From there, the thesis chooses to use concepts related to telecommunications and telecommunications activities as follows: (1) Telecommunications is the transmission of information over a distance through different transmission forms; (2) Telecommunications activities are activities aimed at transmitting information through different forms of transmission, including: telecommunications equipment manufacturing activities, telecommunications service business activities, and telecommunications services. telecommunications technical activities and information management activities on telecommunications networks.

The thesis also mentioned the basic characteristics and role of telecommunications activities in practice.

With such an important role, telecommunications activities need to be under the management of law. Telecommunications law is a synthesis of legal regulations promulgated or recognized by the state governing social relations arising in telecommunications business and investment activities; telecommunications management; infrastructure construction, telecommunications works; management of information systems on telecommunications networks; rights and obligations of organizations and individuals engaged in telecommunications activities. Telecommunications legislation needs to be developed based on the requirement to fully regulate the groups of telecommunications activities mentioned above. Therefore, the thesis gives an opinion on the content of telecommunications legislation, including 04 major issues: the law on telecommunications investment and business activities; the law on telecommunications licensing; the law on telecommunications technology; legislation on management of information systems on telecommunications networks and protection of information and data of telecommunications service users.

The law on telecommunications is a tool to ensure that telecommunications business activities operate according to the rules of the market. The market economy operates according to the principles and laws of nature. In such market economy conditions, creating a favorable and equal legal environment for telecommunications business activities is an objective requirement, and is a fundamental task of the telecommunications legal system.

International experience shows that, in the context of the development of science and technology and the influence of the Industrial Revolution 4.0, most countries have carried out reforms in the field of telecommunications legislation in the direction of creating a legal basis. stable management in order to develop the telecommunications market, create an attractive investment environment and with the trend of convergence in the management of a number of telecommunications-related fields and a number of telecommunications-related fields such as: advertising information, information technology.

# CHAPTER 2
# LEGAL SITUATION AND PRACTICE OF LAW ON TELECOMMUNICATION IN VIETNAM

## 2.1. Legal status and practice of law enforcement on telecommunications service business

The law on telecommunications service business includes regulations on investment in telecommunications services, regulations on ownership in telecommunications service business, regulations on competition in telecommunications service business, regulations on protection of interests of telecommunications service users, data center service regulations. These contents will be studied and analyzed in turn by the following sections:

### *2.1.1. Regulations on investment in telecommunications services*

In accordance with the general law on investment, investment activities in the telecommunications service business shall comply with the provisions of specialized law (telecommunications law), investment law and international treaties. of which the Socialist Republic of Vietnam is a member.

In addition to the positive results in investment attraction of the regulations on investment in telecommunications services, over time, these regulations also revealed a number of limitations and inadequacies, namely:

Firstly, the current reality, in important telecommunications markets such as the mobile service market, mainly still includes state-owned enterprises, holding over 95% market share.

Secondly, the operation of satellite services in Vietnam is currently being carried out in accordance with international commitments to which Vietnam is a member such as WTO, CPTPP.

Third, recently, the Vietnamese telecommunications market has appeared business-to-business telecommunications service supply relationships, ie wholesale relationships that need to be considered and managed.

### *2.1.2. Regulations on ownership in telecommunications service business*

The Prime Minister has the authority to decide whether the State continues to hold control through holding controlling shares in a number of key telecommunications enterprises[1] of special importance to the entire national telecommunications network. and directly affect the economic and social development, ensuring national security and defense.

In addition to the regulation on state ownership in the telecommunications service business as above, the telecommunications law also stipulates cross-ownership in the telecommunications service business, ie stipulating the maximum capital or share ratio. an organization or individual is entitled to hold in two or more different telecommunications enterprises doing business in the same telecommunications service market to ensure fair competition.

### *2.1.3. Regulations on competition in telecommunications service business*

General competition-related regulations are detailed in the Competition Law and its guiding documents. For the telecommunications sector, many regulations on competition have been concretized in the Telecommunications Law and guiding documents.

In addition to the results achieved in the construction and improvement of the law to ensure healthy competition in the market of telecommunications service providers in Vietnam over the past time, the law on competition in service business Currently, telecommunications still have some limitations, specifically:

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[1] Some key telecommunications enterprises such as: VNPT; Viettel etc.

Firstly, the level of competition in the telecommunications market is quite high and fierce, mainly through promotions and discounts, especially for the mobile telecommunications market.

Second, the telecommunications law has not yet regulated the definition of the market and how to manage competition in the telecommunications market.

Third, the issue of competition management in the telecommunications service business is unclear in terms of the authority between the Ministry of Industry and Trade and the Ministry of Information and Communications, as well as the procedures and coordination process to resolve competition cases in service business. telecommunications, etc.

***2.1.4. Regulations on protection of interests of telecommunications service users***

To protect the interests of telecommunications service users, the Ministry of Information and Communications has advised the Government to issue Decree No. 49/2017/ND-CP amending and supplementing Decree No. 25/2011/ND-CP and Decree No. 174/2013/ND-CP of the Government on sanctioning of administrative violations in the fields of post, telecommunications, information technology and radio frequencies.

In addition, to protect the interests of telecommunications service users, a telecommunications enterprise may only suspend part or all of its telecommunications service business if it meets the assurance of the legitimate rights and interests of users. telecommunications services under the signed telecommunication service use contract.

***2.1.5. Regulations on data center services***

Data center service business is a conditional business line as prescribed in the Investment Law 2020 (No. 130 in Appendix IV). The lack of a legal framework on data center service management has resulted in some inadequacies as follows:

+ In fact, there have arisen many cases where organizations and individuals have used data center services to provide illegal services (renting servers, hosting servers, providing services). unlicensed online video games, gambling; operating gambling websites; posting, storing, transmitting anti-revolutionary information, illegal information, etc.)

+ Lack of regulations on authentication and information storage of individuals and organizations when using data center services, especially for businesses providing cross-border data center services , customers only need to pay the service fee (via bank card/e-wallet) to use the service.

+ State agencies cannot manage and control operations as well as require businesses providing cross-border data center services to comply with obligations, such as tax obligations in Vietnam.

**2.2. Legal status and practice of law enforcement on telecommunications licensing**

***2.2.1. Conditions for telecommunications license***

**For the conditions for granting a license to provide telecommunications services:**

An enterprise is granted a license to provide telecommunications services when it fully meets the conditions related to its business registration certificate or investment certificate for telecommunications service business.

Thus, it can be seen that the conditions for telecommunications business are considered on four main conditions: conditions on business entities, conditions on finance, conditions on organizational apparatus and human resources, and technical conditions. .

*2.2.1.1. Conditions of business subjects*

Enterprises conducting telecommunications business may be enterprises with 100% Vietnamese capital, or may have contributed capital of foreign investors. The proportion of capital contributed by foreign investors is consistent with the provisions of Vietnamese law and international treaties to which Vietnam is a contracting party.

*2.2.1.2. Financial conditions*

A telecommunications service business enterprise must have sufficient financial capacity and be able to secure capital to carry out investment activities in Vietnam. The Telecommunications Law stipulates the legal capital conditions and the level of committed investment capital for telecommunications business activities. Conditions are prescribed for investment in establishing fixed terrestrial telecommunications network, investment in establishing terrestrial mobile telecommunications network, investment in establishing satellite fixed telecommunications network and satellite mobile. Depending on the complexity of investment activities, the legal capital level is different.

*2.2.1.3. Conditions of apparatus and human resources*

The telecommunications service business enterprise must meet the requirements of the apparatus and human resources suitable to the scale of investment activities. Article 12 of Circular 12/2013/TT-BTTT has specified conditions on organizational structure and human resources.

*2.2.1.4. Technical conditions*

A telecommunications service business enterprise, besides having a business plan, must have a technical plan corresponding to the business plan. For each different type of telecommunications business, the technical requirements are different.

Technical requirements are necessary for telecommunications business, because this is a specific business, with a limited number of resources that cannot be used arbitrarily. The regulations on technical requirements are considered to be quite appropriate because this is the content that should give general instructions on the outline of the plan, detailed elements, and technical solutions given by the investor. . The relatively general regulation also facilitates investors to come up with new and more suitable solutions.

**Conditions for granting a license for telecommunications operations, including:**

- License to install telecommunication cables at sea
- License to establish private telecommunications network
- License to test telecommunications networks and services

***2.2.2. Procedures for licensing telecommunications service business***

The granting of a license to provide telecommunications services must ensure five principles:

Firstly, it must be consistent with the national telecommunications development strategy and planning.

Second, give priority to granting telecommunications licenses to projects that can be quickly deployed in practice, with a commitment to provide long-term services to a large number of telecommunications service users; projects to provide telecommunications services to deep-lying, remote, border and island areas and areas with extremely difficult socio-economic conditions.

Third, where the grant of a telecommunications license is related to the use of telecommunications resources, it shall only be considered for grant if the allocation of telecommunications resources is feasible, in accordance with the approved planning and ensuring the use of telecommunications resources. telecommunications resource efficiency.

Fourthly, the organization that is granted a telecommunications license is responsible before law for the accuracy of the application file for a telecommunications license, for the implementation of the provisions of the license, and for its commitment to the competent authority. Licensing.

Fifth, organizations that are granted telecommunications licenses must pay fees for the right to telecommunications operations and fees for granting telecommunications licenses in accordance with the law on fees and charges.

*2.2.2.1. Procedures for granting a telecommunications license*

**License for telecommunications service business:**

Enterprises applying for a license to provide telecommunications services must send 5 sets of dossiers to the specialized management agency in charge of telecommunications and must take responsibility for the accuracy and truthfulness of the application dossier permission.

**License to install telecommunication cables at sea:**

The organization applying for a license to install telecommunication cables at sea must send 5 sets of dossiers to the specialized management agency in charge of telecommunications and must take responsibility for the accuracy and truthfulness of the application dossier.

**License to establish private telecommunications network:**

The organization applying for a license to establish a private telecommunications network must send 3 sets of dossiers to the specialized

management agency in charge of telecommunications and must take responsibility for the accuracy and truthfulness of the application file.

**License to test telecommunications networks and services:**

Organizations that want to test telecommunications networks and services must send 3 sets of dossiers to the specialized management agency in charge of telecommunications and must take responsibility for the accuracy and truthfulness of the license application dossiers.

The administrative procedures related to the licensing of telecommunications service business include: granting of a license to provide telecommunications services; Amendment and supplementation of the license to provide telecommunications services; Renewal of business license for telecommunications services; re-grant of telecommunications service business licenses; new license to provide telecommunications services.

*2.2.2.2. Telecommunications licensing authority*

According to the provisions of Article 18 of Decree 25/2011/ND-CP, the Minister of Information and Communications, the specialized management agency in charge of telecommunications issues all kinds of telecommunications licenses.

The telecommunications licenses that use radio frequency bands or the telecommunications licenses that involve foreign elements or are complex involving many ministries and sectors will fall under the competence of the Minister of Information and Communications. The remaining telecommunications licenses will be under the authority of the specialized management agency in telecommunications.

The granting of a license to provide telecommunications services currently has problems and inadequacies, specifically:

Firstly, according to current regulations, a telecommunications service business license includes (1) a license to establish a public telecommunications network, with a term of no more than 15 years, granted to an enterprise providing low-cost services. network infrastructure, (2) License to provide telecommunications services, with a term of not more than 10 years, is granted to service providers without network infrastructure and without regulations on licenses to provide telecommunications services. provided to enterprises with network infrastructure.

Second, regulations on financial conditions of telecommunications service enterprises: Level of investment commitment; Legal capital

## 2.3. Legal status and practice of law enforcement on telecommunications technology

### *2.3.1. Public utility telecommunications*

According to the provisions of Article 22 of the Law on Telecommunication, the Vietnam Public-Utility Telecommunication Service Fund is a state financial institution, operating for non-profit purposes to support

the implementation of the State's policies on service provision. public telecommunications.

In addition to the above results, public-utility telecommunications activities still have shortcomings related to the Public-Utility Telecommunication Service Fund. In the world, most developing countries have established a public-utility telecommunications service fund with financial resources contributed by telecommunications businesses to the state to regulate and re-grant to telecommunications businesses themselves. develop services to public areas prescribed by the State. However, the effective use of the Vietnam Public-Utility Telecommunication Fund in the 2016-2020 period is not high because the objectives set out by the public-utility telecommunications program are not appropriate, the implementation is still difficult... number The balance of the Vietnam Public Utilities Telecommunication Fund is still quite large, as of December 31, 2020, it is VND 5,145 billion.

***2.3.2. Telecommunications Resources***

Telecommunications resources are national resources, including telecommunications number storage, Internet resources, radio frequency spectrum and satellite orbits under the management of Vietnam.

Besides the above-mentioned results, regulations on telecommunications resources still have some limitations as follows:

Regulations on auctions and contests for the right to use telecommunications number storages and Internet resources with high commercial value and demand exceeding the allocation capacity have improved the efficiency of using telecommunications resources.

International domain names used in Vietnam have not been fully managed, especially at the registration stage, because the agency that grants domain names to customers may be organizations or businesses abroad.

***2.3.3. Telecommunication standards, regulations and quality management***

*2.3.3.1. About standards and regulations*

The system of standards and regulations includes 118 QCVN issued by the Ministry of Information and Communications, more than 30 TCVNs proposed by the Ministry of Information and Communications to the Ministry of Science and Technology for publication and many international standards and basic standards issued by enterprises in the past year. The fields of telecommunications, radio frequencies, broadcasting, etc. are continuously updated, harmonized with international standards, in line with international practices, and serve as a basis for management activities. Telecommunications quality management is methodical, orderly and stable.

*2.3.3.2. About the quality of telecommunications equipment*

According to regulations on product and goods quality, the quality management of telecommunications equipment is carried out on the basis of standards, technical regulations and laws on product and goods quality. The

Ministry of Information and Communications has issued standards for telecommunications terminal equipment, information technology equipment, network equipment, radio equipment,...

*2.3.3.3 About inspection*

Currently, the Ministry of Information and Communications conducts the inspection of telecommunications equipment and radio stations, including testing and certification of conformity with telecommunications technical regulations of installed telecommunications equipment before being put into operation. operate according to the List of telecommunications equipment and radio stations subject to compulsory inspection promulgated by the Ministry of Information and Communications.

*2.3.3.4. About the quality of telecommunications services*

The management of telecommunications service quality is carried out according to the principle of post-inspection, telecommunications enterprises are responsible for announcing, inspecting, controlling and ensuring the quality of telecommunications services, according to standards and regulations. telecommunications service quality engineering.

***2.3.4. Rates***

*a) On the State side*

The State only decides the prices for connection charges and public-utility telecommunications service charges in accordance with the current reality of telecommunications charge management of advanced countries in the world, that is, the State manages the prices of telecommunications services. connection charges, utility charges.

*b) On the side of telecommunications businesses*

When providing services to telecommunications service users, enterprises proactively offer different tariff packages and rates to suit the diverse needs of the market on the basis of reference to connection charges set by the company. State regulations. On that basis, telecommunications businesses offer reasonable tariff packages, suitable to users' ability to pay, promoting the development of telecommunications services.

*c) To the service user*

After the Law on Telecommunications was issued, the price of telecommunications services in Vietnam has tended to decrease, in line with the needs of the majority of service users who can access advanced telecommunications services. 3G, 4G), telecommunications service users can choose from a variety of packages (combo packages, separate packages for each object, preferential packages ...) themselves, regardless of rural or urban users, are entitled to use telecommunications services with reasonable rates and guaranteed quality.

***2.3.5. Telecommunications infrastructure***

*Regulations on licensing the construction of passive telecommunications technical infrastructure works.* Based on the guidance of the 2009 Telecommunications Law, Joint Circular No. 15/2016/TTLT-BTTTT-BXD, the People's Committees of the provinces and centrally-run cities have reviewed, amended and supplemented. to supplement or cancel according to its competence the unsuitable local regulations on planning, processes and procedures for licensing the construction of passive telecommunications technical infrastructure works, directing the inter-sectoral coordination so that the business can operate effectively. land use industry and construction of passive telecommunications technical infrastructure works in the locality on the basis of ensuring urban beauty and in accordance with the construction planning in the locality.

*Regulations on the common use of telecommunications infrastructure*

The Law on Telecommunications regulates the sharing and common use of telecommunications infrastructure. The Telecommunications Law has stipulated the responsibilities of the investor in planning, designing, investing, and building technical infrastructure to ensure the common use for installation of telecommunications cables and equipment in accordance with the infrastructure planning. approved passive telecommunications.

Besides the above-mentioned results, the legal regulations as well as the practice of law enforcement on telecommunications infrastructure and works still have some limitations and inadequacies as follows:

+ Problems and inadequacies in investment and sharing of passive technical infrastructure (culvert lines, underground tanks, cable pylons, power poles...), especially works, telecommunications infrastructure on the property labour.

+ Challenges and difficulties when converting from telecommunications infrastructure to digital infrastructure.

## 2.4. Legal status and practice of law enforcement on information management on telecommunications networks, protection of information and personal data

### *2.4.1. Online information management*

According to Decree 72/2013/ND-CP (Article 3, Clause 13), online information is information stored, transmitted, collected and processed through the network. Information on the network may be transmitted, stored, collected and processed through a number of forms such as: general information websites, social networks, mobile telecommunications networks, etc.

### *2.4.2. Protection of information and personal data*

For Vietnam, the 2013 Constitution affirms that the right to privacy of an individual is inviolable and the scope of privacy is not only the inviolability of body, house, and correspondence, but also includes the right to protect personal secrets, including information about private life, personal secrets and

family secrets (Article 21). This content is prescribed in Article 38 of the Civil Code 2015, Law on Protection of Consumer Rights 2010, Law on Telecommunications 2009; Law on Electronic Transactions 2005; Law on Cyberinformation Security Year; Law on Information Technology 2006; Press Law 2016; Law on Cybersecurity 2018.

Some limitations and inadequacies of the law on protection of personal information and data: The legal system is not uniform and consistent; Information and personal data are being bought, sold, leaked, and lost widely, many violations of the law are lacking in handling regulations; The law on protection of personal data in our country has a number of provisions on sanctions for violations of personal information protection, there is no regulation on protection of personal data.

## CHAPTER 2'S CONCLUSION

1. After more than 10 years of application, the Law on Telecommunications has contributed to promoting the development and integration process of the economy and played an important role in improving the effectiveness and efficiency of state management of telecommunications in Vietnam. our country. Through practical implementation, the legal system on telecommunications has contributed to promoting the development and integration process of the economy, while playing an important role in improving the effectiveness and efficiency of state management over the Internet. telecommunications in our country.

2. Besides the achieved results, the work of policy formulation and implementation of telecommunications management still has some problems and inadequacies as analyzed and assessed above. Many legal documents directly related to the protection of information and personal data in Vietnam from the Constitution, Laws, Decrees, circulars, etc., however, these documents are interpreting the protection of personal information in different and asynchronous ways, compatible and inconsistent in terms of the concept and content of information, personal data, information protection, personal data...

3. With the above shortcomings and limitations surrounding the current content of Vietnam's telecommunications law, it is necessary to improve the telecommunications law. The process of perfecting the telecommunications law must stem from the limitations and inadequacies of the current situation of the telecommunications law, eliminate the inadequacies, limitations and existences of the current regulations on telecommunications while ensuring reflect the reality, and at the same time add new regulations to suit the development trend of the 4th industrial revolution and the commitments on telecommunications in the free trade agreements that Vietnam has signed and signed. negotiating or signing.

# CHAPTER 3
# ORIENTATIONS AND SOLUTIONS TO COMPLETE LAW ON TELECOMMUNICATION

## 3.1. Orientation to perfecting the law on telecommunications

### *3.1.1. Completing the law on telecommunications must be placed in the context of Vietnam's international economic integration*

Firstly, it is necessary to thoroughly grasp the lines and policies of the Party and the State on economic renewal, actively integrate, and promote the development of domestic manufacturing industries to serve the cause of industrialization and modernization of the land. country, and at the same time institutionalize the guidelines and policies of the Party and State.

Second, must comply with international laws and practices, especially in accordance with ITU and WTO regulations.

### *3.1.2. Completing the telecommunications law must be in line with the characteristics of Vietnam's socialist-oriented market economy.*

The process of formation and development of the law in general and the telecommunications law in particular always originates from the objective requirements of the economy. When moving to a market economy from a centrally planned economy, experience in organizing and operating business activities in Vietnam is still lacking in both theory and practice. Changing the way of thinking and working of an entire society is a big challenge in the process of legal reform in general and the reform of the telecommunications law in particular.

### *3.1.3. Completing the telecommunications legislation to ensure uniformity and consistency in the legal system related to the telecommunications sector*

The legal system in general and the law on telecommunications in particular play an important role in institutionalizing the reform guidelines, guidelines and policies of the Party and State. In principle, the improvement of the law on telecommunications must be placed in relation to the overall solution to complete the law in general and the system of specialized laws in particular.

The law on telecommunications together with other specialized laws such as electricity, securities, aviation, etc. make up the specialized legal system in the legal system of Vietnam.

### *3.1.4. Completing the law on telecommunications must come from the limitations and inadequacies of the current situation of telecommunications legislation*

Proposing solutions to improve the legal system must directly depend on the socio-economic conditions in each period and must be suitable to the actual economic situation, the legal situation and practical application. law in general. And so is the improvement of the law on telecommunications, the

proposal of solutions to improve the telecommunications law in Vietnam must be consistent with the actual situation of the economy, the legal situation and the practice of applying the telecommunications law.

## 3.2. Some key solutions to improve the law on telecommunications

### *3.2.1. Completing regulations on telecommunications business*

- Strengthening and encouraging the participation of the private sector in telecommunications activities and telecommunications business while ensuring the correct implementation of commitments to open the market and attracting investment resources in construction. building telecommunications infrastructure, contributing to promoting the rapid development of the telecommunications infrastructure system across the country.

- *Management and regulation of the wholesale market in the telecommunications business:* amending and supplementing regulations on the responsibilities of telecommunications infrastructure owners in announcing the wholesale prices of traffic, infrastructure rental rates and supplementing regulations on state management agencies to announce the average retail price on the market to serve as a reference price and principles for determining the difference between wholesale and retail prices of telecommunications enterprises according to international standards.

- *Management and development of satellite communication services:* it is necessary to amend and supplement provisions to internalize a number of technical regulations in international treaties to which Vietnam is a member to ensure safety. security and provide general principles related to satellite services and assign the Government detailed regulations to ensure flexibility in terms of market openness and discrimination by type of basic service or price. increased value.

- *Competition in the telecommunications service business*: Assign the Ministry of Information and Communications together with the specialized telecommunications management agency to initially settle competition cases in the telecommunications service business within a short time to ensure adjustment. timely competition acts that endanger businesses, affect the healthy operation of the market, of course, there is coordination between specialized management agencies and general competition management agencies according to regulations of the Competition Law in terms of order and procedures for settlement.

- *Adding regulations on business management of data center services and adding data center components to telecommunications infrastructure*.

### *3.2.2. Completing regulations on telecommunications licensing*

The Law on Telecommunications and its guiding legal documents stipulate quite in detail the principles, competence and conditions, processes and procedures for telecommunications licensing, but the regulations on

telecommunications licensing need to continue to be completed. good, specifically:

*Firstly*, some licensing conditions are quite general and difficult to quantify such as having sufficient financial capacity, organizational apparatus and human resources suitable to the project's scale or having a technical and economic plan. viable business in accordance with the national telecommunications development strategy and planning, regulations on telecommunications resources, connectivity, charges, standards, technical regulations, quality of telecommunications networks and services, or take measures to ensure safety of telecommunications infrastructure and information security, etc.

*Secondly*, amending and supplementing regulations on financial conditions, namely replacing the legal capital in the conditions of granting a license to establish a network with an appropriate form such as charter capital and at the same time amending the commitment regulations. cash investment instead of commitments on network deployment and service quality.

*Thirdly*, the current telecommunications law provides for the purchase, sale and transfer of telecommunications resources, but does not specify whether telecommunications businesses can buy, transfer or resell telecommunications licenses to customers. whether or not other companies contribute capital under that license.

*Fourthly*, at present, sanctions for licensing violations in the telecommunications sector have not been clearly and fully regulated, which makes the validity and enforcement of the telecommunications law in general and regulations on telecommunications licensing in particular are not high.

***3.2.3. Completing technical regulations on telecommunications***

Telecommunications work is one of the content that is being paid special attention by many telecommunications enterprises in recent times. Therefore, in the coming time, relevant ministries and branches need to have specific and detailed instructions on telecommunications works so that the installation and construction of the telecommunications network system can be implemented in practice, and at the same time overcome inadequacies and difficulties of investment and sharing of passive technical infrastructure.

***3.2.4. Completing regulations on information management on telecommunications networks, protecting information and data of telecommunications service users***

**General website:**

- Amending and supplementing Decree 72/2013/ND-CP;
- Developing and promulgating regulations on identification criteria for electronic information disguised newspapers
- Additional regulations on handling sanctions.

- Adding regulations requiring general electronic information sites to comply with regulations on copyright protection when using and re-posting journalistic works.

**Social Network:**

Amending and supplementing Decree 72/2013/ND-CP on: regulations on licensing, regulations to limit the state of alarm; additional responsibilities of the domestic social network; supplement management regulations for channel owners/accounts/community groups/community pages on social networks.

**About providing content services on mobile telecommunications networks**

- Reduce administrative procedures but still ensure management efficiency:

- Requesting content service providers on mobile telecommunications networks to notify customers of the amount deducted from their telecommunications accounts for content services within 30 days.

- Supplementing responsibilities of telecommunications service providers in monitoring and detecting violations of content service providers on mobile telecommunications networks.

**Protection of information and data of telecommunications service users:**

- Promulgating a synchronous and complete adjustment document on the protection of information and personal data may be a Law or Decree of the Government. In the immediate future, the Decree will be developed to give time to assess the impact, then it will be upgraded to a Law.

- Concretize the spirit of the 2013 Constitution, institutions and policies of the Party,

- Clarifying the concept and content of personal information and data and protecting personal information and data.

- Ensuring the confidentiality of users' private information is not limited to information about calls as prescribed in the Law on Telecommunications 2009 but also needs to extend other private information to minimize risks. users may encounter.

- Supplement, amend and unify the sanctions for handling violations to meet the actual requirements of the state management on the protection of information and personal data, as well as the fight and prevention of violations. crimes and violations of the law on the protection of information and personal data.

## CHAPTER 3'S CONCLUSION

1. From the limitations and inadequacies mentioned in Chapter 2, the author proposes the orientation to perfect the law in the field of telecommunications in Vietnam, which needs to meet a number of requirements as follows: (1) perfecting the law on telecommunications. information must be placed in a context consistent with Vietnam's policy of building and perfecting a socialist-oriented market economy; (2) perfecting the law on telecommunications should be placed in the context of international economic

integration; (3) finalization of the telecommunications legislation should be carried out on the ground, with other relevant legislation; (4) perfecting the law on telecommunications must derive from the limitations and inadequacies of the legal situation and the practical application of the law on telecommunications.

2. At the same time, the process of completing the telecommunications law is placed in the context of opportunities and challenges.

3. On the basis of the above orientations to improve the telecommunications law, the thesis has proposed solutions to improve the telecommunications law in Vietnam with the following specific contents: (1) perfecting regulations on telecommunications business in the direction of market opening, promoting transparency and competition; (2) perfecting regulations on telecommunications licensing in the direction of both ensuring the management efficiency of state agencies, reforming administrative procedures, and creating favorable conditions for eligible enterprises to enter the market. favorable school; (3) perfecting regulations on telecommunications technology, focusing on promoting the development of telecommunications infrastructure and works, facilitating the transition from telecommunications infrastructure to digital infrastructure; (4) perfecting regulations on information management on telecommunications networks, protecting information and data of telecommunications service users in the direction of strengthening information management on telecommunications networks and enhancing protection of telecommunications services. information and data of telecommunications service users

## CONCLUSION

The promulgated Telecommunications Law is very important to the development and integration process of the economy in general and the telecommunications industry in particular. After more than 10 years of implementation, the Law on Telecommunications has contributed to promoting the development and integration process of the economy, while playing an important role in improving the effectiveness and efficiency of state management of telecommunications. communication in our country. Through practical implementation, the telecommunications legal system has played a great role in developing a healthy competitive telecommunications market, promoting the country's socio-economic development and achieving goals. objectives set forth in the formulation of the Law.

With the above-mentioned importance and great role, one of the research subjects of the thesis is theoretical issues of telecommunications, telecommunications activities, and telecommunications law. In which, the thesis uses the concept of telecommunications law which is a synthesis of legal regulations promulgated or recognized by the state governing social relations arising in telecommunications investment and business activities;

telecommunications management; infrastructure construction, telecommunications works; management of information systems on telecommunications networks; rights and obligations of organizations and individuals engaged in telecommunications activities. Chapter 1 of the thesis also mentioned a number of core issues of the telecommunications law, including: content and requirements when developing and perfecting the telecommunications law.

From the research on the above-mentioned theoretical issues, the thesis analyzes and evaluates the current state of law and practice of telecommunications law enforcement in Vietnam. Since then, the thesis has contributed to recognizing the successes and limitations and inadequacies of the telecommunications law, specifically: the current regulations on competition management in the telecommunications service business are not specific, there are no adequate criteria to identify enterprises dominating the market, no effective policies to manage enterprises dominating the market; regulations on promotion of mobile telecommunications services are not clear and transparent; some regulations on telecommunications licensing conditions are quite general and difficult to quantify; regulations on online information management are still lax, leading to many shortcomings in the enforcement of rights and responsibilities of foreign enterprises when providing services in Vietnam. the law and always try to delay so as not to have to comply with the law of Vietnam, which still occurs in practice; The right to protect information and personal data of users is not really guaranteed because the current legislation in this field is not complete, consistent and synchronous.

In Chapter 3, the thesis proposes orientations to improve the law in the field of telecommunications in Vietnam in the coming time, which needs to meet a number of requirements such as: (1) perfecting the law on telecommunications must be placed in the context of the law. the context is consistent with the policy of building and perfecting the socialist-oriented market economy of Vietnam; (2) perfecting the law on telecommunications should be placed in the context of international economic integration; (3) finalization of the telecommunications legislation should be carried out on the ground, with other relevant legislation; (4) perfecting the law on telecommunications must derive from the limitations and inadequacies of the legal situation and the practical application of the law on telecommunications.

On the basis of the above orientations to improve the telecommunications law, the thesis has proposed solutions to improve the telecommunications law in Vietnam with the following specific contents: (1) perfecting regulations on telecommunications business in the direction of market opening, promoting transparency and competition; (2) perfecting regulations on telecommunications licensing in the direction of both ensuring the management efficiency of state agencies, reforming administrative procedures, and creating favorable conditions for eligible enterprises to enter the market. favorable school; (3) perfecting regulations on telecommunications technology, focusing

on promoting the development of telecommunications infrastructure and works, facilitating the transition from telecommunications infrastructure to digital infrastructure; (4) perfecting regulations on information management on telecommunications networks, protecting information and data of telecommunications service users in the direction of strengthening information management on telecommunications networks and enhancing protection of telecommunications services. information and data of telecommunications service users.

With the scope of a thesis, the research work has initially contributed in analyzing and comprehensively evaluating the telecommunications law in Vietnam today. From there, some orientations and solutions to improve the law in this field are proposed. However, along with the development of science and technology, today, telecommunications law is a field with wide scope and constant innovation. Therefore, the content of the telecommunications law still has many theoretical and practical issues that need to be further researched and interpreted that cannot be fully resolved within the scope of a thesis./.