

TABLE OF CONTENT

APPLICATION OF TECHNOLOGY AND BIG DATA IN THE FIELDS OF FINANCE, ACCOUNTING AND AUDITING IN THE CONTEXT OF GLOBALIZATION

BANK RUN AND SILICON VALLEY BANK	1
Lam Dang Xuan Hoa, Ho Minh Khoa, Huynh Vo Nhat Linh	1
BIG DATA AND INTELLECTUAL PROPERTY RIGHTS.....	14
Le Thi Minh, Vo Trung Hau	14
THE EFFICIENCY OF THE INTERNAL CONTROL SYSTEM IN RISK MANAGEMENT AT THE NAM A COMMERCIAL JOINT STOCK BANK	23
Truong Thanh Loc, Tran Ngoc Thanh.....	23
VIETNAM - AUSTRALIA ECONOMIC AND TRADE COOPERATION IN THE NEW NORMAL: OPPORTUNITIES AND CHALLENGES FOR VIETNAMESE INVESTORS.....	30
Nhu Nguyen Phuc Quynh*, Anh Nguyen Thi Nguyet, Duy Nguyen Anh	30
IMPACTS OF CREDIT GROWTH AND CREDIT RISK ON THE PROFIT OF VIETNAM JOINT STOCK COMMERCIAL BANKS	43
Dao Le Kieu Oanh*, Tran Thi Huong Ngan	43
FACTORS AFFECTING CUSTOMERS' DECISIONS TO USE E-BANKING AT JOINT STOCK COMMERCIAL BANKS IN HO CHI MINH CITY	57
Nguyen Duy Khanh ¹ , Pham Quoc Tham ²	57
HOW CHINA_USA POLITICAL TENSIONS AFFECT STOCK MARKET RETURN OF CHINA AND THE USA? A QUANTILE VAR CONNECTEDNESS APPROACH	70
Hao Wen Chang ¹ , Tsangyao Chang ² and Mei-Chih Wang ³	70
BANKING HUMAN RESOURCES BEFORE THE DEVELOPMENT OF ARTIFICIAL INTELLIGENCE AI	92
Nguyen Huynh Chi.....	92
IMPROVE THE QUALITY OF TRAINING THROUGH IMPROVEMENT OF STUDENT TESTING AND ASSESSMENT – CASE IN ACCOUNTING BRANCH, UNIVERSITY OF ECONOMICS AND FINANCE	102
Thuy Thi Ha	102
ACTIVITIES OF DIGITAL TRANSFORMATION IN VIETNAMESE COMMERCIAL BANKS: AN OVERVIEW DURING THE COVID-19 RECOVERY PERIOD.....	109
Nguyễn Thị Quỳnh Châu, Đào Lê Kiều Oanh	109
OPPORTUNITIES AND CHALLENGES FOR VIETNAM IN ATTRACTIVE FDI IN GLOBAL MINIMUM CORPORATE TAX IMPLEMENTATION	117
Ngo Hoang Thong	117

DIGITAL ECONOMY IN VIETNAM, TRENDS AND POTENTIABILITY

DEVELOPING SMART HOME MODEL FOR APARTMENTS IN HO CHI MINH CITY BASED ON INTERNET OF THINGS (IoT) TECHNOLOGY	182
Dang Thanh Thuy ¹ , Nguyen Thanh Dien ²	182
TRANSPARENCY OF ACCOUNTING INFORMATION OF CONSTRUCTION ENTERPRISES IN HO CHI MINH CITY – CASE STUDY OF APPLICATION OF ACCRUAL ACCOUNTING	193
Truong Thanh Loc ^{1*} , Pham Thi Yen Nhi ²	193
FACTORS AFFECTING THE QUALITY OF FINANCIAL STATEMENTS OF MANUFACTURING ENTERPRISES IN HO CHI MINH CITY	207
Truong Thanh Loc [*] , Dang Nguyen Tuong Han, Nguyen Ngoc Mai Phuong, Nguyen Thi Quynh Huong	207
THE CRITICAL FACTORS OF COLLEGE STUDENTS' INTENTION TO USE METAVERSE TECHNOLOGY FOR SUBJECTS RELATED TO IMPORT-EXPORT LEARNING	221
Van Thuy Nguyen Ho, Chau The Huu, Luan Thanh Nguyen [*]	221
CONSUMER PERCEPTION ABOUT THE SUSTAINABILITY COMMITMENT OF LUXURY BRANDS IN VIETNAM AND CHINA MARKETS.....	233
Tran Minh Tu ¹	233
INFLUENCE OF WOM AND EWOM IN MAKING DECISION BUYING GOODS	247
Doan Anh Tu ¹ , Kim Phi Rum ² , Nguyen Pham Hai Ha ³	247
DIGITAL ECONOMY AND DEVELOPMENT POTENTIAL IN VIETNAM.....	257
Hoang Thi Chinh, Nguyen Hoang Phan	257
BLOCKCHAIN APPLICATION IN MODERN LOGISTICS: INTERNATIONAL EXPERIENCE AND SOME RECOMMENDATIONS FOR VIETNAM	266
Nguyen Nu Tuong Vi.....	266
FACTORS AFFECTING THE DEVELOPMENT OF THE DIGITAL ECONOMY IN VIETNAM	272
Vo Tien Si	272
LEGAL FRAME FOR THE OPERATION OF THE REAL ESTATE BUSINESS UTILIZING THE BLOCKCHAIN PLATFORM IN VIETNAM.....	284
Le Thi Khanh Linh.....	284

IMPACTS OF STATE OWNERSHIP AND BUSINESS CHARACTERISTICS ON TAX AVOIDANCE: EVIDENCE IN VIETNAM.....	128
Huyen Ngoc Nguyen, Thanh Dan Bui	128
RUSSIA'S IMPACTS AND SCENES ON BEING BANNED FROM SWIFT	143
Lam Dang Xuan Hoa ¹ , Phan Ngoc Anh ²	143
THE ROLE OF ACCESS TO FINANCE AND THE ENTREPRENEURIAL INTENTION OF YOUNGERS IN THE SOUTHWESTERN PROVINCE, VIETNAM.....	151
Vu Truc Phuc*, Nguyen Dang Hat, Nguyen An Phu, Dao Le Kieu Oanh	151

DIGITAL TRANSFORMATION – COOPERATION – GLOBAL INTEGRATION IN BUSINESS

FACTORS INFLUENCING BUSINESS ACCEPTANCE OF INDUSTRY 4.0 TECHNOLOGY APPLICATIONS IN DONG NAI PROVINCE.....	291
Thanh-Thu Vo*, Minh-Huong Tang.....	291
DIGITAL ORIENTATION, INNOVATION CAPABILITY AND FIRM PERFORMANCE: A PROPOSAL RESEARCH MODEL	298
Nguyen Van Hau	298
PREDICTION OF STUDENT'S BEHAVIORAL INTENTION TO USE SMART LEARNING ENVIRONMENT: A COMBINED MODEL OF SELF-DETERMINATION THEORY AND TECHNOLOGY ACCEPTANCE	309
Nguyen Thi Hai Binh ¹ , Dao Y Nhi ² , Nguyen Thanh Luan ³ , Dang Quan Tri ⁴	309
THE PEDAGOGICAL IMPACT OF GRAMMARLY ON EFL WRITING COMPETENCY: AN EMPIRICAL INVESTIGATION IN HIGHER EDUCATION CONTEXT.	323
Nguyen Thi Hong Lien ¹ , Nguyen Truong Gia Minh ² , Nguyen Ngoc Vu ^{3*}	323
FACTORS AFFECTING PURCHASING DECISION OF THE YOUTH ON TIKTOK	336
Ngoc Pham ¹ , Thanh Cong Tran*.....	336
FACTORS AFFECTING OCCUPATIONAL SAFETY BEHAVIORS OF WORKERS DIRECT PRODUCTION AT CU CHI POWER COMPANY.....	345
Minh Luan Le, Thi Trang Tran.....	345
CORPORATE SOCIAL RESPONSIBILITY AND EMPLOYEES' ORGANIZATIONAL CITIZENSHIP BEHAVIOUR.....	355
Nguyen Xuan Hung ¹ , Ha Le Thu Hoai ¹ , Nguyen Huu My Truc ^{2&3} , Pham Tan Nhat ^{2&3}	355
THE INNOVATION CAPACITY - THE ROLE OF LEADERS OF SMALL AND MEDIUM ENTERPRISES IN HO CHI MINH CITY, VIETNAM.....	365
Huynh Nhut Nghia	365
PEOPLE'S THOUGHTS ON THE IMPACT OF ARTIFICIAL INTELLIGENCE ON BUSINESS	376
Ton Nguyen Trong Hien, Bui Tuyet Anh	376
FACTORS AFFECTING BRAND SWITCHING INTENTION IN THE CONTEXT OF HIGHER EDUCATION IN VIETNAM	382
Ly Dan Thanh, Nguyen Phu Quoi, Tran Hoang Nam, Vo Hong Son, Nguyen Ngoc Thuy Tien	382
ENHANCE THE DIGITAL COMPETITIVENESS	398
Tran Quang Canh, Hoang Thi Chinh.....	398

ASSESSING PATIENT SATISFACTION (BRAND) AFTER THE COVID-19 PANDEMIC AT THU DUC CITY HOSPITAL.....	408
Nguyen Hoang Dung ^{1*} , Nguyen Huynh Bao An ² , Van Phuong Trang ²	408
INDUSTRIAL AND HUMAN RESOURCES FORM THE FOUNDATION FOR BINH DUONG'S SUSTAINABLE ECONOMIC DEVELOPMENT	408
Hoang-An Nguyen	417
IMPACT OF ORGANIZATIONAL FAIRNESS ON THE EMPLOYEES' KNOWLEDGE SHARING IN TRAVEL AND TOURISM ENTERPRISES IN HO CHI MINH CITY	426
Le Thi Nhu Quynh ^{1,2} , Le Thi Giang ² , Truong Quang Dung ¹	426
THE EFFECT OF PERSONAL MOTIVATION ON THE TACIT KNOWLEDGE SHARING BEHAVIOR OF 5-STAR HOTELS' EMPLOYEES IN HO CHI MINH CITY	440
Le Thi Giang, Nguyen Bach Hoang Phung.....	440
DIGITAL COMPETITIVENESS AND OPERATIONAL EFFICIENCY OF ENTERPRISES IN THE DIGITAL ERA: THE CASE OF VIETNAMESE ENTERPRISES	453
Diep Nguyen Thi Ngoc ^{1*} , Canh Quang Tran ² , Anh Bach Hoang Ngoc ¹	453
FACTORS INFLUENCING PARENTS' SELECTION OF PRIVATE PRESCHOOLS IN THU DUC CITY	466
Thi-Trang Tran ¹ , Thi-My-Dung Pham ² , Thi-Bich-Diep Le ^{1*}	466

RECOVERY COMMUNICATIONS IN THE TOURISM AND HOSPITALITY INDUSTRY AFTER THE COVID-19 PANDEMIC

DEVELOPING A SPIRITUAL TOURISM DESTINATION IMAGE MEASUREMENT SCALE OF AN GIANG	474
Nguyen Vuong Hoai Thao ¹ , Nguyen Quyet Thang ²	474
PROSPECTS OF VIRTUAL REALITY TOURISM APPLICATION IN VIETNAM TOURISM PROMOTION	487
Nguyen Thi Hong Ha, Pham Thi Huong Giang.....	487
PERSONALIZATION TRAVEL TRENDING IN HO CHI MINH CITY IN THE CONTEXT OF POST COVID-19	497
Duong Bao Trung.....	497
IMPACTS OF MEDIA ON CUSTOMERS' DECISION TO CHOOSE FOOD AND BEVERAGE SERVICES POST THE COVID-19 PANDEMIC	511
Nguyen Thi Bich Van	511
DIGITAL TRANSFORMATION APPLICATION TO PROMOTE THE RECOVERY AND DEVELOPMENT OF INBOUND TOURISM IN HO CHI MINH CITY	521
Tran Trong Thanh	521
VIETNAM TOURISM AFTER COVID-19 PANDEMIC	527
Nguyen Hoang Phan ¹ , Hoang Thi Chinh ²	527
NAVIGATING THE EVOLVING LANDSCAPE OF SOCIAL MEDIA DATA MINING AND PRIVACY	537
Pham Thai Hien	537
THE CORRELATION BETWEEN STUDENT SELF-REPORTED GENERAL WELL-BEING AND PERCEIVED SUPPORT FROM FRIENDS, TEACHERS, AND UNIVERSITY	545
Virginia Kelsey ¹ , Đặng Thị Mai Ly ^{2*} , Nguyễn Anh Khoa ² , Nguyễn Văn Tường ²	545

DIGITAL VERSUS NON- DIGITAL

PROVIDING CONVENIENCE TO CUSTOMERS IN THE DIGITAL MARKETING ERA: OBSERVATIONS FROM COMMERCIAL BANKS IN HO CHI MINH CITY	556
Nguyen Quang Trung	556
VIRTUAL REALITY: AN INNOVATIVE TOOL IN TOURISM EXPERIENTIAL MARKETING	564
Thanh Nguyen Ngoc Le ¹ , Khuong Thanh Nguyen ²	564
THEORETICAL CONCEPTS OF STRATEGIC POSITIONING FOR PLACE BRANDING: A CASE STUDY OF DONG THAP PROVINCE	580
Phan Bao Giang.....	580
LITERATURE REVIEW ON THE IMPACT OF DIGITAL MARKETING ON VIETNAM'S SMALL AND THE MEDIUM BUSINESS ENTERPRISES (SMEs)	587
Lê Kim Nguyên *	587

CHALLENGES FACED BY TEACHERS IN NON-TRADITIONAL EDUCATION

PROPOSE AN ONLINE TEACHING COMPETENCE SCALE FOR UNIVERSITY LECTURERS	596
Duong Thi Kim Oanh*, Dang Thi Dieu Hien	596
EXAMINE USAGE OF LEARNING MANAGEMENT SYSTEMS (LMSS) BY FACULTY STAFF AT UNIVERSITY OF ECONOMICS (UEF) AND FINANCE WITH EXPANDED TECHNOLOGY ACCEPTANCE MODEL (TAM).....	608
Ha Truong Minh Hieu, Ngo Minh Hai*, Mach Tran Huy.....	608

**DIGITAL TRANSFORMATION
AN INDISPENSABLE EVOLUTION FOR SUSTAINABLE CORPORATES**

FACTORS AFFECTING THE APPLICATION OF STRATEGIC MANAGEMENT ACCOUNTING AT MANUFACTURING ENTERPRISES IN BINH DUONG PROVINCE	618
Truong Thanh Loc ^{1*} , Nguyen Thi Thanh Truc ²	618
HRM DIGITAL TRANSFORMATION: TAKING A ROAD OF SUCCESSION PLANNING ..	629
Trương Phan Hoàng Anh, Giang Ngọc Anh.....	629
THE IMPLICATION OF CONTACTLESS SERVICE AS A TOOL TO IMPROVE CUSTOMER REVISIT INTENTION	640
Linh, Nguyen Duy Yen*	640
TOURISM BRAND LOVE IN THE DIGITAL AGE: THE ROLE OF ONLINE TOURIST EXPERIENCES, TOURIST-BRAND RELATIONSHIP QUALITY AND SUSTAINABILITY	651
Thanh Nguyen Ngoc Le	651
CONDUCTING FOCUS GROUPS IN CROSS-CULTURAL SCHOLARSHIP OF TEACHING AND LEARNING (SoTL): A COMPARATIVE CASE STUDY	662
Punithan Moganathas ¹ , Jenny Hill ² , Andy V.-M. Kok ² , Matt Barr ² , Ruffin Relja ^{2*} , Philippa Ward ² , Duong Tran Quang Hoang ³ , Quynh Phuong Tran ³	662
LEVERAGING DIGITAL TRANSFORMATION FOR SUSTAINABLE CORPORATE EVOLUTION IN VIETNAM	677
Nguyen,Tan Dat ¹ , Le,Dinh Thang ²	677

INFORMATION TECHNOLOGY AND APPLICATIONS

FB-PROPHET MODEL FOR TIME SERIES FORECASTING IN SALES	691
Thanh Cong Tran	691
USING AI CODE IN C# PROGRAMMING	698
Nguyen Ha Giang.....	698
DETERMINANTS OF CONTINUANCE USAGE INTENTION OF MOBILE FOOD ORDERING APPLICATIONS (MFOAS) AMONG VIETNAMESE USERS: THE MEDIATING ROLE OF E- SATISFACTION	705
Lam Hoang Phuong ^{1*} , Nguyen Thi Kim Lien ² , Tien Hung Nguyen ³ , Vinh Long Nguyen ⁴	705
DECODING MARKETING INSIGHT: INSIGHT FROM OUTSIDE.....	718
Hoàng Thị Hằng, Trần Thành Công*	718
DIGITAL DISRUPTION AND DATA SECURITY: HOW FINTECH IS RESHAPING BANKING ...	724
Hoàng Văn Hiếu, Trần Ngọc Thiên Ngân.....	724

TRENDS AND ISSUES IN ENGLISH LANGUAGE EDUCATION AND RESEARCH

EFL LEARNERS' ATTITUDES AND LEARNING ENGAGEMENT IN COMMUNICATIVE GAME-BASED GRAMMAR TEACHING	736
Nguyen Thi Thanh Huyen ¹ , Tran Quoc Thao ²	736
APPROACHES TO TEACHING L2 LISTENING:.....	749
CLOSING THE GAP BETWEEN REAL-LIFE AND CLASSROOM-BASED LISTENING	749
Luu Thi Mai Vy	749
DEFINING ROLES OF STUDENT ENGAGEMENT IN THE 21ST CENTURY LANGUAGE CLASSROOM	755
Ho Xuan Tien, Duong My Tham.....	755
EFL STUDENTS' ATTITUDES AND LEARNING INVESTMENT IN PORTFOLIO - BASED ENGLISH WRITING LEARNING: A LITERATURE REVIEW	763
Ly Gia Huy ¹ , Tran Quoc Thao ²	763
EXPLORING EFL LEARNER IDENTITIES IN PROJECT-BASED LANGUAGE LEARNING AT A HIGH SCHOOL IN AN GIANG PROVINCE	774
Nguyen Hong Thien ¹ , Tran Quoc Thao ²	774
THE VALUES OF SYNTACTIC COMPLEXITY IN ACADEMIC WRITING: A LITERATURE REVIEW	791
THE ISSUE OF AMBIGUITY IN THE ENGLISH LANGUAGE.....	801
Nguyen Dinh Tuan	801
RESEARCH PERSPECTIVES ON JUNIOR HIGH SCHOOL EFL STUDENTS' MOTIVATION IN ENGLISH LANGUAGE LEARNING	812
Huynh Thanh Nhon ¹ , Tran Quoc Thao ²	812
EXPLORING THE INFLUENCE OF WRITING ANXIETY ON VIETNAMESE ESL UNDERGRADUATES' WRITING PERFORMANCE: A QUANTITATIVE STUDY.....	821
Nguyen Ngoc Nguyen, Nguyen Hoang Phan.....	821
THE APPLICATION OF THE “FLIPPED CLASSROOM” MODEL IN TEACHING ENGLISH IN THE VIETNAMESE UNIVERSITY EDUCATION ENVIRONMENT	838
THE USE OF RESOURCE MANAGEMENT STRATEGIES IN EFLFLIPPED CLASSROOMS	847
Nguyen Quynh Thao Vy ^{1,*} , Duong My Tham ²	847
INSIGHTS INTO ENGLISH MAJOR STUDENTS' USE OF PHRASAL VERBS IN ACADEMIC WRITING.....	860
Do Thi Thanh Thuy, Tran Quoc Thao	860

LAW IN THE CONTEXT OF INTERNATIONAL INTEGRATION

LEGALISING INTELLECTUAL PROPERTY INFRINGEMENTS IN RUSSIA – A WAR TACTIC IN THE CONTEXT OF RUSSIA’S INVASION OF UKRAINE.....	869
Bui Thi Hong Ninh*	869
MODEL OF ASSET REGISTRATION WORLDWIDE AND LESSONS FOR VIETNAM IN IMPROVING ASSET REGISTRATION LAWS.....	880
Vu Anh Sao ^{1,2} , Nguyen Thi Xuan Mai ²	880
LEGAL ISSUES ARISING FROM THE DEVELOPMENT, IMPLEMENTATION, AND USE OF ARTIFICIAL INTELLIGENCE (AI) - INTERNATIONAL EXPERIENCES AND LESSONS FOR VIETNAM	887
Le Hoang Minh Huy*, Nguyen Thi Thu Ha, Dao Trong Duc, Ky Dieu Linh, Bui Thi Thuy Linh, Nguyen Nam Trung.....	887
SOUTH KOREA’S EXPERIENCES ON PROPERTY REGISTRATION LAW - LESSONS FOR VIETNAM	896
Vu Anh Sao, Pham Huynh Bao Oanh.....	896
THE RISE OF REMOTE WORK: LEGAL CHALLENGES AND IMPLICATIONS FOR EMPLOYMENT LAW IN VIETNAM	903
Nguyen Thi Xuan Mai ¹ , Nguyen Thi Ngoc Loan ²	903
CHALLENGES AND RECOMMENDATIONS FOR THE LEGAL FRAMEWORK IN THE EMERGING AGE OF ARTIFICIAL INTELLIGENCE.....	910
Nguyen Thi Thu Trang	910
THE IMPACTS OF GLOBAL MINIMUM TAX ON FOREIGN DIRECT INVESTMENT (FDI) CORPORATIONS IN VIETNAM.....	921
Trần Ngọc Thanh ¹	921
CROSS-BORDER E-COMMERCE ACTIVITIES AND TAX MANAGEMENT ISSUES	933
Le Huynh Phuong Chinh, Ngo Thi Khanh Linh, Pham Ngoc Lan Anh.....	933
EXPERIENCE IN KOREA AND CHINA ON TAX MANAGEMENT FOR CROSS-BORDER E-COMMERCE ACTIVITIES	941
Duong Anh Son ¹ , Tran Vang Phu ²	941
LEGAL PERSPECTIVE ON REGULATIONS RALATED TO PERSONAL INCOME TAX WHEN EARNING INCOME THROUGH E-COMMERCE PLATFORMS IN VIETNAM, TAKING THE CASE OF INDIVIDUALS DOING BUSINESS THROUGH TIKTOK APPLICATION.....	946
Nguyen Duc Tri ¹ , Hoang Minh Châu ²	946
THE COMPATIBILITY ON THE SCOPE OF MUTUAL LEGAL ASSISTANCE (MLA) IN CRIMINAL MATTERS AND THE CONDITIONS OF REFUSAL MLA IN CRIMINAL MATTERS BETWEEN VIETNAMESE LAW AND INTERNATIONAL TREATIES WHICH VIETNAM HAS SIGNED.	956

Pham Huynh Bao Oanh.....	956
TAX POLICY FOR E-COMMERCE OF COUNTRIES IN THE WORLD AND RECOMMENDATIONS TO VIETNAM.....	967
Nguyen Thanh Minh Chanh, Ha Thi Van Anh, Pham Lam Tam Nhu	967
LEGAL REGULATIONS FOR ENTERPRISE OBLIGATIONS TO PROVIDE INFORMATION ON E-COMMERCE PLATFORM	974
Truong Kim Phung*, Nguyen Hoang Chuong	974
“ROBOT TAX” – RECOMMENDATIONS FOR VIETNAM.....	981
Gian Thi Le Na, Pham Phuong Doanh.....	981
WTO APPELLATE BODY REFORM IN THE CONTEXT OF ESCALATING GEOPOLITICAL TENSIONS.....	988
Nguyen Nam Trung.....	988

IMPACTS OF STATE OWNERSHIP AND BUSINESS CHARACTERISTICS ON TAX AVOIDANCE: EVIDENCE IN VIETNAM.....	128
Huyen Ngoc Nguyen, Thanh Dan Bui	128
RUSSIA'S IMPACTS AND SCENES ON BEING BANNED FROM SWIFT	143
Lam Dang Xuan Hoa ¹ , Phan Ngoc Anh ²	143
THE ROLE OF ACCESS TO FINANCE AND THE ENTREPRENEURIAL INTENTION OF YOUNGERS IN THE SOUTHWESTERN PROVINCE, VIETNAM.....	151
Vu Truc Phuc*, Nguyen Dang Hat, Nguyen An Phu, Dao Le Kieu Oanh	151

ensure the interests of consumers, receive and promptly deal with complaints about the quality of their goods and services. It is adequate to prescribe enterprises on e-commerce platforms to provide their phone numbers or another online contact method because when doing business through an online buying and selling channel, the buyer and seller will not be able to know specifically who the other party is but they can only know briefly, so this is useful information for consumers to contact businesses to solve problems about goods and services.

Secondly, it requires to *“provide sufficient information about goods and services as prescribed in Articles 30 to 34 of this Decree when selling goods or providing services on the e-commerce platform”*, specifically: the seller provides information about goods and services, information about prices, information about general transaction’s conditions, information about shipping and delivery and information about payment methods. This is very important information for consumers who buy or use services. Because clearly disclosed information will help consumers choose the right product in terms of quality, price, and even know how to pay is also necessary. For example, customers can't always pay by bank transfer, if they only know the method of payment by transfer after making a purchase, then failure to pay leads to the order being canceled resulting in costly and time consuming.

Thirdly, it is necessary to *“ensure the accuracy and truthfulness of information about goods and services provided on the e-commerce platforms”*²³ In fact, most buyers can only identify the quality, design and all information related to goods and services through images and descriptions posted by sellers on the e-commerce platform. Buyers are completely unable to touch, hold or look directly at the goods they want to buy, services they want to use, so it requires businesses to ensure the accuracy and truthfulness of information about goods and services provided on the e-commerce platform, to ensure the best interests of customers, improve the responsibility of enterprise selling goods and providing services, and in accordance with the nature of business in cyberspace.

Therefore, the above regulation is necessary, reasonable, meeting the needs of reality, the above regulation requires enterprises to ensure the accuracy and truthfulness of information about goods and services provided on the Internet. E-commerce trading floor, this is also to show responsibility, prestige, build trust of businesses with customers, ensure the best interests of consumers when buying goods, using services, suitable to the nature of business in cyberspace.

Fourth, it requires *“to comply with the provisions of Section 2, Chapter II of this Decree when applying the online ordering function on the e-commerce platform”*²⁴, so when applying the online ordering function on the platform, e-commerce transactions force enterprises to comply with regulations on notices of contract offer, terms of contract, sign a contract, etc. These are all regulations on contracts using the online ordering function on e-commerce websites, these regulations govern activities between businesses and buyers during the contract signing phase through the online ordering function on the e-commerce platform.

On the other hand, the above regulation is very necessary for both businesses and consumers. Compared to entering into a contract not through electronic means, a contract concluded online on an e-commerce website is a much more complicated, it carries more legal risks for the parties, especially for consumers who are often only interested in buying goods rather than the issues of rights and responsibilities

²³ Clause 3, Article 37 of Decree No. 52/2013/ND-CP.

²⁴ Clause 4, Article 31 of Decree No. 52/2013/ND-CP.

when ordering online. online on the e-commerce trading floor, through which it is reasonable for businesses to comply with the above provisions to ensure the interests of the parties.

Fifthly, *it is necessary to "provide information about business situation required by the competent state agencies to serve e-commerce statistics activities"*²⁵, in recent years, when trading activities have been growing more and more in cyberspace, through electronic trading platforms such as Lazada, Sendo, tiki, etc., which are almost used by consumers to meet their needs. *"According to a report of the Ministry of Industry and Trade, By 2022, the scale of Vietnam's retail e-commerce market is estimated at 16.4 billion USD, accounting for 7.5% of the country's sales of consumer goods and services. The number of online shopping users in 2022 will reach 57-60 million people (accounting for 74.8% of internet users), of which the online shopping value of a Vietnamese person is about 260-285 USD (equivalent to about 6.1-6.6 million dong). In addition, with a growth rate of 20% per year, Vietnam is also ranked by eMarketer (an American market research company) in the top 5 countries with the world's top e-commerce growth rate"*²⁶. These statistics will help state agencies to manage and have appropriate policies to develop the electricity trade market.

Thus, in order to obtain the above reported figures, enterprises must provide sufficient, timely and accurate information, with these statistics helping state agencies to know about enterprises. e-commerce tourism in a specific period, whether the growth rate is fast or slow, the consumer's tendency to shop and use services on the e-commerce floor,... through which there will be policies policies and appropriate adjustments, helping to stabilize and develop the e-commerce market.

Sixthly, *"The related parties need to comply with regulations of law on payment, advertising, promotion, protection of intellectual property rights, protection of consumer rights and other relevant laws when selling goods or providing services on e-commerce platforms"*²⁷. With this regulation, the law requires businesses when doing business through e-commerce exchanges to ensure compliance with many regulations on payment, advertising, promotion, protection of intellectual property rights, protection consumer protection and other relevant laws.

In fact, it is not uncommon for for-profit businesses to have falsely advertised, conducted promotions in contravention of regulations, infringed on the intellectual property rights of others, affected the interests of consumers, and affected the quality of life. fine customs and traditions, social ethics... it is clear that when an enterprise performs such acts, it will seriously affect society and many subjects, which may be competitors, organizations , individuals with protected intellectual property rights, consumers, etc., so the above regulation is reasonable to contribute to the stability of business on the e-commerce trading floor.

Seventhly, *the enterprise must "complete tax obligations as prescribed by law"*. Tax plays an important role in today's society, it is an important revenue of the national budget and has long-term stability. Also, it is an important tool of the state to regulate the macro economy, promote the development of enterprises and ensure fairness and rationality among business organizations and individuals. Therefore, the tax law has been issued. The regulations are very specific. It depends on each case, businesses doing

²⁵ Clause 5, Article 31 of Decree No. 52/2013/ND-CP.

²⁶ Khanh Minh, 2023. Starting a Creative Business From E-Commerce, <https://nhandan.vn/khoi-nghiep-sang-tao-tu-thuong-mai-dien-tu-post735238.html>, [Accessed on 29th 5/2023].

²⁷ Clause 6, Article 37 of Decree No. 52/2013/ND-CP.

business on e-commerce platforms must pay value added tax, corporate income tax, special consumption tax, etc.

The implementation of tax obligations in accordance with the law is the right and responsibility of businesses doing business on the e-commerce platform, most businesses comply with and comply with tax registration, tax declaration, paying taxes, ... but having to bear many taxes is something that businesses have to worry about because it has a direct impact on the finances of the business, so the fact that businesses have to fulfill their obligations Tax but not enough is what needs to be concerned, so the regulation is not only the implementation but must be the full implementation of tax obligations as prescribed by law.

2. Some drawbacks relate to obligations of enterprises to provide information on E-commerce platforms.

Currently, in order to improve the efficiency of tax authorities' management of business activities on e-commerce platforms, the Government has issued Decree No. 91/2022/ND-CP dated October 30, 2022 amending and supplementing a number of articles of the Government's Decree No. 126/2020/ND-CP dated October 19, 2020 detailing a number of articles of the Law on Tax Administration (Decree No. 91/2022/ND-CP) CP), It can be seen that the regulation was born in the context of very developed and popular e-commerce business activities, this is a regulation in line with the requirements of practice, partly because at the time of Decree No. 126/2020/ND-CP dated October 19, 2020 of the Government detailing a number of articles of the Law on Tax Administration (Decree No. 126/2020/ND-CP) stipulating the responsibility of providing information of relevant organizations and individuals, Specifically, "Organizations and individuals that are business partners or customers of taxpayers shall provide information about the taxpayers in accordance with the Law on Tax Administration and relevant laws when requested in writing by tax authorities."²⁸. However, in terms of organizations established and operating under Vietnamese law that are owners of e-commerce platforms, the regulations still do not clearly show the responsibility to provide tax authorities with information of merchants. individuals, organizations and individuals conduct part or the whole process of buying and selling goods and services on the e-commerce trading floor, while the information is provided by the owner of the e-commerce trading floor. provided will be important and necessary contents for the management of tax authorities.

Therefore, when Decree No. 91/2022/ND-CP took effect, in fact, it created a turning point in tax administration for organizations and individuals selling goods and services through the exchange. e-commerce translation, specifically Decree No. 91/2022/ND-CP has stipulated *"Organizations that are established and operating under Vietnam's law and own e-commerce platforms shall provide tax authorities with full, accurate and timely information about traders, organizations and individuals whose goods or services are entirely or partially traded on their e-commerce platforms, including: sellers' names, taxpayer identification numbers, ID numbers or passport numbers, addresses, phone numbers; revenue from online orders. Information shall be provided electronically every quarter by the last day of the first month of the succeeding quarter via the web portal of General Department of Taxation in the format announced by General Department of Taxation."*²⁹ Accordingly, the regulation clearly states the responsibility of providing information of the owner of the e-commerce platform to the tax authorities and is done quarterly by electronic method via the portal of the General Department of Taxation.

²⁸ Clause 2, Article 27 of Decree No. 126/2020/ND-CP

²⁹ Clause 7 Article 1 Decree 91/2022/ND-CP

However, it is not easy for the owner of an e-commerce floor to perform his or her responsibilities well, this requires good coordination of the business, which means that the business must provide adequate information. According to the above regulations, the owner of the e-commerce floor will have enough information to provide the tax agency, indeed this is a big difficulty, especially the responsibility of providing information about sales revenue. goods through the online ordering function of the business on the e-commerce trading floor.

On the other hand, when a business participates in business on an e-commerce platform, a business may have one or more booths to optimize its business activities or that is also its business strategy. ... now a business will have a lot of revenue, it is not simple for the owner of the e-commerce floor to advertise and synthesize information about these revenue sources. In addition, in order to better meet the payment activities of consumers when buying goods or using services of businesses, there are usually many payment methods such as payment on delivery (COD).), payment via ATM/Visa/Master/JCB/QR Pay cards via VNPAY gateway, e-wallets, etc. In general, compared to online payment methods, the business receiving payment on delivery (COD) will lead to more complicated cash flow control.

As analyzed in the first part, the responsibilities of business enterprises through the e-commerce trading floor have been specified very clearly, specifically Article 37 of Decree No. 52/2013/ND-CP, but If looked at as a whole, there seems to be no regulation that requires businesses to provide complete and accurate information about sales through the online ordering function, so when the owner of the trading floor e-commerce requesting to provide this information to provide tax authorities will have cases where businesses do not cooperate to provide information, on the other hand, sales revenue is very important information and often businesses very limited information to other entities unless requested by a competent state agency, because revenue is information directly related to the interests of enterprises, providing this information may be leading to many business risks as well as legal risks for businesses.

3. Recommendations

Tax is a compulsory payment to the State budget of organizations, households, business households and individuals according to the provisions of tax laws and tax administration, especially when doing business on the trading floor. The growing e-commerce of enterprises is very important to ensure revenue for the State budget, it must be admitted that doing business on the e-commerce trading floor of enterprises is a difficult problem. for tax authorities, especially in the management of sales revenue through the online ordering function on the e-commerce platform. Therefore, the law stipulates that the owner of an e-commerce platform is responsible for providing fully, accurately and on time according to regulations to the tax agency information about the business's sales through the website. The floor's online ordering function is appropriate.

As analyzed, because the current law has not yet stipulated that sellers on e-commerce exchanges must provide sales revenue information through the online ordering function, which has led to difficulties for the owners of the trading floor. e-commerce, so to overcome this situation, the author proposes to add Clause 8 Article 37 of Decree No. 52/2013/ND-CP as follows: *" To fully and accurately provide information on sales revenue through the online ordering function at the request of the owner of the e-commerce platform to provide it to the tax authority in accordance with the law".*

Accordingly, when the owner of an e-commerce floor requests to provide business information, it must be responsible for providing complete and accurate information about sales revenue through the online ordering function, with the provisions of this Law. This will help the owner of the e-commerce platform get the most accurate information about the business's revenue to provide to the tax agency when it is due,

this regulation will force the business to coordinate with the owner of the trading floor. e-commerce, must not refuse or provide inaccurate information, thereby helping tax authorities to capture information about business revenue, collect appropriate taxes and limit avoidance. corporate taxes.

In addition, the owner of an e-commerce floor can only request a business to provide sales revenue information through the online ordering function to provide it to the tax authority in accordance with the law, if required. If an enterprise requires an enterprise to provide sales revenue information, not to provide it to the tax authority, the enterprise has the right to refuse to provide information to ensure information for its own business, in fact such provisions are complete. Completely consistent with the provisions of Clause 7 Article 1 of Decree No. 91/2022/ND-CP, ensuring the consistency of the two regulations.

4. Conclusion

When buying, selling, providing and using services through e-commerce exchanges becomes more and more popular, this is an opportunity for businesses to conduct business to earn profits, according to data. Statistics from tax authorities have shown that the amount of business tax collected through e-commerce exchanges is very large, proving that the number of transactions and the value of transactions are not small, but the management and tax collection of tax authorities will face difficulties if the provision of information related to sales revenue through the online ordering function of business enterprises on the e-commerce trading floor is not provided. complete, accurate and timely.

The current law clearly stipulates that e-commerce floor owners must be responsible for providing fully, accurately and on time according to regulations to tax authorities with sales revenue information through the online ordering function. Online business of enterprises conducting part or the whole process of buying and selling goods and services on e-commerce trading floor, however, it has not been stipulated that enterprises doing business through e-commerce floors must be responsible for providing services. providing sales revenue information through the online ordering function to e-commerce floor owners, which has led to many difficulties for e-commerce floor owners and tax authorities. Therefore, through the research process, the author has proposed to supplement the regulation "Provide complete and accurate information about sales revenue through the online ordering function at the request of the owner of the trading floor. electronically to provide tax authorities in accordance with the law", thereby contributing to overcoming practical problems, improving the efficiency of tax administration and collection of tax authorities.

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