

# **VISAS AND WORK PERMITS FOR EXPATRIATES IN VIETNAM**

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## TABLE OF CONTENTS

|                                                                                               |    |
|-----------------------------------------------------------------------------------------------|----|
| GLOSSARY .....                                                                                | ii |
| A. ENTRY AND IMMIGRATION.....                                                                 | 1  |
| 1. Entry visa .....                                                                           | 1  |
| 1.1 <i>General background</i> .....                                                           | 1  |
| 1.2 <i>Purpose of Entry</i> .....                                                             | 4  |
| 1.3 <i>Visa exemptions</i> .....                                                              | 5  |
| 2. Residence permit .....                                                                     | 8  |
| 2.1 <i>Temporary Residence Card (“TRC”)</i> .....                                             | 8  |
| 2.2 <i>Permanent Residence Card (“PRC”)</i> .....                                             | 8  |
| 3. Transit and Exit.....                                                                      | 9  |
| B. EMPLOYMENT OF EXPATRIATES IN VIETNAM.....                                                  | 10 |
| 1. Employment of expatriates .....                                                            | 10 |
| 1.1 <i>Conditions for expatriates to work in Vietnam and for employment of expatriates</i> .. | 10 |
| 1.2 <i>Approval to recruit expatriates</i> .....                                              | 11 |
| 1.3 <i>Numerical limit</i> .....                                                              | 12 |
| 1.4 <i>Form of employment</i> .....                                                           | 12 |
| 2. Work permit exemptions .....                                                               | 13 |
| 3. Compulsory work permits, second work permits .....                                         | 17 |
| 3.1 <i>Application to obtain a work permit</i> .....                                          | 17 |
| 3.2 <i>Time frame</i> .....                                                                   | 21 |
| 3.3 <i>Term of a work permit</i> .....                                                        | 21 |
| 3.4 <i>Extension of a work permit</i> .....                                                   | 22 |
| 3.5 <i>Reissuance of a work permit</i> .....                                                  | 23 |
| 3.6 <i>Withdrawal of a work permit</i> .....                                                  | 24 |
| 4. Work permit, customs clearance of personal effects .....                                   | 24 |

**GLOSSARY**

|               |                                                        |
|---------------|--------------------------------------------------------|
| BCC           | Business Cooperation Contract                          |
| CSS           | Contractual Service Supplier                           |
| DOHA          | Department of Home Affairs                             |
| DOLISA        | Department of Labor, War Invalids and Social Affairs   |
| FIE           | Foreign Invested Enterprise                            |
| HCMC, HCMCity | Ho Chi Minh City                                       |
| MOLISA        | Ministry of Labor, War Invalids and Social Affairs     |
| MPS           | Ministry of Public Security                            |
| NGO           | Non-Government Organization                            |
| ODA           | Official Development Aid                               |
| OECD          | Organization for Economic Co-operation and Development |
| PRC           | Permanent Residence Card                               |
| PC            | People's Committee                                     |
| RO            | Representative Office                                  |
| SSP           | Service Sales Person                                   |
| TRC           | Temporary Residence Card                               |
| WTO           | World Trade Organization                               |

## VISAS AND WORK PERMITS FOR EXPATRIATES IN VIETNAM<sup>1</sup>

This paper outlines regulations governing the entry and immigration of expatriates to work for a foreign or Vietnamese entity in Vietnam.

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### A. ENTRY AND IMMIGRATION

The regulations governing immigration and residency for expatriates in Vietnam are provided in the following legal documents:

- Law No. 47/2014/QH13 on entry, exit, transit and residence of expatriates in Vietnam (“**Immigration Law**”) as amended by Law No. 51/2019/QH14 dated November 25, 2019 and Law No. 23/2023/QH15 dated June 24, 2023 (collectively the “**Amended Immigration Law**”);
- Circular No. 04/2015/TT-BCA of the Ministry of Public Security (“**MPS**”) dated January 5, 2015, providing the forms on entry, exit, transit and residence of expatriates in Vietnam as amended by Circular No. 57/2020/TT-BCA dated June 10, 2020 and Circular No. 22/2023/TT-BCA dated June 30, 2023;
- Circular No. 31/2015/TT-BCA of the MPS dated July 6, 2015 providing guidance for foreigners on visas, temporary residence, exit and entry permits and permanent residence (Article 7.1(b) was annulled by Circular No. 65/2022/TT-BCA dated December 30, 2022 of the MPS, and certain other language was removed by Circular No. 06/2025/TT-BCA dated January 16, 2025 of the MPS);
- Decree No. 221/2025/ND-CP of the Government dated August 8, 2025 regulating limited-term visa exemptions for foreigners in certain cases eligible for special incentives (“**Decree 221**”); and
- Resolution No. 127/NQ-CP of the Government dated August 14, 2023 on the grant of electronic visas to citizens of countries and territories; international checkpoints allowing/accepting foreigners using electronic visas to enter and exit (“**Resolution 127/NQ-CP**”).

#### 1. Entry Visa

##### 1.1 General Background

According to the Immigration Law, an expatriate may enter Vietnam if she is granted an entry visa. To obtain an entry visa, the expatriate must meet the following conditions:

- have a passport or laissez-passer;

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<sup>1</sup> This book has been written and updated by lawyers from Russin & Vecchi. It is current through November 2025.

- be invited or sponsored by an organization or individual in Vietnam, or by the head of Vietnam's overseas visa-issuing authority;
- be on a white-list to enter Vietnam; and
- hold papers evidencing a qualified purpose to enter into Vietnam, such as: a work permit for a foreign employee, an investment certificate with respect to a foreign investor, a practice license with respect to a foreign lawyer, etc.

A visa must be granted to each expatriate who enters Vietnam, except for (i) visas issued to children under the age of 14 who will receive a visa jointly with their parent or guardian, and (ii) visas issued in accordance with a list approving foreigners visiting or transiting by sea and for tourism organized by an international travel agency in Vietnam, or members of certain foreign military ships.

An expatriate will apply for a visa based on her occupation, status, or intended travel purpose. Each visa category has a maximum duration ranging from 30 days to five years, unless otherwise specified in an international agreement. Under the Immigration Law, there are 27 specific visa categories. We focus only on visas with a commercial, tourism or related purpose.

| Visa Categories                                                                                                                    | Description                                                                                                                                                      | Visa Duration |
|------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>Group 1: Working Visas</b>                                                                                                      |                                                                                                                                                                  |               |
| <i>Group 1A: Expatriate enters to work with a Vietnamese authority, a Non-Government Organization ("NGO"), or a foreign trader</i> |                                                                                                                                                                  |               |
| NN1                                                                                                                                | Visa for a foreign head of either a Representative Office ("RO") or of a project of an international organization or foreign NGO                                 | Up to 1 year  |
| NN2                                                                                                                                | Visa for a foreign head of an RO/branch of a foreign trader, an RO of other foreign economic, cultural, or professional organization                             | Up to 1 year  |
| NN3                                                                                                                                | Visa for an expatriate who will work for a foreign NGO, RO/branch of a foreign trader or an RO of other foreign economic, cultural, or professional organization | Up to 1 year  |
| <i>Group 1B: Expatriate enters to work with Vietnamese parties/companies</i>                                                       |                                                                                                                                                                  |               |
| DN1                                                                                                                                | Visa for an expatriate who will work with an enterprise or other organization which is a legal entity under Vietnamese law                                       | Up to 1 year  |
| DN2                                                                                                                                | Visa for an expatriate who will offer services, establish a commercial presence or conduct other activities recognized by international treaty                   | Up to 1 year  |
| LD1                                                                                                                                | Visa for an expatriate working in Vietnam who is exempt from a work permit, except in a case where a treaty of which Vietnam is a member provides otherwise      | Up to 2 years |
| LD2                                                                                                                                | Visa for an expatriate who will work in Vietnam and who requires a work permit                                                                                   | Up to 2 years |

| <b>Group 2: Professional Visas</b> |                                                                                                                                                                                                                                                                         |                            |
|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| LS                                 | Visa for a foreign lawyer practicing in Vietnam                                                                                                                                                                                                                         | Up to 5 years              |
| DT1                                | Visa for a foreign investor or a representative of a foreign organization which invests in Vietnam with capital contribution with a value of at least VND 100 billion <sup>2</sup> or which invests in a business with incentives or in a region entitled to incentives | Up to 5 years              |
| DT2                                | Visa for a foreign investor or a representative of a foreign organization which invests in Vietnam with a capital contribution from VND 50 billion to less than VND 100 billion or which invests in businesses encouraged for investment                                | Up to 5 years              |
| DT3                                | Visa for a foreign investor or a representative of a foreign organization which invests in Vietnam with a capital contribution from VND 3 billion to less than VND 50 billion                                                                                           | Up to 3 years              |
| DT4                                | Visa for a foreign investor or a representative of a foreign organization which invests in Vietnam with a capital contribution of less than VND 3 billion                                                                                                               | Up to 1 year               |
| PV1                                | Visa for a foreign journalist who has permanent residence in Vietnam                                                                                                                                                                                                    | Up to 1 year               |
| PV2                                | Visa for a foreign journalist who will work for a short period of time in Vietnam                                                                                                                                                                                       | Up to 1 year               |
| <b>Group 3: Other Visas</b>        |                                                                                                                                                                                                                                                                         |                            |
| DH                                 | Visa for an expatriate who will study or for an internship                                                                                                                                                                                                              | Up to 12 months            |
| HN                                 | Visa for an expatriate who will attend a convention or conference                                                                                                                                                                                                       | Up to 90 days              |
| DL                                 | Visa for a foreign tourist                                                                                                                                                                                                                                              | Up to 90 days              |
| TT                                 | Visa for an expatriate who either is a spouse or is a child under-18-years of an expatriate holding LV1/LV2/LS/DT1/DT2/DT3/NN1/NN2/DH/PV1/LD1/LD2 visa, or is a parent, spouse, or child of a Vietnamese citizen                                                        | Up to 1 year               |
| VR                                 | Visa for an expatriate who visits her relatives or for other purposes                                                                                                                                                                                                   | Up to 180 days             |
| EV                                 | Electronic visa (e-Visa) for an expatriate who holds a valid passport of any country and territory, and does not fall within the categories of NG1, NG2, NG3 and NG4 visas                                                                                              | Up to 90 days <sup>3</sup> |

Vietnam made broad commitments as part of its WTO accession<sup>4</sup> (“**Vietnam’s WTO Commitments**”) with regard to the immigration of expatriates working as managers,

<sup>2</sup> Approx. US\$ 3,775,000. Rate of exchange is US\$ 1 = VND 26,500.

<sup>3</sup> An E-visa is valid for multiple entries. As from August 15, 2023, an E-visa is available to passport holders of **all countries and territories** who will enter Vietnam via one of 42 particular ports (including 13 international airports, 16 landports and 13 seaports) (according to Resolution 127/NQ-CP). The issuance of e-visas must occur in such a way to ensure national defense and security, social order and safety, and conform to Vietnam’s foreign policy and socio-economic development.

<sup>4</sup> Vietnam committed to the World Trade Organization (“**WTO**”) on November 7, 2006, and the WTO Commitments took effect on January 11, 2007.

executives or experts in a foreign “**commercial presence**”<sup>5</sup> in Vietnam. In particular, Vietnam has made the following commitments:

- An expatriate recruited by the commercial presence of a foreign entity to take the position of “manager”, “executive” or “expert” may obtain an entry visa with a duration of up to three years, renewable subject to her term of employment in Vietnam, in which:

A “**Manager**” or “**executive**” is a person who manages a foreign invested enterprise (“**FIE**”), or a branch or the RO of a foreign trader, or a business cooperation contract (“**BCC**”), and reports only to the board of directors or shareholders. Management responsibilities include directing the FIE, the branch or the RO, or the office of the BCC themselves, or directing a department, division or independent unit. Management responsibilities also consist of supervising the performance of other supervisory, professional, or managerial staff, including recruiting and dismissing staff. Oddly, it appears that a manager or an executive can only manage the “supply” of services or production, but cannot provide the services or be involved in production. This is limiting in certain businesses. For example, a software, architectural, or similar service provider in which a manager both manages the operations and provides services to their clients appears not to qualify.

An “**Expert**” is a person who has qualifications at an advanced level of expertise or who has knowledge of services, research equipment, techniques, or management.

- An expatriate transferred from abroad to work for the commercial presence of a foreign entity in the position of “manager”, “executive”, or “expert” may obtain a renewable entry visa with a duration of more than three years.

The difference between the Immigration Law and Vietnam’s WTO Commitments is the duration of the visa for an expatriate employed by a Vietnamese company (under visa categories LD1 and LD2 in Group 1B of the table above). Under the Immigration Law, visas LD1 and LD2 can be issued only for a maximum of two years; this term can be three years or more under Vietnam’s WTO Commitments. According to the Amended Immigration Law, it appears that the difference has been eliminated, as it provides that the visa term will be issued in accordance with applicable treaties--that is, visas LD1 and LD2 can be possibly three years. However, in practice, the authorities usually issue these visas term of two years only in accordance with the Immigration Law.

## ***1.2 Purpose of Entry***

The purpose of a visa cannot be converted to another purpose, except in the four following cases.

The visa holder:

- is an investor or the representative of a foreign investor which is an organization;

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<sup>5</sup> This is an awkward term, but it is used in Vietnam’s WTO commitments and best encompasses both commercial entities and commercial offices that are not juridical entities. From the perspective of foreign employment, Decree 219 provides a clearer interpretation of “commercial presence” which includes a foreign-invested entity; representative office, branch of foreign trader in Vietnam; and executive office of a foreign investor in a business cooperation contract.

- has documents proving her relationship as the parent, spouse, or child of the sponsoring person;
- has been invited or is sponsored by an organization to work and has a work permit or a work permit exemption;
- entered Vietnam using an electronic visa and has a work permit or a work permit exemption.

In order to convert her visa in such cases, (without the need to exit Vietnam) the visa holder must apply for a visa with a new purpose.

A visa may be renewed provided that conditions on which the original visa was issued continue.

### ***1.3 Visa Exemptions***

Under Article 12 of the Immigration Law, a visa is not required if the expatriate:

- is eligible for a visa exemption in accordance with international agreements to which Vietnam is a member;
- holds a residence permit (see Section A.2 below);
- enters a border-gate economic zone or special administrative-economic unit;
- enters a coastal economic zone<sup>6</sup>;
- is eligible for a unilateral visa exemption; or
- is an overseas Vietnamese holding a passport or a laissez-passer issued by a foreign government or agency and is a foreigner who is the spouse or child of such an overseas Vietnamese; is the spouse or child of a Vietnamese citizen who is granted visa-free entry under Government regulations.

#### ***a. Exemption from visas under international agreements, protocols, etc.***

As of April 2025, Vietnam had entered into entry visa exemption agreements with 96 countries.<sup>7</sup> However, most of these agreements only grant exemptions to persons with diplomatic or public affairs passports.

Entry visa exemptions for persons holding ordinary passports and staying in Vietnam for 30

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<sup>6</sup> What qualifies as a coastal economic zone is decided by the Government. Generally, the following conditions must exist: having an international airport; having separate air space; having a defined geographical border, and is separate from the mainland.

<sup>7</sup><https://lanhsuvietnam.gov.vn/Lists/BaiViet/B%3%A0i%20vi%E1%BA%BFt/DispForm.aspx?List=dc7c7d75%2D6a32%2D4215%2Dafeb%2D47d4bee70eee&ID=64>, and <https://drive.google.com/drive/u/0/folders/168ry8oB23sVTCm5OaWCWAYpUjfhOugr6>

days or less are granted under agreements with Cambodia, Indonesia, Kyrgyzstan, Laos, Malaysia, Myanmar, the Philippines, Thailand, Singapore, Brunei, and Belarus. Citizens from Chile and Panama are exempt from visas if they enter and stay in Vietnam for less than 90 days.

Visa exemptions are also granted to citizens of 12 countries including Germany, France, Italy, Spain, the United Kingdom of Great Britain and Northern Ireland, Russia, Japan, Republic of Korea (South Korea), Denmark, Sweden, Norway, and Finland if they stay in Vietnam for 45 or fewer days, regardless of the type of their passports and purpose of their visit. This is set out in Resolution No. 44/NQ-CP of the Government issued on March 7, 2025. This Resolution is scheduled to expire on March 14, 2028 and may be extended.

Citizens of Belgium, Bulgaria, Croatia, Czech Republic, Hungary, Luxembourg, the Netherlands, Poland, Romania, Slovak Republic, Republic of Slovenia and Swiss are granted visa-free entry for temporary stays of up to 45 days counting from the date of entry for the purpose of tourism, regardless of their type of passport as set out in Resolution No. 229/NQ-CP of the Government dated August 8, 2025. This Resolution is scheduled to expire on August 14, 2028.

***b. Exemption from visas for expatriates who are overseas Vietnamese***

Under Decree No. 82/2015/ND-CP of the Government dated September 24, 2015, an overseas Vietnamese does not need a visa if she has obtained a certificate of visa exemption issued either by a Vietnamese diplomatic office abroad or by the Immigration Department of the MPS. A person with such a certificate may stay in Vietnam for up to six months upon each entry.

In order to be granted a certificate of visa exemption, a person must meet the following conditions:

- Has a passport or another international travel document that is valid for at least one more year;
- Has documents proving that he is an overseas Vietnamese or is the spouse/child of an overseas Vietnamese or of a Vietnamese citizen; and
- Not banned or suspended from entry or exit under the Immigration Law.

In order to apply for such a certificate, an overseas Vietnamese must present one of the following documents:

- Birth certificate; or
- Decision to permit renunciation of Vietnamese nationality or certification of loss of Vietnamese nationality; or
- Other documents showing/proving previous Vietnamese nationality.

In case there are no papers proving that the applicant is of Vietnamese origin residing overseas, the Vietnamese diplomatic office abroad will examine any documents which applicant can

present to show that she is of Vietnamese origin, to decide whether to accept the application.

A visa exemption will also be issued to the spouse and children of an overseas Vietnamese. Evidence of the relationship is required. A certificate of visa exemption for an overseas Vietnamese and her spouse or children is valid for up to five years and must be at least six months shorter than the remaining term of her passport or of her international travel document. Of course, the certificate is renewable.

***c. Special visa exemption cards for foreigners eligible for special incentives for socio-economic development purposes***

Under Decree 221, foreigners in the following categories may receive special visa exemptions if they meet certain conditions set out in Decree 221 (such as executives of companies ranked among the world's top 100 by market capitalization, experts, researchers from OECD (Organization for Economic Co-operation and Development) countries and having a PhD degree, being elite footballers in the global top 100, etc.).

- Guests of central and local government offices;
- Scholars, experts, scientists, professors of universities and research institutes; chief engineers; important digital technology industry human resources;
- Investors, corporate leaders, leaders of large enterprises;
- People working in the fields of culture, arts, sports, and tourism who have a positive impact on the public;
- Honorary Consuls of Vietnam abroad;
- Guests of research institutes, universities, colleges, and large enterprises. Based on the proposals of ministries, ministerial-level agencies, and other Government's entities, the Government will decide on the list of research institutes, universities, colleges, and large enterprises that are allowed to invite foreigners;
- Other cases requiring visa exemptions for purposes of foreign affairs or to serve socio-economic development will be decided by the Minister of Public Security based on the proposals of agencies and organizations.

A visa exemption card will have a limited term of up to five years and at least 30 days shorter than the remaining validity of the passport. Holders of the visa exemption card are allowed multiple entries into Vietnam with a 90-day temporary stay during each visit. If the card's validity is less than 90 days, the permitted stay will coincide with the card's expiry date. The MPS (through the Immigration Department) is authorized to process applications, and issue and revoke cards depending on whether the holder continues to meet the criteria and conditions set forth in Decree 221.

## **2. Residence Permit**

### **2.1 Temporary Residence Card (“TRC”)**

An expatriate who has entered Vietnam with an appropriate visa may apply for a TRC from the Immigration Department. With a TRC, an expatriate may stay and travel in and out of Vietnam without a visa while her TRC remains valid.

The Immigration Law classifies TRCs into several categories similar to visa categories. There are 14 categories of TRCs. Four different terms apply to TRCs. For example, a foreign investor or a representative of a foreign organization which invests in Vietnam with a capital contribution of VND 100 billion or more or which invests in a business with incentives or in a region with incentives may obtain a 10-year TRC; a foreign investor or a representative of a foreign organization which invests in Vietnam with a capital contribution of VND 50 billion to less than VND 100 billion or which invests in a business encouraged for investment, a foreign lawyer or an overseas student may obtain a five-year TRC; a chief representative of a foreign trader’s RO/branch may obtain a three-year TRC; and a foreign employee may obtain a two-year TRC.

If an expatriate works for an FIE or under a BCC as a manager, an executive or an expert, she may obtain a TRC under the more favorable terms specified in Vietnam’s WTO Commitments. In this regard, the law distinguishes between the case of an intra-company transfer and the normal recruitment of an expatriate. In particular:

- A manager, executive, or expert who has transferred from abroad to work for the commercial presence of a foreign entity may receive an extendable TRC with an initial term of three years. To qualify, the employee must have been employed by the foreign enterprise for at least 12 months before being transferred to work in Vietnam.
- A manager, executive, or expert who is recruited by the commercial presence of a foreign entity may be granted a TRC for the duration of her employment contract or for an initial period of three years, whichever is shorter. A TRC may be extended, subject to the duration of the employment contract.

The term of a TRC for someone with a work permit depends on the term of the work permit and the validity of her passport, whichever term is shorter.

### **2.2 Permanent Residence Card (“PRC”)**

A PRC may be granted to an expatriate who has a legal residence and earns a stable living in Vietnam, as follows:

- An expatriate who contributes to the development and protection of Vietnam and is awarded a medal or title by the Government;
- An expatriate who has resided temporarily in Vietnam for three or more consecutive years, and is sponsored by her parent, spouse, or child who is a Vietnamese citizen and has permanent residence in Vietnam;

- Foreign scientists or experts who temporarily reside in Vietnam and are recommended by the Minister or head of a ministerial or governmental agency in their fields; and
- Persons who have no nationality and have resided temporarily in Vietnam since before 2000.

An expatriate holding a PRC may stay in Vietnam without a visa. Ironically, a PRC must be re-issued every ten years.

### **3. Transit and Exit**

An expatriate is granted transit through Vietnam if she presents the following documents:

- a ticket showing the next destination after Vietnam; and
- a visa issued by the competent authorities of the next destination.

An expatriate may exit Vietnam if she does not fit one of several categories that relate to business, employment, marriage, or family matters.

The Immigration Department may compel an expatriate to exit if she fails to leave Vietnam upon expiration of her temporary residence permit. If there is a reason that relates to national defense, national security, or social order, the Minister of either National Defense or MPS may compel the expatriate to exit.

## B. EMPLOYMENT OF EXPATRIATES IN VIETNAM

The employment and management of expatriates working in Vietnam is regulated by the following legal documents:

- Labor Code No. 45/2019/QH14 issued by the National Assembly on November 20, 2019 (“**Labor Code**”);
- Decree No. 219/2025/ND-CP dated August 7, 2025 of the Government on foreign employees working in Vietnam (“**Decree 219**”);
- Decree No. 12/2022/ND-CP dated January 17, 2022 of the Government on administrative penalties for violations arising from labor, social insurance and sending Vietnamese workers abroad under contract (“**Decree 12**”);
- Resolution No. 47/NQ-CP of the Government dated July 8, 2014 related to the Government’s regular session of June 2014 (“**Resolution 47**”) (with respect to requirements of foreign employees working at foreign language centers, preschool education establishments and post-secondary education establishments in Vietnam).

### 1. Employment of Expatriates

#### 1.1 *Conditions for expatriates to work in Vietnam and for employment of expatriates*

Article 151 and Article 152 of the Labor Code set out a number of conditions that an expatriate must meet in order to work in Vietnam and that an employer must meet to recruit an expatriate. In particular:

- An expatriate must be 18 years of age or older and have full capacity to perform civil acts;
- An expatriate must have qualifications, occupational skills, practical experience and adequate health as prescribed by the Ministry of Health;
- An expatriate is not serving a sentence or has not yet had her criminal record cleared or is not subject to criminal prosecution under Vietnamese or foreign law;
- An expatriate must have a work permit granted by a competent authority of Vietnam, except in those cases where she is not required to have a work permit; and
- For an expatriate who is recruited by an entity in Vietnam or by a foreign diplomatic mission or foreign organization in Vietnam, or who is involved in tender packages/projects in Vietnam, an employer must only employ expatriates to hold the position of manager, executive director, expert or technician and who has professional requirements that cannot be met by Vietnamese employees (See further in Section B.1.2 below).

Under Decree 219:

- (a) A “**manager**” means the manager of an enterprise as described in the Law on

Enterprises<sup>8</sup> or the head or deputy head of an agency or organization.

(b) An “**executive director**” means any of the following persons:

- (i) head of a branch, representative office, or business location of the enterprise; or
- (ii) a person who leads and directly manages at least one field of the agency, organization or enterprise and has at least three years’ working experience which experience in the field is aligned with the job position in Vietnam that the expatriate will fill.

(c) An “**expert**” is a person:

- (i) having a university or higher degree or equivalent *and* having at least two years’ working experience which experience is aligned with the job position in Vietnam that the expatriate will fill. The work experience does not need to be within the foreigner’s area of training nor in which she has studied; **or**
- (ii) having a university or higher degree in the field in which she is trained *and* having at least one year’s working experience which experience is aligned with the position in Vietnam that the expatriate will fill with respect to experts working in the fields of finance, science, technology, innovation, national digital transformation or priority fields for socio-economic development as determined by ministries, ministerial-level agencies, provincial People’s Committees or according to cooperation agreements to which Vietnam is a party.

(d) A “**technician**” is a person:

- (i) who has received at least one year of training *and* has at least two years’ working experience which experience is aligned with the job position in Vietnam that the expatriate will fill; **or**
- (ii) who has at least three years’ working experience which experience is aligned with the job position in Vietnam that the expatriate will fill.

## **1.2 Approval to recruit expatriates**

Decree 219 no longer provides a separate procedure to obtain approval to recruit an expatriate. Previously, the employer was obliged to determine that there is no pool of qualified Vietnamese citizens and to obtain written approval to recruit the expatriate. Now, in the request for issuance/renewal of a work permit, the employer may just include a reporting statement that, at least five days before the date of the application, the employer

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<sup>8</sup> The Law on Enterprises 2020 at Article 4.24, provides that the manager of an enterprise means a manager of a company or a manager of a private enterprise, comprising the owner of a private enterprise, a partner of a partnership, the chairman of a members’ council, a member of a members’ council, the president of a company, the chairman of a board of management, a member of a board of management, a director or general director, and an individual holding another managerial position who is authorized to enter into transactions of the company in the name of the company as stipulated in the charter of the company.

announced the recruitment of Vietnamese employees, but that it was not possible to recruit a Vietnamese employee for such position. This statement only applies to expatriates who are recruited by an entity in Vietnam or by a foreign diplomatic mission or foreign organization in Vietnam, or who is involved in tender packages/projects in Vietnam. No separate approval is needed.

An integrated process has been created allowing the employer to obtain the employee's work permit and judicial record via the National Public Service Portal. Accordingly, the employer can now submit (i) a work permit application, and (ii) a judicial record application (under authorization by the expatriate), at the same time. The integrated process is operated among the National Public Service Portal, the authorities granting work permits (under the provincial People's Committee) and the police agency issuing the judicial record. As a result, both the work permit and the electronic judicial record, if approved, are returned simultaneously. See further in Section B.3.1.

### **1.3 Numerical limit**

There is no limitation on the number of expatriates that can be employed by an employer.

### **1.4 Form of employment**

An expatriate who qualifies as a manager, executive director, expert, or technician can work in Vietnam under any of the following circumstances:

(a) Recruited by an entity in Vietnam

An entity in Vietnam, including a foreign entity's commercial presence or a Vietnamese entity, can recruit a qualified expatriate to work for it as a manager, executive director, expert, or technician under a labor contract.

(b) Under a secondment

A foreign entity may transfer a manager, executive director, expert, or technician ("*intra-company transferee*") to its commercial presence<sup>9</sup> in Vietnam. To do so, the intra-company transferee must have been employed by the foreign entity for at least 12 consecutive months.

(c) Performance of contract

An expatriate may work in Vietnam to perform a contract involving economic and social matters between a foreign entity and a Vietnamese counterparty when the contract requires the use of the expatriate's services.

(d) Contractual service supplier ("*CSS*")

Under Article 18.6(c) of Decree 219, a CSS means an expatriate who has worked

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<sup>9</sup> Under Article 7.13(b) of Decree 219 "commercial presence" includes a foreign-invested entity; representative office, branch of foreign trader in Vietnam; and executive office of a foreign investor in a business cooperation contract.

at least 24 months for a foreign company that has no commercial presence in Vietnam.

(e) Service salesperson (“**SSP**”)

Decree 219 does not define SSP. Under Article 18.6(d) of Decree 219, the application for a WP of an SSP must be accompanied by a document from the offshore service provider appointing the SSP to come to Vietnam to negotiate an agreement involving services.

Besides the above forms of employment which require an expatriate to have a work permit, there are other forms of employment prescribed in Decree 219, namely: (a) volunteer (an expatriate working in Vietnam on a voluntary basis and without entitlement to a salary in order to implement an international treaty of which Vietnam is a member and having her status confirmed by a foreign diplomatic mission or international organization in Vietnam); (b) expatriate who is responsible to establish a commercial presence; (c) being transferred from an offshore agency, organization, or enterprise to work in Vietnam, except in cases of secondment/intra-company transfer; (d) expatriate involved in tender packages [or] projects in Vietnam; (e) relative of a member of a foreign representative agency in Vietnam permitted to work in Vietnam pursuant to an international treaty to which Vietnam is a party; (f) chairperson of the board of management, member of the board of management of a joint stock company or owner or capital contributing member of a limited liability company with a capital contribution of less than VND 3 billion; (g) expatriate performs employment contract with a foreign diplomatic mission or foreign organization in Vietnam. Some of these forms of employment require no work permit.

## **2. Work permit exemptions**

A work permit is not required if the expatriate:

- a. is head of either the RO or a project or is the person mainly responsible for the operation in Vietnam of an international organization or a foreign NGO. This exemption does not include the chief representative of a foreign trader’s RO;
- b. enters and stays in Vietnam for less than three consecutive months to provide services (ie, as the SSP is discussed in Section B.1.4(e) above). A work permit is required if a foreign SSP stays in Vietnam for three consecutive months or more;
- c. enters Vietnam and stays for less than three consecutive months to handle complicated technical or technological problems that affect or could affect production/business and these problems cannot be adequately addressed within Vietnam. However, if the situation requires the expatriate to stay in Vietnam for three months or more, a work permit is necessary. This case is different from the case where a manager, executive director, expert or technician enters Vietnam to work for a total period of less than 90 days in a calendar year discussed in Section B.2(r)(i) below;
- d. falls into one of the categories specified in an international treaty to which Vietnam is a signatory;

- e. is a foreign lawyer with a Certificate of Law Practice in Vietnam granted by the Ministry of Justice;
- f. is married to a Vietnamese and living in Vietnam;
- g. is an owner or a capital contributor of a limited liability company established in Vietnam with a capital contribution of at least VND 3 billion;
- h. is a chairperson or a member of a board of management of a joint stock company established in Vietnam with a capital contribution of at least VND 3 billion;
- i. enters Vietnam to provide expertise and technical consultancy services or undertakes other tasks with respect to research, formulation, evaluation, monitoring and assessment, or management and implementation of a program or project using ODA in accordance with an international treaty on ODA signed by both Vietnam and the foreign country;
- j. has a journalism practicing certificate issued by the Ministry of Foreign Affairs;
- k. is appointed and sent by a foreign competent authority or organization to Vietnam to teach or act as a manager or executive director at an educational institution which is established in Vietnam under a proposal of a foreign diplomatic mission or intergovernmental organization, or at a facility or organization which is established under a treaty to which Vietnam is a signatory;
- l. is a student studying in a school or training institution in Vietnam or foreign country who has an agreement for an internship or a job offer letter to work for an employer in Vietnam; or is a student who is a trainee or apprentice on a Vietnamese oceangoing ship;
- m. is a relative<sup>10</sup> of a member of a foreign representative agency in Vietnam who is permitted to work in Vietnam under an international treaty of which Vietnam is a party;
- n. has an official/mission passport and works for a State agency, political organization or socio-political organization;
- o. is preparing to establish a commercial presence;
- p. is a volunteer working in Vietnam on a voluntary basis and without entitlement to a salary in order to implement an international treaty of which Vietnam is a member and having her status confirmed by a foreign diplomatic mission or international organization in Vietnam;
- q. implements an international treaty to which a Vietnamese central or provincial authority is a signatory;
- r. works as a manager, executive director, expert or technician in one of the following

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<sup>10</sup> There is no language that clearly defines a “relative”, and whether a relative means parents, spouse, children only or whether it includes, says, parents-in-law, cousins, nephews and nieces, etc.

circumstances:

- (i) enters Vietnam to work for a total period of less than 90 days in a calendar year (from January 1 to December 31). That means, in a calendar year, the expatriate can enter Vietnam an unlimited times to work without a work permit, as long as the total time stayed within such calendar year is less than 90 days; or
  - (ii) is an intra-company transferee temporarily seconded to a foreign company that has established a commercial presence in Vietnam and that is licensed within 11 service sectors under Vietnam's WTO Commitments, and has been continuously employed by the foreign company for at least 12 months. Commercial presence includes foreign-invested business organizations; representative offices and branches of foreign traders in Vietnam; and foreign investors' offices under business cooperation contracts;
- s. is certified by the Ministry of Education and Training as a foreign employee entering Vietnam for one of the following purposes:
- (i) teaching, research, or transferring international education programs; or
  - (ii) acting as a manager, executive director, principal, deputy principal of an educational institution established in Vietnam under the proposal of a foreign diplomatic mission or intergovernmental organization; or
- t. is certified by a ministry, ministerial agency, or a provincial PC to enter Vietnam to work in the following sectors: finance, science, technology, innovation, national digital transformation, or priority socio-economic development sectors.

At least 10 days and no more than 60 days prior to the date the exempt expatriate is scheduled to start working in Vietnam, the employer/Vietnamese counterparty must send an application for exemption in person, by post, via a service provided by an enterprise or individual, or via authorized representatives to the provincial PC<sup>11</sup> of the locality where the expatriate will work, except in the following cases:

- The expatriate enters Vietnam for less than three months to offer services for sale (ie, the SSP in section B.2(b) above);
- The expatriate enters Vietnam and stays for less than three consecutive months to handle complicated technical or technological problems (as discussed in section B.2(c) above);
- The expatriate is a foreign lawyer with a Certificate of Law Practice in Vietnam granted by the Ministry of Justice;

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<sup>11</sup> Under Article 4.2 of Decree 219, the provincial PC is empowered to decide the delegation of power to competent authorities to issue, reissue, renew, and revoke work permits and to confirm exemptions from work permits. In Ho Chi Minh City, the Department of Home Affairs has such authority (according to Decision No. 03/2025/QĐ-UBND dated July 1, 2025 of the HCMC PC regulating the functions, tasks and powers of the HCMC DOHA.

- The expatriate is married to a Vietnamese and living in Vietnam;
- The expatriate is an owner or a capital contributor of a limited liability company established in Vietnam with a capital contribution of at least VND 3 billion;
- The expatriate is a chairperson or a member of a board of management of a joint stock company established in Vietnam with a capital contribution of at least VND 3 billion;
- The expatriate has a journalism practicing certificate issued by the Ministry of Foreign Affairs;
- The expatriate is a relative of a member of a foreign representative agency in Vietnam who is permitted to work in Vietnam under an international treaty to which Vietnam is a party;
- The expatriate is preparing to establish a commercial presence; or
- The expatriate enters Vietnam to work as an expert, manager, executive director or technician for totally less than 90 days in a calendar year.

In these cases, the employer must notify the provincial PC<sup>12</sup> where the expatriate will work, at least three working days before she starts to work, of certain information: full name, date of birth, nationality, passport number, name of employer, place of work, starting date and completion date.

The application to confirm a work permit exemption must contain, among others:

- A request for confirmation that the expatriate is not required to obtain a work permit; and
- Documents to prove that the expatriate falls into an exempt category.

A document issued by a foreign country must be legalized (unless it is exempt from consular legalization under an international treaty to which Vietnam and such foreign country are signatories or under the principle of reciprocity) and must be translated into Vietnamese and the translation must be notarized.

Within five working days from receipt of a complete application, the provincial PC will provide the employer/Vietnamese counterparty with a confirmation on work permit exemption. In case of refusal, the provincial PC will issue a letter containing the reasons for refusal and will do so within three working days from receipt of a complete application.

If an expatriate has already been issued a confirmation on work permit exemption and wishes to work for the same employer in multiple provinces or central cities, the employer must notify the provincial PC where the expatriate is expected to work at least three days prior to the expected start date.

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<sup>12</sup> See footnote 15.

### 3. Compulsory work permits, second work permits

Unless as described in Section B.2 (case of work permit exemptions), an expatriate is required to have a work permit in order to work in Vietnam. Under Decree 12, an expatriate who works in Vietnam without a work permit or a certificate of exemption, *or* having a work permit or a certificate of exemption that is expired, is subject to a monetary fine of up to VND 25 million and may be deported. The employer is also subject to a monetary fine of up to VND 150 million.

The work permit requirement applies equally to expatriates working for the commercial presence of a foreign entity as well as expatriates working for a Vietnamese entity. A work permit is specific to an employer or Vietnamese counterparty. If an expatriate wishes to work concurrently for another employer in Vietnam, even if her current work permit is valid, she must obtain another work permit.

Decree 219 discusses documents required in order to apply for a second work permit in cases where the expatriate works for more than one employer or holds more than one position for the same employer:

- If an expatriate has a valid work permit and plans simultaneously to work for another employer in the same position and same area of activity, then a health certificate, criminal record, and documents proving that the foreigner is a expert, or technician are not required (noting that, if the expatriate is working as a manager, executive director, documents proving that she holds such position are still required); or
- If an expatriate has a valid work permit but plans to work in another position or another form of employment for the same employer, a new work permit is required, but the health certificate and criminal record to obtain the new work permit are not required; or
- If an expatriate has a valid work permit which has been extended once, but she wishes to continue to work in the same position and same job field<sup>13</sup> as recorded in her work permit, a new work permit is required, but neither a criminal record nor documents proving that the expatriate is an expert or technician is required (noting that, if the expatriate is working as a manager, executive director, documents proving that she holds such position are still required).

In order to obtain a second and/or concurrent work permit, several burdensome documents (such as health certificate, judicial record, proof of expertise, etc.) have been eliminated. This is similar to the case of re-issuance or renewal of an existing work permit. See Section B.3.5 below.

#### 3.1 *Application to obtain a work permit*

The Vietnamese entity for which an expatriate will work, not the expatriate herself, is responsible to apply for a work permit. The application for a work permit includes the

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<sup>13</sup> Decree 219 replaces the “job title” by “job field” and job fields are defined based on standardized codes of occupations provided in Decision No. 34/2020/QĐ-TTg dated November 26, 2020 of the Prime Minister introducing a classification list of occupations in Vietnam.

following documents:

(i) Standard documents

- A written document from the employer explaining the need for a foreign employee and concurrently applying for the issuance of a work permit (made on a standard form);
- A health certificate issued in Vietnam<sup>14</sup> or in a foreign country (if the foreign country and Vietnam are signatories of the same mutual recognition agreement or treaty), and issued no more than 12 months prior to the date the application is filed;
- A judicial record issued by an authority (ie, a judicial or law enforcement agency) in the country in which the expatriate resides, showing whether she has a criminal record. If the expatriate is a resident of Vietnam, then **only** a judicial record issued in Vietnam is required.

A judicial record must have been issued within six months prior to the date of filing the application with some exceptions<sup>15</sup>.

- Documents to prove the form of employment of the expatriate (such as secondment, performance of contract, CSS, or SSP). See Section B.3.1(ii) below.
- Documents to prove that the expatriate is a manager, executive director, expert, or technician.

In some occupations, certification of specialist and technical qualifications may be replaced by one of the following documents:

- (a) A certificate of high achievement, qualifications, or experience in culture and sports for artists, coaches, athletes as guided by the Minister of Culture, Sports and Tourism.
- (b) A pilot license, a professional certificate allowing work on aircraft for flight attendants, a certificate of professional eligibility for working on aircraft maintenance, a certificate of professional eligibility for a foreign seafarer, issued by a Vietnamese competent authority, or a recognized foreign authority.
- (c) Documents proving qualifications as set out in the Law on Education, the Law on Higher Education, the Law on Vocational Education for experts working in education and training.
- (d) Documents proving the status as an expert working in other special occupations and jobs as guided by the authorities<sup>16</sup>.

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<sup>14</sup> Decree 219 provides alternatives to use a health certificate that is not in hardcopy.

<sup>15</sup> The employer files an application for a work permit together with a request to issue a judicial record for the expatriate via the online National Public Service Portal.

<sup>16</sup> To date, guidelines on special occupations and jobs are not yet available.

- A valid passport; and
- Two passport photos.

A document issued in a foreign country must be legalized (unless it is exempt from consular legalization under an international treaty to which Vietnam and such foreign country are signatories or under the principle of reciprocity). Legalization requires the following steps:

- A photocopy of a document must first be certified as a “true copy” by the licensing authority or a notary public in the place where it was issued (“*Country of Origin*”);
- Second, the certified copy must be endorsed by the State Department or Foreign Affairs Office of the Country of Origin (if required by the law of the Country of Origin); and
- Finally, the endorsed document must be either: (i) legalized by the Vietnamese Embassy/Consulate in the Country of Origin, or (ii) authenticated by the Embassy/Consulate of the Country of Origin in Vietnam and then legalized by the Vietnamese Ministry of Foreign Affairs.

A notarized Vietnamese translation of a legalized document is also required.

(ii) Specific documents relating to the expatriate’s form of work in Vietnam

Along with the standard documents listed above, depending on the category, the application for a work permit must also include the following additional documents:

| Category                                                                                                   | Documents                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Recruitment by an entity in Vietnam                                                                        | No other documents are required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Intra-company transfer <sup>17</sup> by a parent company to its subsidiary in Vietnam (under a secondment) | <ul style="list-style-type: none"> <li>• Intra-company transfer/secondment decision; and</li> <li>• Document proving that the expatriate has been employed by the parent for at least 12 consecutive months immediately prior to coming to Vietnam to work (eg, employment contract, confirmation from parent company, decision on employment recruitment, or receipt of tax/insurance payments). Generally, this document establishes that the expatriate has been employed by the parent company for at least 12 months before being transferred.</li> </ul> |

<sup>17</sup> Under Article 7.13(b) of Decree 219, an expatriate under an intra-company transfer means a manager, executive director, expert or technician of a foreign enterprise (the parent company) who is temporarily transferred to the parent’s commercial presence in Vietnam within 11 service sectors under Vietnam’s WTO Commitments. The expatriate must have been employed by the parent company for at least 12 consecutive months just prior to the transfer.

|                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                       | <p>[In our experience, an expatriate may not qualify as an <u>intra-company transferee</u> if she is transferred from an affiliate, not the parent of the commercial presence. However, an expatriate can be transferred from a foreign company (not a parent) to its affiliate in Vietnam. For such a transfer see our discussion at section B.1.4 above. Generally, the fact that the transferring company is an affiliate has no relevance. Affiliates are treated as unrelated entities.]</p>                                                                                                                                                                                                                                                                                                                                                                  |
| Performance of a contract in Vietnam, and performance of tender packages or projects in Vietnam                                       | <ul style="list-style-type: none"> <li>• Letter sending a foreigner to work in Vietnam together with the contract signed between the foreign entity and Vietnamese counterparty.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| CSS                                                                                                                                   | <ul style="list-style-type: none"> <li>• Service contract signed by the foreign entity (as a service provider) and Vietnamese counterparty (as a customer); and</li> <li>• Document proving that the expatriate has already worked for the foreign entity (without a commercial presence in Vietnam) for at least 24 months (eg, employment contract, confirmation from foreign entity, decision on employment recruitment, or receipt of tax/insurance payments).</li> </ul> <p>In this case, the work permit will be specific to the Vietnamese counterparty. An expatriate who is employed by an offshore entity and obtains a work permit to work as a foreign CSS for a Vietnamese counterparty cannot use that work permit to provide services to any other Vietnamese party, including a different Vietnamese counterparty of the same offshore entity.</p> |
| SSP                                                                                                                                   | <ul style="list-style-type: none"> <li>• Letter issued by foreign service provider (as an employer) to appoint the expatriate (as an employee) to Vietnam in order to negotiate the provision of services.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Being transferred from an offshore agency, organization, or enterprise to work in Vietnam <b>other than</b> an intra-company transfer | <ul style="list-style-type: none"> <li>• Document appointing/sending the expatriate to work in Vietnam and confirming the suitability of the expatriate for the intended position.</li> </ul> <p>This case is considered similar to an intra-company transfer; however, it is not an intra-company transfer. Guidelines on such circumstances are still unavailable.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Chairperson of the board of management, member of the board of management of a joint stock company or owner or capital                | <ul style="list-style-type: none"> <li>• Document proving that the expatriate is the manager of the enterprise as prescribed in Article 4.24 of the Law on Enterprises, or a head or deputy head of an agency or organization specified in the</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

|                                                                                                                 |      |
|-----------------------------------------------------------------------------------------------------------------|------|
| contributing member of a limited liability company with a capital contribution value of less than VND 3 billion | law. |
|-----------------------------------------------------------------------------------------------------------------|------|

If the specific document is issued in a foreign country, it must be legalized (unless it is exempt from consular legalization under an international treaty to which Vietnam and such foreign country are signatories or under the principle of reciprocity) and must be translated into Vietnamese. The Vietnamese translation must also be notarized.

Upon receipt of a work permit but prior to the date the expatriate is scheduled to begin work, the employer and the expatriate must enter into an employment contract (as applicable). Upon request, the employer shall send a certified copy of the employment contract to the provincial PC where such work permit was issued. This request only applies to an expatriate who (i) is directly recruited by the employer in Vietnam, and (ii) will perform the employment contract with a foreign diplomatic mission or foreign organization in Vietnam.

### **3.2 Time frame**

The application must be filed with the provincial PC at least 10 days and no more than 60 days prior to the date the expatriate is scheduled to start working in Vietnam. An employer or Vietnamese counterparty will normally receive the approval for the demand of recruitment an expatriate and the work permit from the provincial PC within ten working days from the date of filing the complete dossier and must then deliver it to the expatriate. Filing timelines should take into account that issuance of a work permit can be delayed. Again, note that, filing for approval of the need for recruitment of expatriates is no longer a separate step from the work permit procedure. See discussion in Section B.1.2.

### **3.3 Term of a work permit**

The term of a work permit coincides with the following terms, but may not exceed two years:

- term of employment contract;
- term of transfer in case of an intra-company transfer;
- term of the contract in case of performance under a contract;
- term of the contract under which the expatriate works as a CSS;
- term of appointment as an SSP;
- term of business license, establishment license or operation license of the agency, organization or enterprise;
- term of appointment for the expatriate to establish a commercial presence in Vietnam;

- term of document proving the expatriate's eligibility to participate in the operation of a foreign company that has established its commercial presence in Vietnam;
- term of document appointing the expatriate to work in Vietnam according to international agreements or treaties to which Vietnam is a signatory; or
- term of document by a foreign party appointing the expatriate to work in Vietnam according to international agreements signed by central or provincial agencies or organizations.

### ***3.4 Extension of a work permit***

The Labor Code allows a work permit to be extended one time after its two-year term expires, for up to two more years depending on the remaining term of the employment.

Decree 219 does not provide conditions for renewal of a work permit.

In order to renew a work permit, at least ten days but no earlier than 45 days prior to the expiry of the work permit, the employer must file an application with the provincial PC (that issued such work permit). Documentation to renew a work permit is less complicated than that required for the initial work permit. Specifically, the employer is not required to submit judicial records, documents confirming professional qualifications/skill certificates as required in the standard documents discussed in Section B.3.1(i) above.

In this case, the dossier for renewal of a work permit includes:

- a writing from the employer reporting and explaining the demand for a foreign employee and concurrently requesting renewal of the work permit (made on a standard form);
- two passport photos (4cm x 6cm, white background, front view, bare head, no glasses);
- work permit that is going to expire;
- valid passport (original);
- health certificate<sup>18</sup>;
- specific documents relating to the expatriate's form of work in Vietnam as mentioned in Section B.3.1(ii) above.

A document issued by a foreign country must be legalized (unless it is exempt from consular legalization under an international treaty to which Vietnam and such foreign country are signatories or under the principle of reciprocity) and must be translated into Vietnamese and the translation must be notarized.

The provincial PC will renew a work permit within ten working days from the filing date

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<sup>18</sup> Similar to that required in the initial application for a work permit.

of the complete application.

After receipt of the renewed work permit, and when the employment contract is signed, a copy of the employment contract must be filed with the provincial PC that renews the work permit if requested. This request is applied only in the case of an expatriate who (i) is directly recruited by the employer in Vietnam and (ii) will perform the employment contract with a foreign diplomatic mission or foreign organization in Vietnam.

### **3.5     *Reissuance of a work permit***

A work permit can be re-issued in the following two circumstances:

- (i)     The current valid work permit is lost or destroyed or damaged and unusable; or
- (ii)    There are changes in information that relates to the name, nationality, passport number, place of work or change of the employer's name (without change of the employer's enterprise code/identification number<sup>19</sup>) as recorded in the current valid work permit.

In case a work permit is lost, destroyed or damaged, or if any information in the work permit changes, the expatriate must inform her employer, the Vietnamese counterparty, or the representative of the foreign diplomatic mission or foreign organization or international organization. The employer, Vietnamese counterparty, or the representative must then submit an application to reissue the work permit. It must be submitted to the provincial PC where the work permit was originally issued. The dossier must include:

- request for reissuance (on a standard form);
- two passport photos (4cm x 6cm, white background, front view, bare head, no glasses);
- current valid work permit unless it is lost. Proof of loss is required; and
- relevant documents to prove the changes of information.

A document issued by a foreign country must be legalized (unless it is exempt from consular legalization under an international treaty to which Vietnam and such foreign country are signatories or under the principle of reciprocity) and must be translated into Vietnamese and the translation must be notarized.

The provincial PC will re-issue a work permit within three working days from the date of receipt of a complete application.

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<sup>19</sup> An identification number is issued by the Ministry of Public Security in accordance with Decree 69/2024/ND-CP of the Government dated June 25, 2024 on electronic authentication and identification.

### 3.6 *Withdrawal of a work permit*

Under Decree 219, a work permit can be withdrawn in the following cases:

- The work permit ceases to be effective under circumstances set out in the Labor Code<sup>20</sup>.
- The employer or the expatriate fails to comply with regulations on issuance, reissuance or renewal of the work permit.
- The expatriate, during her working duration in Vietnam, fails to abide by Vietnamese law and faces criminal charges or criminal prosecution.

In case a work permit is withdrawn because it is no longer effective, within 15 days after the work permit ceases to be effective, the employee must return the work permit to her employer so that the employer can return it to the provincial PC which issued the work permit and enclose a letter specifying reasons for withdrawal. If the work permit cannot be returned to the provincial PC, such letter should specify reasons why the work permit cannot be returned.

## 4. **Work permit, customs clearance of personal effects**

Decree No. 08/2015/ND-CP of the Government dated January 21, 2015 guiding the Law on Customs No. 54/2014/QH13 (“**Decree 08**”) (as amended by Decree No. 167/2025/ND-CP of the Government dated June 30, 2025 on amending a number of articles of Decree 08) regulates customs procedures, inspection, and supervision. Under Decree 08, an expatriate who brings personal effects into Vietnam has to submit: (i) a customs declaration; (ii) a bill of lading; and, most importantly (iii) written certification of her permission to work in Vietnam, issued by a competent authority (ie, a work permit). This requirement for a work permit for customs clearance purposes is also specified in the Labor Code.

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<sup>20</sup> Cases where the work permit ceases to be effective under clauses 2, 3, 4, 5, 6 and 7 of Article 156 of the Labor Code as follow:

- (i) The labor contract is terminated;
- (ii) The contents of the labor contract are inconsistent with the contents of the work permit as issued;
- (iii) The work performed does not conform to the contents of the work permit;
- (iv) The contract that is the basis for issuance of the work permit expires or is terminated;
- (v) The foreign party issues a written notice that terminates the appointment of the expatriate;
- (vi) The Vietnamese entity that employs the expatriate ceases its operation.