

DECREE

Providing for foreign workers working in Vietnam¹

Pursuant to Law No. 63/2025/QH15 on Organization of the Government;

Pursuant to Labor Code No. 45/2019/QH14;

At the proposal of the Minister of Home Affairs;

The Government promulgates the Decree providing for foreign workers working in Vietnam.

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Decree provides for foreign workers working in Vietnam under the following articles and clauses of Labor Code: Article 157 on conditions, order and procedures for grant, re-grant, extension and revocation of work permits and work permit exemption certificates for foreign workers working in Vietnam; and Clauses 1, 2 and 9, Article 154 on foreign workers working in Vietnam who are exempt from work permit.

Article 2. Subjects of application

1. Foreign workers working in Vietnam (below referred to as foreign workers), who are foreign nationals and come the country to work in the job positions specified in Article 3 of this Decree, in one of the following forms:

- a/ Performing labor contracts;
- b/ Being intra-corporate transferees;
- c/ Performing economic or social contracts or agreements;
- d/ Providing services under contracts;
- dd/ Offering services for sale;

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e/ Being volunteers;

g/ Being responsible for establishing a commercial presence;

h/ Being seconded from agencies, organizations or enterprises in foreign countries to Vietnam to work not as intra-corporate transferees;

i/ Participating in the implementation of bidding packages or projects in Vietnam;

k/ Being relatives of members of foreign diplomatic missions in Vietnam who are permitted to work in Vietnam under treaties to which the Socialist Republic of Vietnam is a contracting party;

l/ Being chairpersons or members of the Boards of Directors of joint-stock companies; owners or members of limited liability companies whose contributed capital is valued at under VND 3 billion;

m/ Performing labor contracts signed with foreign diplomatic missions or foreign organizations in Vietnam.

2. Employers of foreign workers, including enterprises, agencies, organizations, contractors, foreign diplomatic missions in Vietnam, and individuals permitted to conduct business in accordance with law.

Article 3. Job positions of foreign workers working in Vietnam

1. Managers are persons managing enterprises as specified in Clause 24, Article 4 of the Law on Enterprises, or heads or deputy heads of agencies or organizations as defined by law.

2. Executives are persons in one of the following categories:

a/ Heads of branches, representative offices or business locations of enterprises;

b/ Heads who directly administer an operational field of agencies, organizations, or enterprises and have at least 3 years' experience in a field relevant to the job position in which the foreign worker is expected to work in Vietnam.

3. Experts are persons in one of the following categories:

a/ Persons possessing a university degree or higher degree or an equivalent qualification and at least 2 years' experience relevant to the job position in which the foreign worker is expected to work in Vietnam;

b/ Persons possessing a university degree or higher degree in their trained specialty and at least 1 year's experience relevant to the job position in which the foreign worker is expected to work in Vietnam, applicable to experts working in

the fields of finance, science, technology, innovation, national digital transformation, or other socio-economic sectors prioritized for development as identified by ministries, ministerial-level agencies or provincial-level People's Committees, or under cooperation agreements of the Vietnamese Government.

4. Technical workers are persons in one of the following categories:

a/ Persons who have undergone at least 1 year's training and have at least 2 years' experience relevant to the job position in which the foreign worker is expected to work in Vietnam;

b/ Persons having at least 3 years' experience relevant to the job position in which the foreign worker is expected to work in Vietnam.

Article 4. Competence to grant, re-grant, extend and revoke work permits and work permit exemption certificates

1. Provincial-level People's Committees are competent to grant, re-grant, extend and revoke work permits and work permit exemption certificates for foreign workers working for employers that have head offices, branches, representative offices or business locations in the localities where the foreign workers are expected to work.

In case a foreign worker works for an employer operating in more than one province or centrally run city, the provincial-level People's Committee of the locality where the employer's head office is located is competent to grant, re-grant, extend and revoke work permit and work permit exemption certificate to such person.

2. Provincial-level People's Committees shall decide on the delegation of powers to competent agencies to grant, re-grant, extend and revoke work permits and work permit exemption certificates in accordance with law.

Article 5. Consular legalization and certification of documents

1. Documents in dossiers for grant, re-grant and extension of work permits and work permit exemption certificates for foreign workers, if issued by foreign authorities, must be consularly legalized, except cases in which consular legalization is exempted under treaties to which both the Socialist Republic of Vietnam and the relevant foreign country are contracting parties, or under the principle of reciprocity, or as otherwise provided by law.

2. Documents that have been consularly legalized must be translated into Vietnamese and certified in accordance with law. Documents that are copies must be certified as true copies of the originals before being translated into Vietnamese, and certified in accordance with law.

Article 6. Electronic transactions in the grant, re-grant and extension of work permits and work permit exemption certificates

1. Employers shall submit dossiers of request for grant, re-grant and extension of work permits and work permit exemption certificates for foreign workers online via the National Public Service Portal.

2. The National Public Service Portal shall forward dossiers to the agency competent to grant, re-grant and extend work permits and work permit exemption certificates for foreign workers under regulations on the performance of administrative procedures under the single-window or interconnected single-window mechanisms at the single-window divisions and via the National Public Service Portal.

3. In case an employer submits online an application for a work permit concurrently with a request for issuance of a criminal record certificate under authorization of the foreign worker:

a/ The employer shall submit the dossier of application for a work permit together with the dossier of request for issuance of a criminal record certificate via the National Public Service Portal;

b/ The National Public Service Portal shall forward the dossier specified at Point a of this Clause to the agency competent to grant work permits and to the public security agency competent to issue criminal record certificates;

c/ Upon receiving the request for issuance of a criminal record certificate, the competent public security agency shall appraise the dossier and accept it if it is valid; or request addition or correction of information if the dossier is incomplete; or return the dossier if it is invalid. Administrative procedure settlement results are electronic criminal record certificates sent to the agency competent to grant work permits;

d/ The agency competent to grant work permits shall appraise the dossier and notify the electronic work permit and electronic criminal record certificate to the employer.

The time limit for processing the procedures for issuance of a criminal record certificate concurrently with grant of a work permit shall be the total time limit for processing the procedures for issuance of criminal record certificates and grant of work permits.

Chapter II

ORDER AND PROCEDURES FOR GRANT, RE-GRANT AND EXTENSION OF WORK PERMIT EXEMPTION CERTIFICATES

Section 1

ORDER AND PROCEDURES FOR GRANT OF WORK PERMIT EXEMPTION CERTIFICATES

Article 7. Foreign workers exempt from work permit

1. Falling into one of the cases specified in Clauses 3 thru 8, Article 154 of the Labor Code.

2. Being the owner or a capital-contributing member of a limited liability company with a contributed capital value of VND 3 billion or more.

3. Being the Chairperson or a member of the Board of Directors of a joint-stock company with a contributed capital value of VND 3 billion or more.

4. Entering Vietnam to provide professional or technical consultancy services, or to perform other tasks serving the research, formulation, appraisal, monitoring, evaluation, management and implementation of programs and projects funded by official development assistance (ODA) in accordance with regulations or agreements in the ODA treaties concluded between competent authorities of Vietnam and foreign countries.

5. Foreign reporters engaged in information and press activities as certified by the Ministry of Foreign Affairs.

6. Persons sent to Vietnam by competent foreign agencies or organizations to teach or to act as managers or executives at education institutions established in Vietnam at the proposal of foreign diplomatic missions or intergovernmental organizations, or at institutions or organizations established under treaties to which Vietnam is a contracting party.

7. Foreign students or trainees currently studying at schools or training institutions in Vietnam or abroad who have internship agreements or job invitations from employers in Vietnam; interns or trainees working on board Vietnamese seagoing vessels.

8. Relatives of staff members of foreign representative missions in Vietnam who are permitted to work in Vietnam under treaties to which the Socialist Republic of Vietnam is a contracting party.

9. Persons holding official passports who enter Vietnam to work for state agencies, political organizations or socio-political organizations.

10. Persons responsible for establishing a commercial presence.

11. Volunteers working in Vietnam on a voluntary and unpaid basis to implement treaties to which the Socialist Republic of Vietnam is a contracting party as certified by foreign diplomatic missions or international organizations in Vietnam.

12. Persons entering Vietnam to implement international agreements concluded by central- or provincial-level agencies or organizations in accordance with law.

13. Foreign workers who act as managers, executives, experts or technical workers in one of the following cases:

a/ They enter Vietnam to work for a total period shorter than 90 days in a calendar year, counted from January 1 to the last day of the year;

b/ They are intra-corporate transferees: they are transferred for a definite period of time within a foreign enterprise that has established a commercial presence in Vietnam's territory and operates in one of the 11 service sectors listed in Vietnam's Schedule of Commitments on Services to the World Trade Organization, and who have been employed by the foreign enterprise for at least 12 consecutive months prior to the transfer. For this purpose, commercial presence includes foreign-invested economic organizations, representative offices and branches of foreign traders in Vietnam, and executive offices of foreign investors under business cooperation contracts.

14. Persons certified by the Ministry of Education and Training as having entered Vietnam to perform the following tasks:

a/ Teaching, conducting research, or transferring international education programs;

b/ Acting as managers, executives, principals or vice principals at education institutions established in Vietnam at the proposal of foreign diplomatic missions or intergovernmental organizations.

15. Persons certified by ministries, ministerial-level agencies or provincial-level People's Committees as having entered Vietnam to work in finance, science, technology, innovation, national digital transformation, or other priority socio-economic development sectors.

Article 8. Dossiers of application for a work permit exemption certificate

1. An application for a work permit exemption certificate, made according to Form No. 01 provided in the Appendix to this Decree.

2. A health certificate issued by a qualified medical examination and treatment establishment, unless the health examination result has already been connected and shared on the information system for management of medical examination and treatment activities or in the national health database. A health certificate issued by a competent foreign medical establishment may be used if Vietnam and the foreign country or territory issuing the health certificate have concluded a treaty or an agreement on mutual recognition, provided that the health certificate is issued at a time no more than 12 months prior to the date of filing the application.

3. Two color photos (4cm x 6cm, white background, frontal view, bareheaded, no glasses).

4. A valid passport.

5. A document proving that the foreign worker is not subject to work permit, which is one of the following papers:

a/ A document issued by a competent agency in accordance with law for the case specified in Clause 3, Article 154 of the Labor Code, or for one of the cases specified in Clauses 9, 14 and 15, Article 7 of this Decree;

b/ A document issued by the foreign employer sending the foreign worker to Vietnam, together with the relevant agreement or treaty to which the Socialist Republic of Vietnam is a contracting party, for the case specified in Clause 7, Article 154 of the Labor Code, or for one of the cases specified in Clauses 4, 6, 7, 11 and 12, Article 7 of this Decree;

c/ A document proving that the foreign worker is a manager, executive, expert or technical worker as specified in Article 19 of this Decree, together with a document issued by the foreign employer sending the foreign worker to work for a definite period of time at a commercial presence in Vietnam, and confirming that the foreign worker has been employed by the foreign employer for at least 12 consecutive months immediately before entering Vietnam to work, for the case specified at Point b, Clause 13, Article 7 of this Decree.

Article 9. Order and procedures for grant of work permit exemption certificates

1. Between 10 days and 60 days before the date on which the foreign worker is expected to commence working, the employer shall submit a dossier of application for a work permit exemption certificate by hand delivery, or through the public postal service, services provided by an institutional or individual provider, or an authorized representative, to the Public Administration Service Center in the locality where the foreign worker is expected to work.

2. The local Public Administration Service Center shall transfer the dossier to the agency competent to grant work permit exemption certificates under regulations on the performance of administrative procedures under the single-window and interconnected single-window mechanisms at the single-window division and via the National Public Service Portal.

3. Within 5 working days after receiving a complete dossier of application for a work permit exemption certificate, the competent agency shall grant a work permit exemption certificate using Form No. 02 provided in the Appendix to this Decree.

If refusing to grant a work permit exemption certificate, the competent agency shall issue a written reply, clearly stating the reason, within 3 working days after receiving the complete dossier.

4. For the cases specified in Clauses 4, 5, 6 and 8, Article 154 of the Labor Code, and in Clauses 2, 3, 5, 8 and 10, and at Point a, Clause 13, Article 7 of this Decree, it is not required to carry out procedures for obtaining a work permit exemption certificate but the employer shall notify the agency competent to grant work permit exemption certificates in the locality where the foreign worker is expected to work at least 3 working days before the date on which the foreign worker is expected to commence to work in Vietnam.

The notification must include the following basic information: full name, date of birth, nationality, passport number, name of the foreign employer, workplace, and working duration.

5. In case a foreign worker who has been granted a work permit exemption certificate wishes to work for the same employer in more than one province or centrally run city, at least 3 working days before the expected date of work commencement, the employer shall notify thereof to the agencies competent to grant work permit exemption certificates in localities where the foreign worker is expected to work.

The notification must include the following basic information: full name; date of birth; nationality; passport number; number of the work permit exemption certificate; name of the foreign employer; commencement date and end date of work. The working duration must not exceed the validity duration of the work permit exemption certificate already granted.

Article 10. Validity duration of work permit exemption certificates

The validity duration of a work permit exemption certificate corresponds to the duration specified for one of the cases specified in Article 21 of this Decree but must not exceed 2 years.

Section 2

ORDER AND PROCEDURES FOR RE-GRANT OF WORK PERMIT EXEMPTION CERTIFICATES

Article 11. Cases eligible for re-grant of a work permit exemption certificate

1. The work permit exemption certificate remains valid but is lost or irreparably damaged.
2. There is a change in any of the following information: full name, nationality, passport number, workplace, or the employer's name, provided that the employer's identification number remains unchanged.

Article 12. Dossier of request for re-grant of a work permit exemption certificate

1. A written request for re-grant of a work permit exemption certificate, made by the employer using Form No. 01 provided in the Appendix to this Decree.
2. Documents proving the changes in information as specified in Clause 2, Article 11 of this Decree.
3. The valid work permit exemption certificate previously granted, except the case in which the certificate is lost specified in Clause 1, Article 11 of this Decree.

Article 13. Order and procedures for re-grant of a work permit exemption certificate

1. The employer shall submit a dossier of request for re-grant of a work permit exemption certificate by hand delivery or through the public postal service, services provided by an institutional or individual service provider, or an authorized representative, to the Public Administration Service Center in the locality where the foreign worker is working.
2. The local Public Administration Service Center shall forward the dossier to the agency competent to re-grant work permit exemption certificates under regulations on the performance of administrative procedures under the single-window and interconnected single-window mechanisms at the single-window division and via the National Public Service Portal.
3. Within 3 working days after receiving a complete dossier of request for re-grant of a work permit exemption certificate, the competent agency shall re-grant the work permit exemption certificate.

If refusing to re-grant the certificate, the competent agency shall issue a written reply, stating the reason.

Article 14. Validity duration of re-granted work permit exemption certificates

The validity duration of a re-granted work permit exemption certificate is equal to the remaining validity duration of the previously granted certificate, minus the period during which the foreign worker has already worked up to the time of submission of the dossier of request for re-grant of the work permit exemption certificate.

Section 3

ORDER AND PROCEDURES FOR EXTENSION OF WORK PERMIT EXEMPTION CERTIFICATES

Article 15. Dossier of request for extension of a work permit exemption certificate

1. A written request for extension of a work permit exemption certificate, made by the employer using Form No. 01 provided in the Appendix to this Decree.

2. A health certificate issued by a qualified medical examination and treatment establishment, unless the health examination result has been connected and shared on the information system for the management of medical examination and treatment activities or the national health database. A health certificate issued by a competent foreign medical establishment may be used in case Vietnam and the foreign country or territory issuing the certificate have concluded a treaty or an agreement on mutual recognition, provided that the certificate is issued at a time no more than 12 months prior to the date of filing the application.

3. The previously granted work permit exemption certificate, which remains valid.

4. A valid passport.

5. A document proving that the foreign worker is exempt from work permit, which is:

a/ One of the documents specified at Points a and b, Clause 5, Article 8 of this Decree;

b/ A document proving that the foreign worker is a manager, executive, expert or technical worker as specified in Article 19 of this Decree, together with a document issued by the foreign employer assigning the foreign worker to work for a limited period at a commercial presence in Vietnam, applicable to the case specified at Point b, Clause 13, Article 7 of this Decree.

Article 16. Procedures for extension of work permit exemption certificates

1. Between 10 days and 45 days before a work permit exemption certificate expires, the employer shall submit a dossier of request for extension of the certificate by hand delivery, or through the public postal service, services provided

by an institutional or individual provider, or an authorized representative, to the Public Administration Service Center in the locality where the foreign worker is working.

2. The local Public Administration Service Center shall forward the dossier to the agency competent to extend the work permit exemption certificates under regulations on the performance of administrative procedures under the single-window and interconnected single-window mechanisms at the single-window division and via the National Public Service Portal.

3. Within 5 working days after receiving a complete dossier of request for extension of the work permit exemption certificate, the competent agency shall extend the work permit exemption certificate for the foreign worker.

If refusing to extend the certificate, the competent agency shall issue a written reply, clearly stating the reason.

Article 17. Validity duration of extended work permit exemption certificates

The validity duration of an extended work permit exemption certificate corresponds to the duration specified for one of the cases specified in Article 21 of this Decree. A certificate may be extended only once for up to 2 years.

Chapter III

ORDER AND PROCEDURES FOR GRANT, RE-GRANT AND EXTENSION OF WORK PERMITS

Section 1

GRANT OF WORK PERMITS

Article 18. Dossier of application for a work permit

1. A document explaining the need to employ foreign workers and applying for a work permit, made by the employer using Form No. 03 provided in the Appendix to this Decree.

2. A health certificate issued by a qualified medical examination and treatment establishment, unless the health examination result has been connected and shared on the information system for the management of medical examination and treatment activities or in the national health database. A health certificate issued by a competent foreign medical establishment may be used if Vietnam and the issuing country or territory have concluded a treaty or an agreement on mutual recognition, provided that the certificate is issued at a time no more than 12 months prior to the date of filing the application.

3. A valid passport.

4. A criminal record certificate or a document confirming that the foreign worker is not currently serving a sentence, has not had his/her criminal record expunged, or is not under penal liability examination, issued by a foreign or Vietnamese authority no more than 6 months prior to the date of dossier submission, except cases in which the administrative procedures for issuance of criminal record certificates and grant of work permits have been connected under Clause 3, Article 6 of this Decree.

5. Two color photos (4cm x 6cm, white background, frontal view, bareheaded, no glasses).

6. A document proving the form of employment of the foreign worker, which is one of the following:

a/ A document issued by the foreign employer assigning the foreign worker to work for a fixed term at a commercial presence in Vietnam and confirming that the foreign worker has been employed by the foreign employer for at least 12 consecutive months immediately prior to his/her entry in Vietnam, applicable to the case specified at Point b, Clause 1, Article 2 of this Decree;

b/ A document issued by the employer assigning the foreign worker to work in Vietnam, enclosed with a signed contract or agreement, applicable to the cases specified at Points c and i, Clause 1, Article 2 of this Decree;

c/ A service contract between the Vietnamese and foreign partners, enclosed with documents proving that the foreign worker has worked for a foreign enterprise without a commercial presence in Vietnam for at least 24 months, applicable to the case specified at Point d, Clause 1, Article 2 of this Decree;

d/ For the case specified at Point dd, Clause 1, Article 2 of this Decree, a document issued by the service provider assigning the foreign worker to work in Vietnam for the service negotiation purpose;

dd/ A document issued by the foreign employer assigning the foreign worker to work in Vietnam in conformity with the expected job position, applicable to the case specified at Point h, Clause 1, Article 2 of this Decree;

e/ For the case specified at Point l, Clause 1, Article 2 of this Decree, a document proving that the foreign worker is a manager as defined in Clause 1, Article 3 of this Decree.

7. A document proving that the foreign worker is a manager, executive, expert or technical worker as specified in Article 19 of this Decree.

Article 19. Documents proving that a foreign worker is a manager, executive, expert or technical worker

1. A document proving that a foreign worker is a manager as defined in Clause 1, Article 3 of this Decree is any the following:

a/ The company charter and documents proving the managerial status, or appointment/assignment document, for holders of managerial positions as specified in Clause 24, Article 4 of the Law on Enterprises;

b/ The establishment license of the agency or organization, or appointment/assignment document, for heads or deputy heads of agencies or organizations.

2. A document proving that the foreign worker is an executive as defined in Clause 2, Article 3 of this Decree is any the following:

a/ A certificate of registration of operation of the branch, certificate of registration of operation of the representative office, or certificate of registration of the business location of the enterprise;

b/ The company charter or document providing the organizational structure of the agency or organization, together with written confirmation from the foreign employer regarding the number of years of working experience in a field relevant to the job position in which the foreign worker is expected to work in Vietnam.

If the foreign worker has already worked in Vietnam, the previously granted work permit or work permit exemption certificate may be used in substitution for the document proving the number of years of working experience.

3. A document proving that a foreign worker is an expert as defined in Clause 3, Article 3 of this Decree is any of the following:

a/ Diplomas, certificates or documents proving that the foreign work possesses a university or higher (or equivalent) degree, together with the foreign employer's written confirmation of the number of years of the expert's working experience.

If the foreign worker has already worked in Vietnam, the previously granted work permit or work permit exemption certificate may be used in substitution for the document proving working experience;

b/ Diplomas, certificates or documents proving that the foreign work possesses a university or higher (or equivalent) degree in the fields of finance, science, technology, innovation, national digital transformation, priority socio-economic development sectors, or fields subject to cooperation agreements of the

Government of Vietnam, together with the foreign employer's written confirmation of the number of years of the expert's working experience.

If the foreign worker has already worked in Vietnam, the previously granted work permit or work permit exemption certificate may be used in substitution for the document proving working experience;

c/ Certificates of high achievements, qualifications and experience in the fields of culture and sports, for artists, coaches and athletes in accordance with the Minister of Culture, Sports and Tourism's guidance;

d/ Pilot licenses; professional certificates permitting work on board aircraft, for cabin crew members; certificates of technical qualifications in aircraft maintenance; or certificates of professional competency for foreign seafarers granted by Vietnamese competent agencies. Papers issued by foreign authorities shall be recognized by Vietnamese competent agencies in accordance with the Minister of Construction's guidance;

dd/ Documents proving qualifications and standard qualifications as specified by the Law on Education, the Law on Higher Education and the Law on Vocational Education, for experts working in the education and training sector. For experts working in foreign-language or information technology centers, the qualifications must comply with the regulations on organization and operation of such centers;

e/ Documents proving that the expert is specialized in specific occupations or perform specific jobs as guided by the Minister or the head of the ministerial-level agency responsible for such sectors or specialized jobs.

4. A document proving that a foreign worker is a technical worker as defined in Clause 4, Article 3 of this Decree is any of the following:

a/ Diplomas, certificates or documents proving at least one year's training, together with the foreign employer's written confirmation of the number of years of working experience.

If the foreign worker has already worked in Vietnam, a previously granted work permit or work permit exemption certificate may be used in substitution for the document proving relevant working experience;

b/ The foreign employer's written confirmation of the number of years of working experience.

If the foreign worker has already worked in Vietnam, a previously granted work permit or work permit exemption certificate may be used in substitution for the document proving relevant working experience.

Article 20. Dossiers of application for work permits for those who have been granted work permits

1. In case a foreign worker who has been granted a work permit and whose work permit remains valid wishes to work for another employer in the same job position and the same field, he/she shall carry out procedures for application for a work permit. A dossier of application for a work permit must comprise:

a/ The letter of confirmation of the employer stating that the foreign worker is currently working;

b/ The papers specified in Clauses 1, 3, 5 and 6, Article 18 of this Decree;

c/ A copy of the current work permit;

d/ The papers proving that the foreign worker is a manager or an executive.

2. In case a foreign worker who has been granted a work permit and whose work permit remain valid wishes to change to another job position or working form against that stated in the work permit without changing the employer, he/she shall carry out procedures for application for a new work permit. A dossier of application for a new work permit must comprise:

a/ The papers specified in Clauses 1, 3 and 5, Article 18 of this Decree;

b/ The papers proving the job position as specified in Article 19 of this Decree, for cases of changing the job position;

c/ The papers proving the working form as specified in Clause 6, Article 18 of this Decree, for cases of changing the working form;

d/ A copy of the previously issued work permit.

3. In case a foreign worker whose work permit has been extended wishes to continue working for the current employer in the same job position and the same field, he/she shall carry out procedures of application for a work permit. A dossier for the application for a work permit must comprise:

a/ The papers specified in Clauses 1, 2, 3, 5 and 6, Article 18 of this Decree;

b/ A copy of the previously issued work permit;

c/ The papers proving that the foreign worker is a manager or an executive.

Article 21. Validity duration of work permits and work permit exemption certificates

1. The validity duration of a work permit or a work permit exemption certificate permit shall correspond one of the following durations but must not exceed 2 years:

- a/ The term of the labor contract to be signed;
- b/ The period stated in the foreign partner's document sending the foreign worker to Vietnam to work;
- c/ The term of the contract or agreement signed between Vietnamese and foreign partners or between Vietnamese partners;
- d/ The term of the service contract or agreement signed between the Vietnamese and foreign partners;
- dd/ The period stated in the service provider's document sending the foreign worker to Vietnam to negotiate on service provision;
- e/ The period identified in the business, establishment or operation license of the agency, organization or enterprise employing the foreign worker;
- g/ The period stated in the service provider's document sending the foreign worker to Vietnam to establish its commercial presence;
- h/ The period stated in the document proving that the foreign worker is permitted to participate in the operation of a foreign enterprise that has established its commercial presence in Vietnam;
- i/ The period stated in the foreign partner's document sending the foreign worker to Vietnam to work under an agreement or a treaty to which the Socialist Republic of Vietnam is a contracting party;
- k/ The period stated in the foreign partner's document sending the foreign worker to Vietnam to work under an international agreement signed by a central- or provincial-level agency or organization.

2. The validity duration of work permit exemption certificates for the cases specified in Clauses 14 and 15, Article 7 of this Decree is the period certified by ministries, ministerial-level agencies or provincial-level People's Committees, which, however, must not exceed 2 years.

Article 22. Procedures for grant of a work permit

1. Between 10 days and 60 days before the date a foreign worker is expected to commence working, the employer shall submit a dossier of application for a work permit by hand delivery or through the public postal service, services provided by institutional or individual service provider or an authorized representative, to the Public Administration Service Center in the locality where the foreign worker is expected to work.

2. The local Public Administration Service Center shall forward the dossier to the agency competent to grant work permits according to regulations on performance of administrative procedures under the single-window and

interconnected single-window mechanisms at the single-window division and via the National Public Service Portal.

3. Within 10 working days after receiving a complete dossier of application for a work permit, the competent agency shall consider the approval of the demand for employment of foreign workers and grant a work permit to the foreign worker, using Form No. 04 provided in the Appendix to this Decree.

If rejecting the demand for employment of foreign workers or refusing to grant a work permit to the foreign worker, the competent agency shall issue a written reply, clearly stating the reason, within 3 working days after receiving a complete dossier.

4. For a foreign worker specified at Point a or m, Clause 1, Article 2 of this Decree, after he/she is granted a work permit, he/she and his/her employer shall sign a labor contract in written form in accordance with Vietnam's labor law before the date the foreign worker is expected to commence working. When requested, the employer shall send a copy of the signed labor contract to the competent agency that has granted the work permit.

5. In case a foreign worker who has been granted a work permit wishes to work for the same employer in more than one province or centrally run city, the employer shall, at least 3 days before the foreign worker is expected to commence working in a locality, notify the competent agency of that locality the following information: full name, age, nationality, passport number and work permit number of the foreign worker, name of the employer; and start date and end date of work, which must not exceed the period stated in the previously issued work permit.

Section 2

RE-GRANT OF WORK PERMITS

Article 23. Cases in which a work permit may be re-granted

1. The work permit remains valid but is lost or damaged to an extent that it is unusable.

2. The work permit remains valid but there is a change in the information stated therein regarding the foreign worker's full name, nationality or passport number or the employer's name, provided the employer's identification number remains unchanged.

Article 24. Dossier of request for re-grant of a work permit

1. A request for re-grant of a work permit, made by the employer according to Form No. 03 provided in Appendix to this Decree.

2. Two color photos (4cm x 6cm, white background, frontal view, bareheaded, no glasses).

3. The papers proving the change of the information as specified in Clause 2, Article 23 of this Decree.

4. The valid work permit, unless the work permit is lost as specified in Clause 1, Article 23 of this Decree.

Article 25. Procedures for re-grant of a work permit

1. The employer shall submit a dossier of request for re-grant of a work permit by hand delivery or via the public postal service or services provided by an institutional or individual service providers or authorized representative, to the Public Administration Service Center in the locality where the foreign worker is working.

2. The local Public Administration Service Center shall forward the dossier to the agency competent to re-grant work permits according to regulations on performance of administrative procedures under the single-window and interconnected single-window mechanisms at the single-window section or the National Public Service Portal.

3. Within 3 working days after receiving a complete dossier of request for re-grant of a work permit, the competent agency shall re-grant the work permit to the foreign worker.

If refusing to re-grant the work permit, the competent agency shall issue a written reply, clearly stating the reason.

Article 26. Validity duration of re-granted work permits

The validity duration of a re-granted granted work permit shall equal that of the previously granted work permit minus the foreign worker's working period counted by the time of request for re-grant of the work permit.

Section 3

EXTENSION OF WORK PERMITS

Article 27. Dossier of request for extension of a work permit

1. A report explaining the demand for employment of foreign workers and requesting the extension of a work permit, made by the employer according to Form No. 03 provided in the Appendix to this Decree.

2. A health certificate issued by a qualified medical examination and treatment establishment, unless the health examination results have been connected and shared on the information system for the management of medical examination

and treatment activities or the national health database. A health certificate issued by a competent foreign medical establishment may be used if Vietnam and the country or territory issuing the certificate have a treaty or an agreement on mutual recognition, provided the certificate is issued at a time no more than 12 months prior to the date of filing the application.

3. Two color photos (4cm x 6cm, white background, frontal view, bareheaded, no glasses).

4. The previously granted work permit, which remains valid.

5. The valid passport.

6. The paper proving the foreign worker's working form, except foreign workers who work under Point a, Clause 1, Article 2 of this Decree, which is:

a/ One of the papers specified at Points b, d, dd and e, Clause 6, Article 18 of this Decree;

b/ A document of the overseas employer sending the foreign worker to work for a definite period at its commercial presence in Vietnam's territory, for the case specified at Point b, Clause 1, Article 2 of this Decree;

c/ A service contract signed between Vietnamese and foreign partners, for the case specified at Point d, Clause 1, Article 2 of this Decree.

Article 28. Procedures for extension of work permits

1. Between 10 days and 45 days before a work permit expires, the employer shall submit a dossier of request for extension of the work permit by hand delivery or via the public postal service or services provided by an institutional individual service provider or authorized representative, to the Public Administration Service Center in the locality where the foreign worker is working.

2. The local Public Administration Service Center shall forward the dossier to the agency competent to extend work permits according to regulations on performance of administrative procedures under the single-window and interconnected single-window mechanisms at the single-window division or the National Public Service Portal.

3. Within 10 working days after receiving a complete dossier of request for extension of a work permit, the competent agency shall consider approving the demand for employment of foreign workers and extend the work permit to the foreign worker.

If rejecting the demand for employment of foreign workers or refusing to extend the work permit to the foreign worker, the competent agency shall issue a written reply, clearly stating the reason.

4. For a foreign worker specified at Point a or m, Clause 1, Article 2 of this Decree, after his/her work permit is extended, he/she and his/her employer shall sign a labor contract in written form in accordance with Vietnam's labor law before the date he/she is expected to continue working for the employer.

When requested, the employer shall send a copy of the signed labor contract to the competent agency that has granted the work permit.

Article 29. Validity duration of extended work permits

The validity duration of an extended work permit must comply with Article 21 of this Decree; a work permit may be extended only once for no more than 2 years.

Chapter IV

REVOCAION OF WORK PERMITS OR WORK PERMIT EXEMPTION CERTIFICATES

Article 30. Cases subject to revocation of work permits

1. The work permit expires under Clause 2, 3, 4, 5, 6 or 7, Article 156 of the Labor Code.
2. The employer or foreign worker fails to strictly comply with the regulations on the grant, re-grant or extension of work permits.
3. While working in Vietnam, the foreign worker fails to strictly comply with Vietnam's law and is prosecuted or examined for penal liability.

Article 31. Procedures for revocation of work permits

1. For the case specified in Clause 1, Article 30 of this Decree, within 15 days after a work permit expires, the employer shall revoke the work permit and return it, together with a report on the reason for the revocation, to the competent agency that has granted the work permit. In case of failure to revoke the work permit, it shall clearly state the reason.
2. For the case specified in Clause 2 or 3, Article 30 of this Decree, the competent agency that has granted the work permit shall issue a decision on revocation of the work permit, and send a notice to the employer to request the latter to return the work permit and to the Vietnam Immigration Department (the Ministry of Public Security) for information and coordinated management.

Article 32. Cases subject to revocation of work permit exemption certificates

1. The foreign worker works in contravention of the contents stated in the granted work permit exemption certificate.

2. The overseas employer issues a notice stating that the foreign worker will not continue working in Vietnam.

3. The employer in Vietnam or abroad terminates operation.

4. The employer or the foreign worker fails to strictly comply with this Decree's provisions on the grant, re-grant or extension of work permit exemption certificates.

5. While working in Vietnam, the foreign worker fails to strictly comply with Vietnam's law and is prosecuted or examined for penal liability.

Article 33. Procedures for revocation of work permit exemption certificates

1. For the cases specified in Clauses 1, 2 and 3, Article 32 of this Decree, within 15 days after work the permit exemption certificate expires, the employer shall revoke the work permit exemption certificate and return it, together with a document stating the reason for the revocation, to the competent agency that has granted such certificate. In case of failure to revoke the certificate, it shall clearly state the reason.

2. For the cases specified in Clauses 4 and 5, Article 32 of this Decree, the competent agency that has granted the work permit exemption certificate shall issue a decision on revocation of the work permit exemption certificate and send a notice thereof to the employer to request the latter to return the certificate and to the Vietnam Immigration Department (the Ministry of Public Security) for information and coordinated management.

Chapter V

IMPLEMENTATION PROVISIONS

Article 34. Transitional provisions

1. Work permit exemption certificates and work permits that have been granted, re-granted or extended under Decree No. 152/2020/ND-CP, as amended and supplemented under Decree No. 70/2023/ND-CP, may continue to be used until they expire and shall be granted, re-granted or extended in accordance with this Decree.

2. Dossiers of application for, and dossiers of request for re-grant or extension of, work permits or work permit exemption certificates submitted by employers before the effective date of this Decree shall continue to be considered and settled under Decree No. 152/2020/ND-CP, as amended and supplemented under Decree No. 70/2023/ND-CP.

3. Work permit exemption certificates and work permits that have been granted, re-granted or extended in the working form of “being a manager, an executive, an expert or a technical worker” or “working for foreign non-governmental organizations or international organizations in Vietnam that are licensed to operate in accordance with Vietnam’s law” specified in Decree No. 152/2020/ND-CP, as amended and supplemented under Decree No. 70/2023/ND-CP, may continue to be used until they expire and shall be re-granted or extended according to the working form specified at Point h, Clause 1, Article 2 of this Decree.

4. Work permits and work permit exemption certificates that have been granted under Decree No. 152/2020/ND-CP, as amended and supplemented under Decree No. 70/2023/ND-CP, that fall into cases of revocation specified in Articles 30 and 32 of this Decree shall be revoked by agencies competent to grant work permits or work permit exemption certificates in the localities where the head offices of the employers are located.

5. Work permit exemption certificates and work permits that have been granted, re-granted or extended under Decree No. 128/2025/ND-CP may continue to be used until they expire and shall be granted, re-granted or extended in accordance with this Decree. Dossiers of application for grant, re-grant, extension or revocation of work permits or work permit exemption certificates under Decree No. 128/2025/ND-CP that are submitted by employers before the effective date of this Decree shall continue to be considered and settled in accordance with Decree No. 128/2025/ND-CP.

Article 35. Effect

1. This Decree takes effect on August 7, 2025.

2. The provisions on foreign workers working in Vietnam as specified in the Government’s Decree No. 152/2020/ND-CP of December 30, 2020, on foreign workers in Vietnam and recruitment and management of Vietnamese workers working for foreign organizations and individuals in Vietnam, as amended and supplemented under the Government’s Decree No. 70/2023/ND-CP of September 18, 2023, cease to be effective on the date this Decree takes effect.

3. Article 8 of, and Section 2 of Appendix II to, the Government’s Decree No. 128/2025/ND-CP of June 11, 2025, on the delegation and decentralization of powers for the state management of the field of home affairs, cease to be effective on the date this Decree takes effect.

Article 36. Implementation responsibility

1. Responsibilities of the Ministry of Home Affairs

a/ To assume the prime responsibility for, and coordinate with the Ministry of Public Security and related agencies and organizations in, building and managing a unified database on foreign workers working in Vietnam from the central to local levels and connecting and exchanging data with the national database on immigration and other related databases;

b/ To perform the uniform state management of recruitment and management of foreign workers working in Vietnam from the central to local levels;

c/ To assume the prime responsibility for, and coordinate with ministries and ministerial-level agencies in, supervising, assessing and conducting annual or unscheduled specialized examinations of the observance of the regulations on foreign workers working in Vietnam by related agencies, organizations, enterprises and individuals;

d/ To summarize difficulties and problems arising during the implementation process and report proposals and recommendations to competent authorities.

2. Responsibilities of the Ministry of National Defense

a/ To coordinate with agencies competent to manage foreign workers in implementing regulations on assurance of security and social order and safety in border areas, border gates, islands, strategic areas, key areas and important areas in terms of national defense;

b/ To direct the Border Guard to coordinate with functional forces in handling and examining foreign workers entering to work in border areas, border gates, islands and maritime zones in order to firmly safeguard the territorial sovereignty and national border security of the Fatherland.

3. Responsibilities of the Ministry of Public Security

a/ To coordinate with agencies competent to manage foreign workers working for employers in implementing regulations on assurance of security and social order and safety;

b/ To provide guidance on the issuance of criminal record certificates from the agencies competent to receive dossiers of application for work permits to the Ministry of Public Security or provincial-level Departments of Public Security of the localities where foreign workers register permanent residence or temporary residence.

4. Responsibilities of the Ministry of Industry and Trade

To guide the determination of foreign workers being intra-corporate transferees within the scope of the 11 service sectors in Vietnam's Schedule of Specific Commitments in Services to the World Trade Organization.

5. Responsibilities of the Ministry of Culture, Sports and Tourism

To guide the certification of high achievements, degrees and experience in the fields of culture and sports for artists, sports coaches and athletes.

6. Responsibilities of the Ministry of Education and Training

To provide guidance on diplomas and certificates proving the satisfaction of requirements on qualifications and standard qualifications for teaching in the field of education and training.

7. Responsibilities of ministries and ministerial-level agencies

To provide guidance on a number of occupations and jobs in the fields of finance, science, technology, innovation, national digital transformation and priority socio-economic development fields under their management.

8. Responsibilities of provincial-level People's Committees

a/ To manage and guide local employers to implement regulations on foreign workers working in Vietnam. To determine priority socio-economic development fields in their localities;

b/ To conduct dissemination, and examine, inspect, and handle violations of, the regulations on recruitment and management of foreign workers in their localities;

c/ To report to the Ministry of Home Affairs on the situation of foreign workers working in their localities before December 15 every year or on an unscheduled basis.

9. Ministers, heads of ministerial-level agencies, chairpersons of provincial-level People's Committees and related agencies, organizations and individuals shall implement this Decree.-

On behalf of the Government

For the Prime Minister

Deputy Prime Minister

NGUYEN HOA BINH

** The Appendix to this Decree is not translated.*