|  |  |
| --- | --- |
| **GOVERNMENT \_\_\_\_\_\_\_\_**  No. /2025/ND-CP | **SOCIALIST REPUBLIC OF VIETNAMINDEPENDENCE - FREEDOM - HAPPINESS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  *Hanoi, May 2025* |

**DECREE**

**Regulations on foreign workers working in Vietnam**

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

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

*At the request of the Minister of Home Affairs;*

*The Government promulgates a Decree regulating foreign workers working in Vietnam.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope of adjustment**

This Decree provides for foreign workers working in Vietnam according to the following articles and clauses of the Labor Code: Conditions, order and procedures for issuance, re-issuance, extension and revocation of work permits, certificates of non-issuance of work permits for foreign workers working in Vietnam under Article 157 of the Labor Code and foreign workers working in Vietnam who are not subject to work permits under Clauses 1, 2 and 9, Article 154 of the Labor Code.

**Article 2. Subjects of application**

1. Foreign workers working in Vietnam (hereinafter referred to as foreign workers) are foreign citizens who come to work at job positions specified in Article 3 of this Decree in one of the following forms:

a) Performance of labor contracts;

b) Moving within the enterprise;

c) Performing various types of socio-economic contracts or agreements;

d) Service providers under contracts;

dd) Offer for sale of services;

e) Volunteers;

g) The person responsible for the establishment of the commercial presence;

h) Being transferred from an overseas agency, organization or enterprise to Vietnam to work, except for the case of internal movement within the enterprise;

i) Participate in the implementation of bidding packages and projects in Vietnam;

k) Relatives of members of foreign representative missions in Vietnam are permitted to work in Vietnam under the provisions of treaties to which the Socialist Republic of Vietnam is a contracting party;

l) The Chairman of the Board of Directors, members of the Board of Directors of the joint-stock company, owners and members of the limited liability company with a capital contribution value of less than VND 3 billion;

m) Performing labor contracts with foreign diplomatic missions and foreign organizations in Vietnam.

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

**Article 3. Job positions of foreign workers working in Vietnam**

1. Manager means a manager of an enterprise under the provisions of Clause 24, Article 4 of the Law on Enterprises or a head or deputy head of an agency or organization as prescribed by law.

2. An executive director falls into one of the following cases:

a) The head of the branch, representative office or business location of the enterprise;

b) The head and directly administer a field of the agency, organization or enterprise and have at least 3 years of experience in the field suitable to the job position that the foreign worker is expected to work in Vietnam.

3. Experts fall into one of the following cases:

a) Have a university degree or higher or equivalent and have at least 2 years of working experience suitable to the job position that the foreign worker is expected to work in Vietnam;

b) Having a university degree or higher in the field of training and having at least 1 year of experience suitable to the job position that the foreign worker is expected to work in Vietnam for experts working in the fields of finance, science and technology, national innovation and digital transformation or areas prioritized for socio-economic development determined by ministries, ministerial-level agencies and provincial-level People's Committees or under cooperation agreements of the Vietnamese Government.

4. Technical workers fall into one of the following cases:

a) Being trained for at least 1 year and having at least 2 years of experience suitable to the job position that the foreign worker is expected to work in Vietnam;

b) Having at least 3 years of working experience suitable to the job position that the foreign worker is expected to work in Vietnam.

**Article 4. Competence to grant, re-grant, extend and revoke work permits and certificates of not subject to work permits**

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

In case the foreign worker works for an employer in many provinces and centrally-run cities, the provincial-level People's Committee of the locality where the employer is headquartered is competent to grant, re-grant, extend or revoke the work permit and the certificate of not being subject to the issuance of the work permit.

2. Provincial-level People's Committees shall decide on the decentralization of work permits to competent agencies for granting, re-granting, extending and revoking work permits and certificates of not being subject to work permits in accordance with law.

**Article 5. Consular legalization and authentication of documents**

1. Papers in the dossier of issuance, re-issuance or extension of work permits and certificates of non-issuance of work permits for foreign workers if they are subject to consular legalization, except for cases of exemption from consular legalization under international treaties involving the Socialist Republic of Vietnam and foreign countries are all members either on the principle of reciprocity or in accordance with the provisions of law.

2. Consular legalized papers must be translated into Vietnamese and authenticated in accordance with law. In case the papers are copies, they must be authenticated with the originals before being translated into Vietnamese and authenticated in accordance with law.

**Article 6. Regulations on electronic transactions in issuance, re-issuance and extension of work permits and certificates of non-issuance of work permits**

1. The employer shall submit an application for issuance, re-issuance or extension of a work permit and a certificate of non-issuance of a work permit for foreign workers online at the National Public Service Portal.

2. The National Public Service Portal shall transfer dossiers in accordance with the law on the implementation of administrative procedures under the one-stop-shop, inter-agency one-stop-shop mechanism at the one-stop shop and the National Public Service Portal to the agencies competent to grant, re-grant or extend work permits and certificates of exemption from work permits for employees foreign enterprises.

3. In case a foreign employer applies for a work permit enclosed with an application for a judicial record card under the authorization of the foreign worker in the online form, the following order and procedures shall be complied with:

a) The employer shall submit a dossier of application for a work permit enclosed with a dossier of application for a judicial record card at the National Public Service Portal;

b) The National Public Service Portal shall forward the dossier as prescribed at Point a of this Clause to the agency competent to issue work permits and the police agency competent to issue judicial record cards;

c) After receiving a written request for a judicial record card, the competent police agency shall appraise the dossier, receive if the dossier is valid or request for supplementation or correction of information if the dossier is incomplete or return it if the dossier is invalid. The result of settlement of administrative procedures is the electronic version of the judicial record card sent to the agency competent to issue the work permit;

d) The agency competent to issue a work permit shall appraise the dossier and return the result of the work permit and the electronic judicial record card to the employer.

The time limit for settling procedures for issuance of a judicial record card together with the issuance of a work permit is the total time limit for settling the issuance of a judicial record card and issuance of a work permit.

**Chapter II**

**ORDER AND PROCEDURES FOR ISSUANCE, RE-ISSUANCE AND EXTENSION OF CERTIFICATES OF NON-ISSUANCE OF WORK PERMITS**

**Section 1.**

**ORDER AND PROCEDURES FOR ISSUANCE OF CERTIFICATES**

**NOT SUBJECT TO WORK PERMIT ISSUANCE**

**Article 7. Foreign workers who are not subject to work permits**

1. Falling into one of the cases specified in Clauses 3, 4, 5, 6, 7 and 8, Article 154 of the Labor Code.

2. Being the owner or capital contributor with a capital contribution value of VND 3 billion or more of a limited liability company.

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

4. To enter Vietnam to provide professional and technical consultancy services or perform other tasks in service of research, formulation, appraisal, monitoring and evaluation, management and implementation of programs and projects funded by official development assistance sources according to regulations or agreements in international treaties on development assistance sources officially signed between Vietnamese and foreign competent agencies.

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

6. Being sent to Vietnam by a competent foreign agency or organization to teach, act as a manager or executive director at an educational institution proposed by a foreign diplomatic mission or intergovernmental organization to be established in Vietnam or other establishments, organizations established under international treaties that Vietnam has signed and acceded to.

7. Foreign pupils, students and trainees studying at schools and training institutions in Vietnam or abroad that have internship agreements or job offers to employers in Vietnam; trainees and apprentices on Vietnamese ships.

8. Relatives of members of foreign representative missions in Vietnam are allowed to work in Vietnam according to the provisions of treaties to which the Socialist Republic of Vietnam is a contracting party.

9. Having an official-duty passport to work for a state agency, political organization or socio-political organization.

10. Persons responsible for establishing commercial presences.

11. Volunteers working in Vietnam in the form of voluntary and unpaid work for the implementation of international treaties to which the Socialist Republic of Vietnam is a contracting party and certified by foreign diplomatic missions or international organizations in Vietnam.

12. To enter Vietnam to implement international agreements signed by central and provincial agencies and organizations in accordance with law.

13. Foreign workers who are managers, executive directors, experts, and technical workers fall into one of the following cases:

a) Entering Vietnam to work for a total period of less than 90 days in 01 year, counting from January 1 to the last day of the year;

b) Intra-enterprise relocation: Indefinite intra-enterprise relocation within a foreign enterprise that has established a commercial presence in the territory of Vietnam within 11 service sectors according to Vietnam's service commitment schedule with the world trade organization and has been recruited by the foreign enterprise for at least 12 consecutive months. Commercial presence includes foreign-invested economic organizations; representative offices and branches of foreign traders in Vietnam; the executive office of the foreign investor in the business cooperation contract.

14. To be certified by the Ministry of Education and Training to enter Vietnam to perform the following tasks:

a) Teaching, researching and transferring international education programs;

b) Acting as managers, executive directors, principals and vice principals of educational institutions established in Vietnam at the request of foreign diplomatic missions or intergovernmental organizations.

15. Being certified by ministries, ministerial-level agencies or provincial-level People's Committees to enter Vietnam to work in the fields of finance, science, technology, innovation, national digital transformation, and fields prioritized for socio-economic development.

**Article 8. Dossier of application for a certificate of not being subject to a work permit**

1. A written request for a certificate of exemption from the issuance of a work permit made according to Form No. 01 in the Appendix to this Decree.

2. Health examination certificates issued by eligible medical examination and treatment establishments, except for cases where health examination results have been connected and shared on the information system on management of medical examination and treatment activities or the national health database. For health examination certificates issued by competent foreign medical establishments, they shall be used in cases where Vietnam and the country or territory issuing the health examination certificate have treaties or mutual recognition agreements and the validity period of such health examination certificates shall not exceed 12 months from the date of issuance.

3. 02 color photos (size 4 cm x 6 cm, white background, straight face, bare head, no glasses).

4. Valid passports.

5. Papers proving that the foreign worker is not subject to the issuance of a work permit is one of the following papers:

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

b) A document of the overseas employer appointing the foreign worker, enclosed with an agreement or international 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 one of the cases specified in Clause 4, 6, 7, 11 and 12, Article 7 of this Decree;

c) A document proving that the foreign worker is a manager, executive director, expert, or technical worker as prescribed in Article 19 of this Decree enclosed with a document of the overseas employer appointing the foreign worker to work at a commercial presence in the territory of Vietnam for a definite period and certifying that it has been certified by the employerat least 12 consecutive months before entering Vietnam to work, for the cases specified at Point b, Clause 13, Article 7 of this Decree.

**Article 9. Order and procedures for issuance of certificates of exemption from work permits**

1. Within 60 days and not less than 10 days from the date on which the foreign worker is expected to work, the employer shall submit a dossier of application for a certificate of not being subject to the issuance of a work permit directly or through the public postal service or through the service hire of the enterprise. individuals or through authorization to go to the Public Administration Service Center in the locality where the foreign worker is expected to work.

2. Local public administrative service centers shall comply with the law on implementation of administrative procedures under the one-stop-shop, inter-agency one-stop-shop mechanism at the one-stop-shop and the National Public Service Portal to transfer the dossier to the agency competent to issue the certificate of not being subject to the issuance of work permits.

3. Within 05 working days from the date of receipt of a complete dossier of application for a certificate of exemption from the issuance of a work permit, the agency competent to issue the certificate of exemption from the issuance of a work permit shall make the Form No. 02 in the Appendix to this Decree.

In case of refusal to issue a certificate of non-issuance of a work permit, a written reply must be issued clearly stating the reason within 03 working days from the date of receipt of a complete dossier.

4. In the case specified in Clauses 4, 5, 6 and 8, Article 154 of the Labor Code, the provisions of Clauses 2, 3, 5, 8, 10 and Point a, Clause 13, Article 7 of this Decree are not required to carry out procedures for issuance of a certificate of non-issuance of a work permit, but must notify the agency competent to issue a certificate of non-issuance of a work permit work permit where the foreign worker is expected to work at least 3 working days before the date the foreign worker is expected to start working in Vietnam.

The notice includes the following basic contents: full name, date of birth, nationality, passport number, name of the foreign employer, working place and working duration.

5. In case a foreign worker who has been granted a certificate of ineligibility for a work permit wishes to work for such employer in many provinces or centrally-run cities, at least 3 days before the expected working date, the employer must notify the agency competent to issue the certificate of exemption from the issuance of the work permit where the foreign worker is expected to work.

The notice includes the following basic contents: full name, date of birth, nationality, passport number, number of certificate not subject to work permit, name of the foreign employer, date of start and end of work. The working term must not exceed the duration of the certificate of not being subject to the issuance of a work permit that has been issued.

**Article 10. Duration of the certificate of not being subject to work permit issuance**

The duration of the certificate of not being subject to the issuance of a work permit shall be within the duration of one of the cases specified in Article 21 of this Decree but must not exceed 02 years.

**Section 2.**

**ORDER AND PROCEDURES FOR RE-ISSUANCE OF CERTIFICATES**

**NOT SUBJECT TO WORK PERMIT ISSUANCE**

**Article 11. In case of re-issuance of a certificate of non-issuance of a work permit**

1. The certificate of not being subject to the issuance of a work permit whose validity is lost or damaged and cannot be used.

2. Changing one of the following contents: full name, nationality, passport number, working location, changing the employer's name without changing the employer's identification number.

**Article 12. Dossier of application for re-issuance of a certificate of non-issuance of a work permit**

1. The employer's written request for re-issuance of the certificate of exemption from the work permit shall be made according to Form No. 01 in the Appendix to this Decree.

2. Papers evidencing the change of contents as prescribed in Clause 2, Article 11 of this Decree.

3. The certificate of not being subject to the issuance of a valid work permit, except for the case of loss as prescribed in Clause 1, Article 11 of this Decree.

**Article 13. Procedures for re-issuance of certificates of exemption from work permits**

1. The employer shall submit a dossier of application for re-issuance of a certificate of non-issuance of a work permit directly or through public postal services or through hiring services of enterprises or individuals or through authorization to the Public Administrative Service Center in the locality where the foreign worker is working.

2. The local public administrative service center shall transfer the dossier in accordance with the law on the implementation of administrative procedures under the one-stop-shop, inter-agency one-stop-shop mechanism at the one-stop-shop and the National Public Service Portal to the agency competent to re-issue the certificate of not being subject to work permit.

3. Within 03 working days from the date of receipt of a complete dossier of application for re-issuance of the certificate of non-issuance of the work permit, the competent agency shall re-issue the certificate of non-issuance of the work permit.

In case of refusal to re-issue the certificate of not being subject to the issuance of a work permit, there must be a written reply clearly stating the reason.

**Article 14. The duration of the certificate of not being subject to re-issuance of a work permit**

The duration of the re-issued certificate of non-issuance of a work permit is equal to the duration of the certificate of non-issuance of the issued work permit minus the time the foreign worker has worked up to the time of submission of the application for re-issuance of the certificate of non-issuance of a work permit.

**Section 3.**

**ORDER AND PROCEDURES FOR EXTENSION OF CERTIFICATION**

**NOT SUBJECT TO WORK PERMIT ISSUANCE**

**Article 15. Dossier of application for extension of certificate of not subject to work permit issuance**

1. The employer's written request for extension of the certificate of exemption from the work permit shall be made according to Form No. 01 in the Appendix to this Decree.

2. Health examination certificates issued by eligible medical examination and treatment establishments, except for cases where health examination results have been connected and shared on the information system on management of medical examination and treatment activities or the national health database. For health examination certificates issued by competent foreign medical establishments, they shall be used in cases where Vietnam and the country or territory issuing the health examination certificate have treaties or mutual recognition agreements and the validity period of such health examination certificates shall not exceed 12 months from the date of issuance.

3. The certificate of not being subject to the issuance of a valid work permit has been issued.

4. Valid passports.

5. Papers proving that the foreign worker is not subject to the issuance of a work permit is one of the following papers:

a) One of the papers 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 director, expert, or technical worker as prescribed in Article 19 of this Decree enclosed with a document of the overseas employer appointing the foreign worker to work at a commercial presence in the territory of Vietnam for a definite period of time, for the case specified at Point b, Clause 13, Article 7. This Decree.

**Article 16. Procedures for renewal of certificates of non-issuance of work permits**

1. At least 10 days but not more than 45 days before the expiration of the certificate of non-issuance of work permits, the employer shall submit a dossier of application for extension of the certificate of non-issuance of work permits directly or through public postal services or through hiring services of enterprises, individuals or through authorization to the Public Administration Service Center in the locality where the foreign worker is working.

2. The local public administrative service center shall transfer the dossier in accordance with the law on the implementation of administrative procedures under the one-stop-shop, one-stop-shop mechanism at the one-stop-shop and the National Public Service Portal to the agency competent to extend the certificate of exemption from the work permit.

3. Within 05 working days from the date of receipt of a complete dossier of application for extension of the certificate of non-issuance of a work permit, the competent agency shall extend the certificate of non-issuance of a work permit for the foreign worker.

In case of refusal to renew the certificate of not being subject to the issuance of a work permit, a written reply must be given, clearly stating the reason.

**Article 17. The duration of the certificate of not being subject to an extended work permit**

The term of the certificate of non-issuance of a work permit may be extended according to the duration of one of the cases specified in Article 21 of this Decree but may only be extended once with a maximum term of 02 years.

**Chapter III**

**ORDER AND PROCEDURES FOR ISSUANCE AND RE-ISSUANCE**

**AND WORK PERMIT RENEWAL**

**Section 1.**

**ISSUANCE OF WORK PERMITS**

**Article 18. Dossier of application for a work permit**

1. The employer's written report explaining the demand for foreign workers and the application for a work permit made according to Form No. 03 in the Appendix to this Decree.

2. Health examination certificates issued by eligible medical examination and treatment establishments, except for cases where health examination results have been connected and shared on the information system on management of medical examination and treatment activities or the national health database. For health examination certificates issued by competent foreign medical establishments, they shall be used in cases where Vietnam and the country or territory issuing the health examination certificate have treaties or mutual recognition agreements and the validity period of such health examination certificates shall not exceed 12 months from the date of issuance.

3. Valid passports.

4. A judicial record card or a written certification that the foreign worker is not a person who is serving a penalty or has not yet had his criminal record expunged or is being examined for penal liability issued by a foreign country or Vietnam for not more than 6 months. from the date of issuance to the date of submission of the dossier, except for the case where the administrative procedures for issuance of judicial record cards and work permits have been carried out as prescribed in Clause 3, Article 6 of this Decree.

5. 02 color photos (size 4 cm x 6 cm, white background, straight face, bare head, no glasses).

6. A paper proving the working form of a foreign worker is one of the following papers:

a) A document of the overseas employer appointing the foreign worker to work at a commercial presence in the territory of Vietnam for a definite period and certifying that the overseas employer has been recruited by the overseas employer for at least 12 consecutive months immediately before entering Vietnam to work, for the case specified at Point b, Clause 1 Article 2 of this Decree;

b) The written request of the employer appointing the foreign worker, enclosed with the signed contract or agreement, for the cases specified at Points c and i, Clause 1, Article 2 of this Decree;

c) The service provision contract signed between the Vietnamese and foreign partners and a document proving that the foreign worker has worked for the foreign enterprise without a commercial presence in Vietnam for at least 24 months, for the case specified at Point d, Clause 1, Article 2 of this Decree;

d) In the case specified at Point dd, Clause 1, Article 2 of this Decree, there must be a document of the service provider sending foreign workers to Vietnam for negotiation on service provision;

dd) A document of the overseas employer appointing the foreign worker to work in Vietnam and suitable to the expected working position, for the case specified at Point h, Clause 1, Article 2 of this Decree;

e) In the case specified at Point l, Clause 1, Article 2 of this Decree, there must be papers proving that the manager is the manager as prescribed in Clause 1, Article 3 of this Decree.

7. Papers proving that the foreign worker is a manager, executive director, expert, or technical worker as prescribed in Article 19 of this Decree.

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

1. Papers proving that the foreign worker is a manager specified in Clause 1, Article 3 of this Decree are one of the following papers:

a) The company's charter and papers proving the manager's status or the written appointment or transfer for managerial positions as prescribed in Clause 24, Article 4 of the Law on Enterprises;

b) The license for establishment of the agency or organization or the written appointment or transfer of the head or deputy head of the agency or organization.

2. Papers proving that the foreign worker is the executive director specified in Clause 2, Article 3 of this Decree is one of the following papers:

a) Certificate of registration of branch operation, certificate of registration of representative office operation or certificate of registration of business location of the enterprise;

b) The company's charter or a document regulating the organizational structure of the agency or organization; a written certification of the overseas employer on the number of years of working experience in the field suitable to the job position that the foreign worker is expected to work in Vietnam.

In case the foreign worker has worked in Vietnam, he or she may use the work permit or the certificate of not being subject to the issued work permit to replace the paper proving the number of years of working experience in the field suitable to the job position that the foreign worker is expected to work in Vietnam.

3. Papers proving that the foreign worker is an expert specified in Clause 3, Article 3 of this Decree is one of the following papers:

a) Diplomas, certificates or certificates proving university graduation or higher or equivalent and written certification of the overseas employer of the number of years of working experience of such expert.

In case the foreign worker has worked in Vietnam, the work permit or certificate of not being subject to the issued work permit may be used to replace the paper proving the number of years of working experience in the field suitable to the job position that the foreign worker is expected to work in Vietnam;

b) Diplomas, certificates or certificates proving university graduation or higher or equivalent in the fields of finance, science, technology, innovation, national digital transformation, sectors prioritized for socio-economic development or according to the cooperation agreement of the Vietnamese Government and a written certification of the overseas employer for the number of years work experience of that expert.

In case the foreign worker has worked in Vietnam, he or she may use the work permit or the certificate of not being subject to the issued work permit to replace the papers proving the work experience in the field suitable to the job position that the foreign worker is expected to work in Vietnam;

c) Certificates of high achievements, qualifications and experience in the field of culture and sports, for artists, coaches and athletes under the guidance of the Minister of Culture, Sports and Tourism;

d) Aircraft pilot's license, professional certificate allowed to work on the aircraft for flight attendants, certificate of professional qualifications in the field of aircraft maintenance, certificate of professional ability for foreign seafarers issued by a competent agency of Vietnam. In case of issuance by a competent foreign agency, it must be recognized by a competent agency of Vietnam under the guidance of the Minister of Construction;

dd) Papers proving the qualifications and standard qualifications under the Law on Education, the Law on Higher Education and the Law on Vocational Education for experts working in the field of education and training. In case experts work in the Center for Foreign Languages and Informatics, they must comply with the regulations on organization and operation of the center;

e) Papers proving that the expert works in a number of other specific occupations and jobs under the guidance of the minister or the head of the ministerial-level agency managing the branch or specific job.

4. Papers proving that the foreign worker is a technical worker specified in Clause 4, Article 3 of this Decree is one of the following papers:

a) A diploma, certificate or certificate proving at least 01 year of training and a written certification of the overseas employer on the number of years of working experience of such technical worker.

In case the foreign worker has worked in Vietnam, he or she may use the work permit or the certificate of not being subject to the issued work permit to replace the papers proving the work experience in the field suitable to the job position that the foreign worker is expected to work in Vietnam;

b) The written certification of the overseas employer on the number of years of working experience of such technical worker.

In case a foreign worker has worked in Vietnam, he or she may use a work permit or a certificate of not being eligible for a work permit to replace papers proving work experience in a field suitable to the job position that the foreign worker is expected to work in Vietnam.

**Article 20. Dossier of application for a work permit for a number of cases that have been granted a work permit**

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

a) The employer's certification that the foreign worker is currently working;

b) Papers specified in Clauses 1, 3, 5 and 6, Article 18 of this Decree;

c) A copy of the issued work permit;

d) Papers proving that the foreign worker is a manager or executive director.

2. In case a foreign worker who has been granted a valid work permit wishes to change the job position or form of work stated in the work permit but does not change, the employer must carry out procedures for issuance of a new work permit. A dossier of application for a work permit comprises:

a) Papers specified in Clauses 1, 3 and 5, Article 18 of this Decree;

b) Papers proving the job position as prescribed in Article 19 of this Decree in case of change of job position;

c) Papers proving the working form as prescribed in Clause 6, Article 18 of this Decree, in case of change of working form;

d) A copy of the issued work permit.

3. For foreign workers whose work permits have been extended and wish to continue working for the employer at the same job position and working field, they must carry out the procedures for issuance of work permits. A dossier of application for a work permit comprises:

a) Papers specified in Clauses 1, 2, 3, 5 and 6, Article 18 of this Decree;

b) A copy of the issued work permit;

c) Papers proving that the foreign worker is a manager or executive director.

**Article 21. Duration of work permit, certificate of not subject to work permit issuance**

1. The term of a work permit or certificate of not subject to issuance of a work permit shall be granted according to the duration of one of the following cases but must not exceed 02 years:

a) The term of the labor contract expected to be signed;

b) The time limit in the document of the foreign party appointing the foreign worker to work in Vietnam;

c) Duration of contracts or agreements signed between Vietnamese and foreign partners or between Vietnamese partners;

d) The duration of the contract or service provision agreement signed between the Vietnamese and foreign partners;

dd) The time limit in the document of the service provider sending foreign workers to Vietnam for negotiation on the provision of services;

e) The duration specified in the business license, establishment or operation of the agency, organization or enterprise;

g) The time limit in the document of the service provider appointing foreign workers to Vietnam to establish the commercial presence of such service provider;

h) The time limit in the document proving that the foreign worker is allowed to participate in the operation of a foreign enterprise that has established a commercial presence in Vietnam;

i) The time limit in the document of the foreign party appointing the foreign worker under an agreement or international treaty to which the Socialist Republic of Vietnam is a contracting party;

k) The time limit in the document of the foreign party appointing the foreign worker according to the international agreement signed by the central or provincial agencies and organizations.

2. The duration of a certificate of non-issuance of a work permit, for the cases specified in Clauses 14 and 15, Article 7 of this Decree, is the time limit certified by ministries, ministerial-level agencies or provincial-level People's Committees, but must not exceed 02 years.

**Article 22. Procedures for issuance of work permits**

1. Within 60 days but not less than 10 days from the date on which the foreign worker is expected to work, the employer shall submit a dossier of application for a work permit directly or through the public postal service or through the enterprise's service hire. individuals or through authorization to go to the Public Administration Service Center in the locality where the foreign worker is expected to work.

2. Local public administrative service centers shall transfer dossiers in accordance with law on implementation of administrative procedures under the one-stop-shop, one-stop-shop mechanism at one-stop-shop and the National Public Service Portal to agencies competent to issue work permits.

3. Within 10 working days from the date of receipt of a complete dossier of application for a work permit, the competent authority shall consider and approve the demand and issue a work permit to the foreign worker according to Form No. 04 in the Appendix to this Decree.

In case of refusal to approve the need to use foreign workers or not to issue work permits to foreign workers, they must give a written reply clearly stating the reason within 03 working days from the date of receipt of a complete dossier.

4. For foreign workers specified at Points a and m , Clause 1, Article 2 of this Decree, after the foreign worker is granted a work permit, the employer and the foreign employee must sign a written labor contract in accordance with the provisions of the Vietnamese labor law before the expected working date. Upon request, the employer must send a copy of the signed labor contract to the competent authority that has issued the work permit.

5. In case a foreign worker who has been granted a work permit wishes to work for such employer in many provinces or centrally-run cities, at least 3 days before the expected working, the employer must notify the competent authority where the foreign worker is expected to work the following information: Full name, age, nationality, passport number, work permit number, name of the foreign employer, working start and end dates must not exceed the duration of the issued work permit.

**Section 2.**

**RE-ISSUANCE OF WORK PERMITS**

**Article 23. Cases of re-issuance of work permits**

1. The expired work permit is lost or damaged and cannot be used.

2. Changing one of the contents inscribed in the valid work permit: full name; nationality; passport number; changing the employer's name without changing the employer's identification number.

**Article 24. Dossier of application for re-issuance of work permit**

1. The employer's written request for re-issuance of the work permit is made according to Form No. 03 in the Appendix to this Decree.

2. 02 color photos (size 4 cm x 6 cm with white background, straight face, bare head, no glasses).

3. Papers evidencing the change of contents as prescribed in Clause 2, Article 23 of this Decree.

4. The work permit is still valid, except for the case of loss as prescribed in Clause 1, Article 23 of this Decree.

**Article 25. Procedures for re-issuance of work permits**

1. The employer shall submit a dossier of application for re-issuance of a work permit directly or through public postal services or through hiring services of enterprises or individuals or through authorization to the Public Administrative Service Center in the locality where the foreign worker is working.

2. The local public administrative service center shall transfer the dossier in accordance with the law on the implementation of administrative procedures under the one-stop-shop, inter-agency one-stop-shop mechanism at the one-stop-shop and the National Public Service Portal to the agency competent to re-grant the work permit.

3. Within 03 working days from the date of receipt of a complete dossier of application for re-issuance of the work permit, the competent agency shall re-grant the work permit to the foreign worker.

In case of refusal to re-issue work permits to foreign workers, they must give a written reply clearly stating the reason.

**Article 26. Duration of the re-issued work permit**

The duration of the re-issued work permit is equal to the duration of the issued work permit minus the time the foreign worker has worked up to the time of applying for re-issuance of the work permit.

**Section 3.**

**WORK PERMIT RENEWAL**

**Article 27. Dossier of application for extension of work permit**

1. The employer's written report explaining the demand for using foreign workers and requesting the extension of the work permit according to Form No. 03 in the Appendix to this Decree.

2. Health examination certificates issued by eligible medical examination and treatment establishments, except for cases where health examination results have been connected and shared on the information system on management of medical examination and treatment activities or the national health database. For health examination certificates issued by competent foreign medical establishments, they shall be used in cases where Vietnam and the country or territory issuing the health examination certificate have treaties or mutual recognition agreements and the validity period of such health examination certificates shall not exceed 12 months from the date of issuance.

3. 02 color photos (size 4 cm x 6 cm, white background, straight face, bare head, no glasses).

4. The valid work permit has been issued.

5. Valid passports.

6. Papers proving the working form of the foreign worker, except for the case where the foreign worker works as prescribed at Point a, Clause 1, Article 2 of this Decree, is one of the following papers:

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 appointing the foreign worker to work at a commercial presence in the territory of Vietnam for a definite period of time, for the case specified at Point b, Clause 1, Article 2 of this Decree;

c) Service provision contracts signed between Vietnamese and foreign partners, for the cases specified at Point d, Clause 1, Article 2 of this Decree.

**Article 28. Procedures for renewal of work permits**

1. At least 10 days before but not more than 45 days before the expiration of the work permit, the employer shall submit a dossier of application for extension of the work permit directly or through public postal services or through hiring services of enterprises or individuals or through authorization to the Public Administration Service Center in the locality where the employee is employed foreign countries are working.

2. The local public administrative service center shall transfer the dossier in accordance with the law on the implementation of administrative procedures under the one-stop-shop, one-stop-shop mechanism at the one-stop-shop and the National Public Service Portal to the agency competent to extend the work permit.

3. Within 10 working days from the date of receipt of a complete dossier of application for extension of the work permit, the competent authority shall consider and approve the demand and extend the work permit for the foreign worker.

In case of refusal to approve the need to use foreign workers or not to extend the work permit, a written reply must be given, clearly stating the reason.

4. For foreign workers specified at Points a and m, Clause 1, Article 2 of this Decree, after the foreign worker is granted an extension of his/her work permit, the employer and the foreign employee must sign a labor contract in writing in accordance with the provisions of Vietnam's labor law before the expected date of resumption work for employers.

Upon request, the employer must send a copy of the signed labor contract to the competent agency that has issued such work permit.

**Article 29. The duration of the work permit is extended**

The duration of a work permit may be extended according to the duration of one of the cases specified in Article 21 of this Decree but may only be extended once with a maximum term of 02 years.

**Chapter IV**

**REVOCATION OF WORK PERMIT OR CERTIFICATE**

**NOT SUBJECT TO WORK PERMIT ISSUANCE**

**Article 30. In case of revocation of work permits**

1. The work permit shall expire according to the provisions of Clauses 2, 3, 4, 5, 6 and 7, Article 156 of the Labor Code.

2. Employers or foreign workers fail to comply with regulations on issuance, re-issuance and extension of work permits.

3. Foreign workers in the course of working in Vietnam who fail to comply with the provisions of Vietnamese law and are 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 from the date the work permit expires, the employer shall revoke the work permit and submit it to the competent authority that has issued the work permit enclosed with a written report on the revocation. In case of non-revocation, the reason must be clearly stated.

2. For the cases specified in Clauses 2 and 3, Article 30 of this Decree, the competent agency that has issued the work permit shall issue a decision to revoke the work permit, send a notice to the employer requesting the return of the work permit and the Immigration Department (Ministry of Public Security) for information. coordination in management.

**Article 32. In case of revocation of the certificate of not being subject to the issuance of a work permit**

1. Working in contravention of the contents of the certificate of not being subject to the issued work permit.

2. There is a written notice from the overseas employer of the discontinuation of work in Vietnam.

3. Employers in Vietnam or abroad terminate their operations.

4. Employers or foreign workers fail to comply with regulations on issuance, re-issuance and extension of certificates of non-issuance of work permits specified in this Decree.

5. Foreign workers in the course of working in Vietnam who fail to comply with the provisions of Vietnamese law and are prosecuted or examined for penal liability.

**Article 33. Procedures for revocation of certificates of not being subject to work permits**

1. For the cases specified in Clauses 1, 2 and 3, Article 32 of this Decree, within 15 days from the date on which the certificate is not subject to the expiration of the work permit, the employer shall revoke the certificate and return it to the competent agency that issued the certificate enclosed with a written report on the case of revocation. In case of non-revocation, the reason must be clearly stated.

2. For the cases specified in Clauses 4 and 5, Article 32 of this Decree, the competent agency that has issued the certificate not subject to the issuance of the work permit shall issue a decision to revoke the certificate, send a notice to the employer to return the certificate and the Immigration Department (Ministry of Public Security) for information. coordination in management.

**Chapter V**

**IMPLEMENTATION TERMS**

**Article 34. Transitional Regulations**

1. The certificate of exemption from the issuance of a work permit and the work permit that has been granted, re-issued or extended under the provisions of Decree No. 152/2020/ND-CP amended and supplemented in Decree No. 70/2023/ND-CP shall continue to be used until the expiration of the term and be granted. re-grant or extension as prescribed in this Decree.

2. In case the employer has submitted a dossier of application for issuance, re-issuance, extension or revocation of a work permit and a certificate of not being subject to the issuance of a work permit before the effective date of this Decree shall continue to be considered and handled according to the provisions of Decree No. 152/2020/ND-CP amended, supplemented in Decree No. 70/2023/ND-CP.

3. In case the certificate of non-issuance of a work permit and the work permit that has been granted, re-issued or extended in the form of working is "Manager, executive director, expert, technical worker" or "Working for a foreign non-governmental organization, international organizations in Vietnam are permitted to operate in accordance with the provisions of Vietnamese law" specified in Decree No. 152/2020/ND-CP amended and supplemented in Decree No. 70/2023/ND-CP shall continue to be used until the expiration of the term and be re-granted or extended in the working form specified at Point h, Clause 1, Article 2 of this Decree.

4. The work permit and the certificate of not subject to the issuance of the work permit have been granted under the provisions of Decree No. 152/2020/ND-CP amended and supplemented in Decree No. 70/2023/ND-CP in the case of revocation under the provisions of Articles 30 and 32 of this Decree issued by the agency competent to issue the work permit or the certificate is not subject to subject to issuance of work permits where the employer has its head office revoked.

5. Certificates of exemption from work permits and work permits that have been granted, re-issued or extended under the provisions of Decree No. 128/2025/ND-CP shall continue to be used until the expiration of the term and are granted, re-issued or extended in accordance with the provisions of this Decree. In case the employer has submitted a dossier of application for issuance, re-issuance, extension or revocation of a work permit and a certificate of not being subject to the issuance of a work permit as prescribed in Decree No. 128/2025/ND-CP before the effective date of this Decree shall continue to be considered. settle in accordance with the provisions of Decree No. 128/2025/ND-CP.

**Article 35. Enforcement effect**

1. This Decree takes effect from May 2025.

2. Contents on foreign workers working in Vietnam specified in the Government's Decree No. 152/2020/ND-CP dated December 30, 2020 on foreign workers working in Vietnam and recruitment and management of Vietnamese workers working for organizations and foreign individuals in Vietnam amended and supplemented in the Government's Decree No. 70/2023/ND-CP dated September 18, 2023, which ceases to be effective from the effective date of this Decree.

3. Article 8 and Section 2 of Appendix II promulgated together with the Government's Decree No. 128/2025/ND-CP dated June 11, 2025 on decentralization and decentralization in the state management of the field of internal affairs shall cease to be effective from the effective date of this Decree.

**Article 36. Enforcement responsibilities**

1. Responsibilities of the Ministry of Home Affairs

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

b) Perform the unified state management of recruitment and management of foreign workers working in Vietnam from the central to local levels;

c) Assume the prime responsibility for, and coordinate with ministries and ministerial-level agencies in, supervising, evaluating and inspecting annually or irregularly relevant agencies, organizations, enterprises and individuals on the implementation of the provisions of law on foreign workers working in Vietnam;

d) Summarize difficulties and obstacles in the implementation process and report proposals and recommendations to competent authorities.

2. Responsibilities of the Ministry of National Defense

a) Coordinate with agencies competent to manage foreign workers in implementing the provisions of law on ensuring security, social order and safety in border areas, border gates, islands, strategic, key areas and areas of national defense importance;

b) Direct the Border Guard to coordinate with functional forces in handling and inspecting foreign workers coming to work in border areas, border gates, islands and sea areas in order to firmly protect the territorial sovereignty and national border security of the Fatherland.

3. Responsibilities of the Ministry of Public Security

a) Coordinate with agencies competent to manage foreign workers working for employers in implementing the provisions of law on ensuring social security, order and safety;

b) Guide the issuance of a judicial record card from the agency competent to receive the dossier of application for a work permit to the Ministry of Public Security or the provincial-level police office of the locality where the employee registers his or her permanent or temporary residence.

4. Responsibilities of the Ministry of Industry and Trade

To guide the identification of foreign workers moving within the enterprise within the scope of eleven service sectors in the Schedule of specific commitments on Vietnam's services with the World Trade Organization.

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

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

6. Responsibilities of the Ministry of Education and Training

Guidance on diplomas and certificates that meet the standard qualifications and qualifications for teaching in the field of education and training.

7. Responsibilities of ministries and ministerial-level agencies

To guide a number of occupations and jobs under the management of ministries and ministerial-level agencies to work in the fields of finance, science, technology, innovation, national digital transformation, and fields prioritized for socio-economic development.

8. Responsibilities of provincial-level People's Committees

a) Manage and guide local employers to comply with the provisions of law on foreign workers working in Vietnam. Identify priority areas for socio-economic development in localities;

b) Propagating and disseminating laws; examine, inspect and handle violations in accordance with the law on recruitment and management of foreign workers in the locality;

c) Periodically before December 15 of each year or irregularly report to the Ministry of Home Affairs on the situation of foreign workers working in the locality.

9. Ministers, heads of ministerial-level agencies, presidents of provincial-level People's Committees and relevant agencies, organizations and individuals shall be responsible for the implementation of this Decree.

|  |  |
| --- | --- |
| ***Recipients:- The Party*** Central Secretariat;- The Prime Minister, Deputy Prime Ministers;- Ministries, ministerial-level agencies, agencies attached to the Government;- People's Councils, People's Committees of provinces and centrally-run cities;- The Central Office and Committees of the Party;- The Office of the General Secretary;- The Office of the President;- The Nationality Council and Committees of the National Assembly;  - Office of the National Assembly; - The Supreme People's Court;- The Supreme People's Procuracy;- The State Audit;- The Central Committee of the Vietnam Fatherland Front;- The central agencies of socio-political organizations;- The Joint Stock Office: the Organizing Committee, the PCN, the Assistant to the General Director, the General Director of the e-commerce portal,  Departments, Departments, affiliated units, Official Gazette;- Save: VT, KGVX (2b). | **TM. GOVERNMENT OF KT. PRIME MINISTER**  **DEPUTY PRIME MINISTER**  **[daky]**  **Nguyen Hoa Binh** |