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People Advisory
Services Tax Alert

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Decree 219/2025/NĐ-CP providing guidance on foreign workers working in Vietnam

Decree 219/2025/NĐ-CP was issued by the Government on 7 August 2025 (Decree 219), provide guidance on the conditions, sequence, and procedures for the issuance, reissuance, extension, and revocation of work permits, and work permit exemption certificate for the following subjects:

- Foreign workers working in Vietnam under Article 157 of the Labor Code.
- Foreign workers in Vietnam who are not required to obtain a work permit according to Clauses 1, 2, and 9 of Article 154 of the Labor Code.

Some notable changes in Decree 219 are listed as follows:

1. Subjects and cases of application

- Expanding and amending some regulations regarding job position requirements for the subjects of experts, technical workers, and executives, specifically as follows:
 - Reducing the experience requirement for experts to only two years for those with a university degree or higher; adding the subject of experts working in the fields of finance, science, technology, etc. who only need a university degree or higher and have one year of relevant experience for the job position the foreign worker is expected to occupy.
 - Reducing the relevant experience requirement for the job position that the foreign worker is expected to occupy to two years for technical workers who have been trained for a minimum of one year or three years for other technical workers.
 - Classifying executives separately from managers, specifically, executives must have at least three years of experience in a field relevant to the job position that the foreign worker is expected to occupy in Vietnam.
- Specifies 15 cases in which foreign workers do not need a work permit, including: foreign workers entering Vietnam to work for a total time of less than 90 days (with unlimited entries to Vietnam) in a calendar year; foreign workers confirmed by ministries, ministerial-level agencies, or provincial people's committees to work in Vietnam in the fields of finance, science, technology, innovation, national digital transformation, and prioritized socio-economic development fields, etc.

2. Application dossier

- Documents in the application for issuance, reissuance, or extension of the work permit and work permit exemption certificate for foreign workers must be consularly legalized, translated into Vietnamese, and notarized according to legal regulations, unless exempt from consular legalization as provided by law.
- For the procedure of issuing a certificate of work permit exemption, update the application document for issuing the confirmation letter as prescribed in the form attached to this Decree.
- For the procedure of applying for a work permit, the document from the employer explaining the need to use foreign workers must be integrated into the application dossier for the work permit according to the form attached to this Decree.

3. Sequence of issuance/renewal

- Decree 219 guides the regulations on online electronic transactions through the National Public Service Portal regarding applications for the issuance, reissuance, and renewal of work permits and certificates confirming that foreign workers are not subject to work permit issuance.
- According to the reform orientation of administrative procedures under the one-door and interlinked one-door mechanism, Decree 219 has simplified the process by (i) integrating the assessment of the need for employing foreign labor into the labor license issuance process and (ii) the application for a labor license will be submitted along with the application for a criminal record certificate via the National Public Service Portal. If the application is approved, the competent authority will issue both the labor license and the criminal record certificate electronically to the employer.
- Foreign employers are responsible for notifying the competent authority that issues confirmation of not being subject to the issuance of a work permit for foreign workers at least three working days before the date when the foreign worker is expected to start working in Vietnam.
- This decree also stipulates the time threshold within which employers can submit applications for work permits for foreign workers. Within 60 days but no less than 10 days before the date when the foreign worker is expected to work, the employer can submit the application for a work permit to the Public Administration Service Center at the local area where the foreign worker is expected to work through direct submission; via public postal services; etc.
- Decree 219 also clearly states that in the case of foreign workers who have been granted a work permit and wish to work for employers in multiple provinces and centrally governed cities, they do not need to apply for additional work permits in the relevant localities. However, employers must notify the competent authorities where the foreign workers are expected to work at least three days before the intended work date with information related such as: full name, age, nationality, passport number, etc.

4. Competent authorities

- The provincial people's committee is authorized to issue, reissue, extend, revoke work permits and work permit exemption certificate requirements for foreign workers employed by employers who have a head office, branch, representative office, or business location in the locality where the foreign worker is expected to work.
- In addition, the provincial people's committee also decides on the delegation of authority to relevant agencies to carry out the issuance, reissuance, extension, revocation of work

permits and work permit exemption certificate requirements according to the regulations of the law.

5. Duration of the work permit/confirmation letter

- The maximum duration of the work permit and work permit exemption certificate is two years, and it is determined based on the duration of documents such as: the employment contract to be signed; the document from the foreign party sending foreign workers to work in Vietnam; business license, establishment, and operation of organizations, agencies, enterprises; etc.
- The work permit can only be renewed a maximum of one time for a period not exceeding two years.

6. Regulations on the withdrawal of work permits and certificates of work permit exemption

The cases in which a work permit or work permit exemption certificate is revoked are clearly stipulated in this Decree and include the following cases: the work permit has expired; the employer or foreign employee does not comply with the regulations on issuance, reissuance, and extension of work permits; the foreign employee is prosecuted and held criminally responsible; there is a written notice from the employer abroad about the non-continuation of work in Vietnam; the employer in Vietnam or abroad terminates operations; etc.

Decree 219 comes into effect on the day of its issuance and simultaneously annuls the effectiveness of two previous decrees issued by the government regarding foreign employees working in Vietnam, which are Decree 152/2020/ND-CP¹ and Decree 70/2023/ND-CP².

It is recommended to refer to the transitional provisions stipulated in this Decree to proactively grasp information and timely adjust appropriately in managing foreign workers.

¹ Decree 152/2020/ND-CP dated 30 December, 2020, of the Government regulates foreign workers working in Vietnam and the recruitment and management of Vietnamese workers working for foreign organizations and individuals in Vietnam.

² Decree 70/2023/ND-CP dated 18 September, 2023, of the Government amends and supplements some articles of Decree 152/2020/ND-CP dated 30 December, 2020, of the Government regulating foreign workers working in Vietnam and the recruitment and management of Vietnamese workers working for foreign organizations and individuals in Vietnam.



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