

Immigration Guide

Vietnam



Entry Visa

All foreigners must obtain a relevant visa before entry to Vietnam. The exceptions to this are nationals who fall within a visa exemption agreement between Vietnam and their home country or if they possess a visa exemption certificate issued by the Vietnamese Government. Nationals benefiting from this visa waiver must ensure their stay does not exceed the duration granted.

Business Visitor

Foreigners entering Vietnam for the purpose of attending meetings, discussions, exploring business opportunities, attending conferences, or fact finding missions will require a Business Visa.

Visa exempt nationals participating in the same business activities are not required to obtain a Business Visa, provided their duration of stay does not exceed the visa-waiver period granted.

A Business Visa can be applied for via the Vietnamese Consulate in the applicant's country of residence or through their employer, inviting agency or inviting person (the Host) in Vietnam. In most cases a 15-day single entry visa will be issued.

Visas valid for a longer duration (e.g. single or multiple entry visas valid for 1, 3, 6, or 12 months) may be applied for through the Host. In such cases, the Host must submit a visa pre-approval application to the provincial Immigration Department in Vietnam.

The initial duration of stay granted for foreigners who enter Vietnam with an entry visa is typically three months.

Visa Renewal

After the initial visa period, the foreigner must renew the visa in order to validly remain in the country. Evidence of work permit is generally required as part of the visa renewal application.

Work Permit

A foreigner working in Vietnam is required to obtain a Work Permit. A Work Permit is quite separate from the entry visa requirements.

Subject to certain criteria, a foreigner working for a period of less than three months may be exempt from obtaining a Work Permit, but still subject to specific reporting procedures of the relevant provincial Department of Labour.

Family Members

A foreigner's spouse and children under the age of 18 require a valid passport and entry visa to enable them to reside in Vietnam. This will also enable children to attend school. Vietnamese immigration regulations do not recognise unmarried or same sex partners.

If a Temporary Residence Card is obtained by a family member (see below), this will also be sufficient for residence and school attendance.

A family member intending to work in Vietnam will require a work permit in his or her own right.

Application Process

A Work Permit application must be submitted to the provincial Department of Labour.

An employer and employee are only permitted to enter into a written employment contract after the Work Permit has been issued. The job description in the employment contract must be consistent with the job description in the issued Work Permit. A copy of employment contract and work permit must be submitted to the local Department of Labour within five business days from the date of employment contract, for their records.

Supporting Documents

Supporting documents include a medical certificate, university degree (or alternatively confirmation of five years overseas working experience), confirmation of no prior criminal record, and the employer's certificate of incorporation.

All documents are required to be translated into Vietnamese, notarised and certified prior to submission to the relevant authorities. The consular legislation of foreign documents shall be carried out in accordance with the provisions of Vietnam law.

Timeline

The processing time for a Work Permit is approximately 10 working days from the date of submission of all required documents.

Temporary Residence Card

Foreign nationals working in Vietnam with a valid Work Permit and their accompanying family members are eligible to apply for a Temporary Residence card with a validity period of up to three years.

The Temporary Residence card may be used instead of a passport when travelling within Vietnam and it also acts as an entry visa for holders travelling in and out of Vietnam. No visa is required for the holder of a Temporary Resident Card.

The application process requires submission of a prescribed application form to the provincial Immigration Department. Supporting documents include evidence of Work

Permit, an employer's certificate of incorporation and the foreign national's house lease contract.

Subject to approval, a Temporary Residence card may be issued within approximately five working days from the date the complete application is submitted.

Alternative Immigration Options

Currently there are no investor or entrepreneur schemes available in Vietnam other than the Work Permit route. However in certain circumstances, a foreign investor who establishes a company in Vietnam may be exempt from a Work Permit application.

Non-Compliance

A foreign national found to be working without a Work Permit may encounter difficulties in renewing visa in Vietnam, and may be subject to a deportation order issued by the Provincial Immigration Department.

Contact

This Guide is intended to provide a general overview of the immigration requirements and options for foreigners seeking to reside and work in Vietnam. For advice relating to a specific immigration matter please contact:

Name	Email	Telephone
Tina Pham	tina.pham@vn.pwc.com	+84 (8) 3823 0796 Ext. 1507

Last updated: February 2012