GUIDE 02 / 06 · EMPLOYMENT

For employers of foreign nationals

Work permits for foreign employees in Viet Nam

Requirements for each job category, exemptions, documents, extension and penalties, under Decree No. 219/2025/ND-CP and Decree No. 283/2026/ND-CP.

BEFORE YOU START

Five questions businesses often ask

Each answer below is a short version. The analysis, legal basis and document lists are in the chapter shown on the right.

01

How much must an investor contribute to be exempt from a work permit?

CHAPTER III

VND 3 billion or more, for owners or capital-contributing members of limited liability companies, or the Chairperson or members of the Board of Directors. The company need only notify at least 3 working days in advance.

02

What conditions must foreign experts hired by a company meet?

CHAPTER II

A bachelor's degree or higher and at least 2 years of relevant experience. In finance, science, technology or digital transformation, a degree in the exact field requires only 1 year.

03

When must the company file the work permit application?

CHAPTER IV

Within 60 days but no later than 10 days before the expected start date. The competent authority decides within 10 working days of receiving a complete dossier.

04

How many times can a company extend a work permit?

CHAPTER V

Only once, for up to 2 years. The application must be filed at least 10 days but no more than 45 days before the permit expires.

05

What are the fines for employing foreign workers without work permits?

CHAPTER VII

Individuals are fined VND 30–45 million for 1–10 workers, rising to VND 60–75 million for 21 or more workers. Organisations are fined twice these amounts.

DIAGRAM 02

LIFECYCLE

One work permit

1. **Prepare the file**
   2–4 weeks
   Criminal record, health check, degrees, proof of experience

2. **File the application**
   60 to 10 days before the start date
   National Public Service Portal or provincial public service centre

3. **Receive the work permit**
   10 working days
   Demand approval and permit issued in one procedure

4. **Visa, temporary residence card**
   Matching the permit term
   LĐ visa, up to 02 years

5. **Work**
   Up to 24 months
   Same position and employer as stated in the permit

6. **One extension**
   File 45 to 10 days before expiry
   Up to 24 more months; then a new permit

HOW TO READ

The diagram runs from preparing the file to extending the permit. Each node is one step; the blue line is the time limit to remember. Chapters IV and V explain each step.

SUMMARY

From 7 August 2025, Decree No. 219/2025/ND-CP replaces the rules on foreign workers in Decree No. 152/2020/ND-CP and Decree No. 70/2023/ND-CP. The explanation of demand for foreign workers is no longer a separate step. The employer files one application, and the competent authority approves the demand and issues the work permit within a single time limit.

10
working days to approve the demand and issue the work permit
60–10
days before the expected start date is the filing window
02
years is the maximum term; one extension only, of up to 02 years
75
million dong is the maximum fine for an individual employing workers without a permit (double for organisations)

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I

CHAPTER I

Who needs a work permit

Who needs a work permit and the general conditions.

A foreign employee working in Viet Nam must hold a work permit issued by the competent Vietnamese authority, unless the case is exempt from a work permit (Section III). Decree No. 219/2025/ND-CP lists the forms of work that require a permit. The most common are:

- working under an employment contract with an enterprise in Viet Nam;
- intra-corporate transfer from a parent company or affiliate abroad;
- performing economic, commercial, scientific and technical, educational or healthcare contracts or agreements; contractual service suppliers; service sellers;
- being seconded by a foreign organisation; participating in a bidding package or project in Viet Nam;
- owners, capital-contributing members, Chairpersons or members of the Board of Directors whose capital contribution is below VND 3 billion.

General conditions under Article 151 of the Labour Code: the foreign employee must be at least 18 years old, have full legal capacity, have professional qualifications, experience and adequate health, and must not be serving a sentence or have an unexpunged criminal record. An employer may recruit foreign employees only as managers, executive directors, experts or technical workers, and must explain its demand and obtain written approval.

II

CHAPTER II

Conditions by position

Requirements for the four job categories and the supporting documents.

POSITION	CONDITIONS (ARTICLE 3 OF DECREE NO. 219/2025/ND-CP)	SUPPORTING DOCUMENTS
Manager	An enterprise manager under the Law on Enterprises (member of the Members' Council or Board of Directors, Director, General Director, etc.) or the head or deputy head of an agency or organisation	Company charter, appointment decision or other document proving the title
Executive director	The head of a branch, representative office or business location; or a person who heads and directly runs at least one area of the enterprise and has at least 3 years of experience	Branch or representative office registration certificate; document on the organisational structure and confirmation of experience
Expert	Holds a bachelor's degree or higher, or equivalent, and at least 2 years of relevant experience; or a bachelor's degree in the relevant field and at least 1 year of experience if working in finance, science, technology, innovation, digital transformation or a priority sector	Degree; confirmation of experience from the previous employer
Technical worker	Trained for at least 1 year and has at least 2 years of experience; or has at least 3 years of relevant experience	Training certificate and confirmation of experience

Lawyer's note. The most common reason for a returned file is an incomplete confirmation of experience. It must state the position and the period of work from date to date, and be signed and sealed by the former employer. Degrees and confirmations of experience issued abroad must be consularly legalised (or, from 11 September 2026, carry an Apostille if issued by a member state), translated into Vietnamese and certified.

III

CHAPTER III

Cases exempt from a work permit

Exemptions, and how to notify or obtain confirmation.

Article 154 of the Labour Code and Article 7 of Decree No. 219/2025/ND-CP set out the cases exempt from a work permit. Depending on the case, the employer must obtain a certificate of exemption or only file a notification.

COMMON CASE	PROCEDURE
Owner or capital-contributing member of a limited liability company; Chairperson or member of the Board of Directors of a joint stock company, with a capital contribution of VND 3 billion or more	Notify the competent authority at least 03 working days before the start date
Manager, executive director, expert or technical worker entering Viet Nam to work for a total of less than 90 days in 01 year (calendar year)	Notification, at least 03 working days in advance
Person responsible for establishing a commercial presence	Notification, at least 03 working days in advance
Intra-corporate transferee in the 11 service sectors under Viet Nam's WTO commitments, employed abroad for at least 12 consecutive months	Apply for a certificate of exemption from a work permit
Person certified by a ministry, ministerial-level agency or provincial People's Committee as working in finance, science, technology, innovation, digital transformation or a priority sector	Apply for a certificate of exemption
Teachers and managers seconded under a treaty or agreement; persons certified by the Ministry of Education and Training for teaching or research	Apply for a certificate of exemption

> *"Being the owner or a capital-contributing member of a limited liability company with a capital contribution of VND 3 billion or more."*

Clause 2, Article 7 (Foreign employees exempt from a work permit), Decree No. 219/2025/ND-CP

A certificate of exemption is processed within 05 working days, is valid for up to 02 years and may be extended once. The application is filed within 60 days but no later than 10 days before the expected start date.

IV

CHAPTER IV

Application file and procedure for a work permit

Documents, where to file and the processing time.

1. Competent authority

Decree No. 219/2025/ND-CP gives the provincial People's Committee where the employee is expected to work the power to issue, re-issue, extend and revoke work permits. In practice, provinces delegate or authorise this to the Department of Home Affairs. Some localities further authorise industrial zone management boards or commune-level People's Committees to handle re-issuance and extension (for example, Ha Noi from 20 June 2026). Employers should check the authorisation decision of the province where they file.

> *"The provincial People's Committee has the authority to issue, re-issue, extend and revoke work permits and certificates of exemption from a work permit for foreign employees working for employers whose head office, branch, representative office or business location is in the locality where the foreign employee is expected to work."*
>
> Clause 1, Article 4, Decree No. 219/2025/ND-CP

2. Application file (Article 18 of Decree No. 219/2025/ND-CP)

a) A report explaining the demand for foreign workers and requesting a work permit, using Form No. 03.

b) A health certificate or medical examination certificate.

c) A copy of a valid passport.

d) A criminal record certificate or a document confirming no criminal record, issued no more than 06 months before the filing date.

đ) 02 colour photos, 4 cm x 6 cm, white background.

e) Documents proving the form of work: draft employment contract, secondment letter, economic contract, etc.

g) Documents proving the job position under Section II.

3. Procedure

STEP	ACTION	TIME LIMIT
1	Prepare the file; legalise or apostille, translate and certify foreign documents	2–4 weeks in practice
2	File online on the National Public Service Portal, or at the Public Administrative Service Centre where the employee is expected to work	Within 60 days, but no later than 10 days before the expected start date
3	The competent authority approves the demand and issues the work permit using Form No. 04; a refusal must be in writing with reasons	10 working days from receipt of a complete file
4	Sign a written employment contract before the expected start date (for the employment contract form of work)	Before the start date
5	Apply for an LĐ visa or a temporary residence card (Section VI)	Under immigration procedures

> *"Within 10 working days from receipt of a complete application for a work permit, the competent authority shall consider approving the demand and issue a work permit to the foreign employee using Form No. 04 in the Appendix issued with this Decree."*
>
> Clause 3, Article 22 (Procedure for issuing a work permit), Decree No. 219/2025/ND-CP

The work permit fee is set by the provincial People's Council and therefore varies between localities.

V

CHAPTER V

Extension, re-issuance and revocation

When to extend, when to re-issue and when to apply for a new permit.

PROCEDURE	WHEN IT APPLIES	FILING TIME AND PROCESSING TIME

Extension	The permit has at least 10 days of validity left; the employee continues in the same position for the same employer. One extension only, of up to 02 years	File at least 10 days but no more than 45 days before expiry; processed within 10 working days
Re-issuance	The permit is still valid but lost or damaged; change of full name, nationality, passport number or enterprise name	Processed within 03 working days; term equals the remaining term of the old permit
New issuance	Already extended once and continuing to work; change of position, form of work or employer	As for a first issuance, with the simplified file under Article 20
Revocation	The permit ceases to be valid (expiry, termination of the contract, work outside the permit's scope, etc.) or the permit rules are breached	The employer retrieves the permit and returns it to the issuing authority within 15 days from the date it ceases to be valid

> *"The term of an extended work permit follows the term of one of the cases specified in Article 21 of this Decree, but a work permit may be extended only once, for a maximum term of 02 years."*
>
> Article 29, Decree No. 219/2025/ND-CP

VI

CHAPTER VI

Visas and temporary residence cards

How the work permit relates to the visa and the temporary residence card.

The work permit is the basis for a visa and temporary residence card for work purposes. Under the Law on Entry, Exit, Transit and Residence of Foreigners in Viet Nam, the LĐ1 visa is for persons certified as exempt from a work permit, and the LĐ2 visa is for persons who must hold a work permit. An LĐ temporary residence card is valid for up to 02 years and is usually issued for the term of the work permit. The employer acts as sponsor and files with the immigration authority.

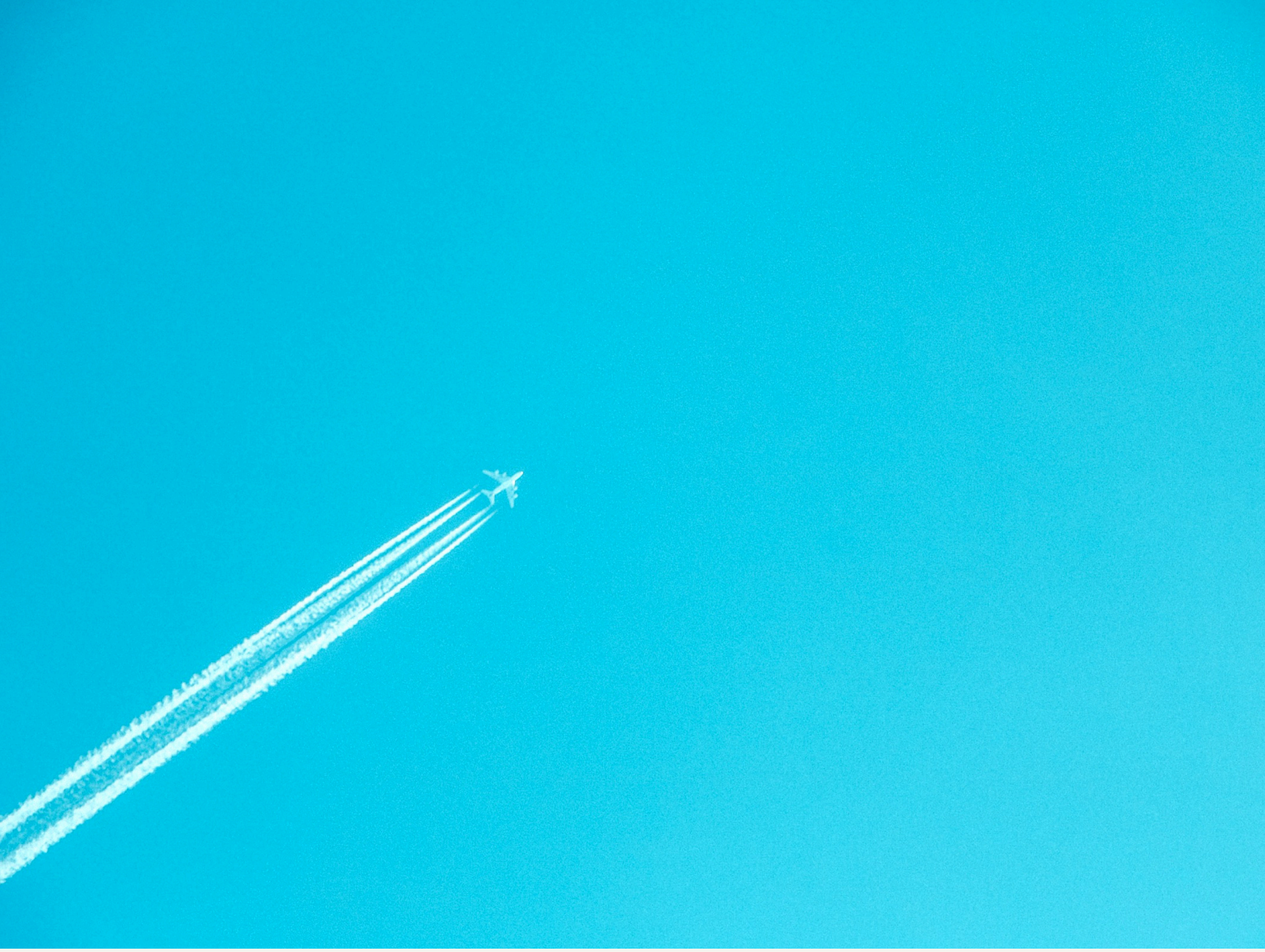


PHOTO: MARCO TJOKRO / UNSPLASH

GUIDE 02

Key dates to remember

The application is filed between 60 and 10 days before the employee starts work, and the authority decides within 10 working days. A permit lasts up to 2 years and can be extended only once.

Lawyer's note. When a work permit is revoked, the issuing authority notifies the immigration authority. Employers should keep a calendar of the expiry dates of each employee's passport, work permit and temporary residence card. A passport close to expiry will require the permit to be re-issued.

VII

CHAPTER VII

Penalties

Penalties applicable from 10 September 2026.

From 10 September 2026, fines are imposed under Decree No. 283/2026/ND-CP. The amounts below apply to individuals; organisations in breach are fined at 02 times these amounts.

VIOLATION	FINE (INDIVIDUAL)
Employer fails to notify, or notifies late or incompletely	VND 1–3 million
Employer lets a foreign employee work outside the scope of the permit; fails to retrieve and return the permit on time	VND 5–10 million per person, up to VND 75 million
Foreign employee works without a work permit or certificate of exemption, or uses an expired one	VND 15–25 million; may be deported
Employer employs foreign employees without a work permit or certificate of exemption	01–10 persons: VND 30–45 million; 11–20 persons: VND 45–60 million; 21 persons or more: VND 60–75 million

> *"Deportation of a foreign employee working in Viet Nam who commits a violation specified in Clauses 3 and 4 of this Article"*

Point b, Clause 6, Article 13 (Violations of regulations on foreign employees working in Viet Nam), Decree No. 283/2026/ND-CP

VIII

CHAPTER VIII

Frequently asked questions

Four questions employers often ask, with our lawyers' answers.

1. Does a foreign director who contributed VND 2 billion need a work permit?

Yes. The exemption threshold is a capital contribution of VND 3 billion or more. A contributor of less than VND 3 billion who holds a management title must obtain a work permit as a manager.

2. Does an expert coming for a 2-month project need a permit?

If the total time working in Viet Nam is less than 90 days in the calendar year, the person is exempt from a work permit. The employer only needs to notify at least 03 working days before the start date. Time is cumulative over the year, so business trips should be tracked.

3. Can the employee start work while the permit is pending?

No. Working without a work permit is a violation by both the employee and the employer. Employers should file early, up to 60 days before the expected start date.

4. Can the old permit be used after moving to another company?

No. A work permit is tied to the employer. On a change of employer, the new company must apply for a new permit. The file is simplified if the position and field are the same.

PL

APPENDIX

List of legal bases

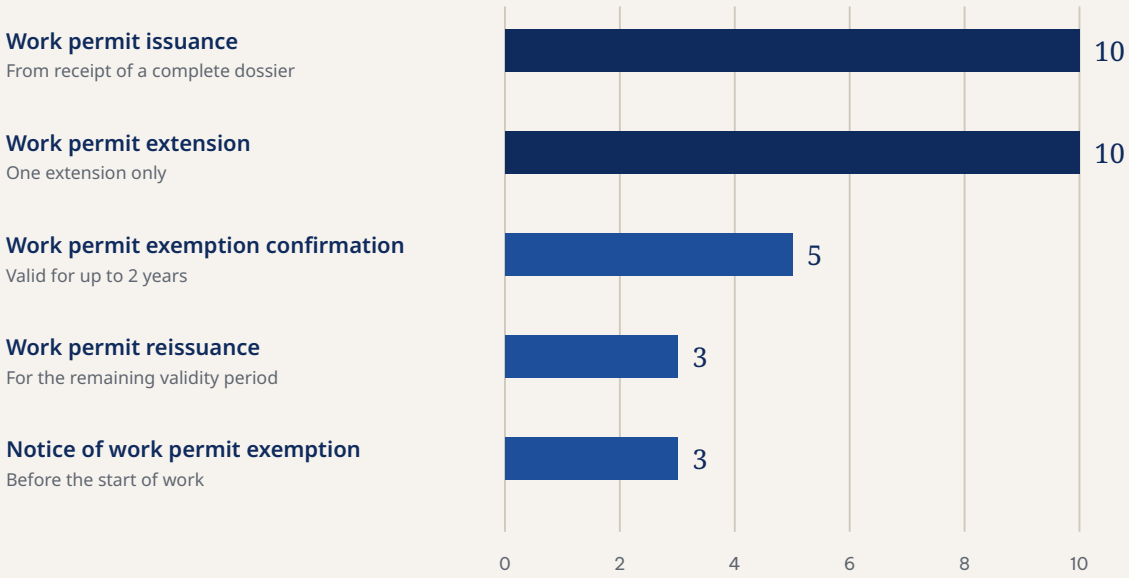
The legislation referred to in this guide.

NO.	INSTRUMENT	NUMBER	EFFECTIVE DATE
1	Labour Code (Articles 151–157)	45/2019/QH14, dated 20 November 2019	1 January 2021
2	Decree on foreign employees working in Viet Nam	219/2025/ND-CP, dated 7 August 2025	7 August 2025
3	Decree on administrative penalties in the fields of labour, social insurance and Vietnamese workers working abroad under contracts	283/2026/ND-CP, dated 15 July 2026	10 September 2026
4	Law on Entry, Exit, Transit and Residence of Foreigners in Viet Nam, as amended in 2019 and 2023	47/2014/QH13; 51/2019/QH14; 23/2023/QH15	1 January 2015; 1 July 2020; 15 August 2023
5	Decree guiding the implementation of the Apostille Convention	293/2026/ND-CP, dated 23 July 2026	11 September 2026

PROCESSING TIME LIMITS

Key time limits in working days

Each bar shows the working days for the competent authority to decide, or for the company to give advance notice. Unit: working days.



Legal basis: Article 7, Article 22(3) and Article 29 of Decree No. 219/2025/ND-CP; Article 154 of Labour Code No. 45/2019/QH14.

7SLAW EXPERIENCE

From real matters

These matters have been published anonymously in the case bulletin at luat7s.com, in line with our duty of client confidentiality.

REPRESENTATIVE OFFICE · WORK PERMIT · TEMPORARY RESIDENCE CARD

Three linked procedures for the foreign staff of a representative office

CLIENT	A foreign trader with no legal entity in Viet Nam, needing a presence for market research.
SCOPE	Set up a representative office and bring a foreign manager to work in Viet Nam long term.
APPROACH	Representative office licence, then work permit, then temporary residence card. Getting the order wrong means starting again.

LESSONS FROM THE FILE

- Start with consular legalisation: it depends on authorities abroad.
- Exempt cases still need a written confirmation of exemption.
- Health certificates and criminal records expire; time them to match the filing date.
- A temporary residence card cannot outlast the remaining term of the work permit.

ABOUT THIS GUIDE

Guide 02 is part of 7SLAW Legal Guides, a series that helps businesses quickly understand the procedures, documents and time limits that apply in Viet Nam. For advice on a specific matter, please contact 7SLAW.

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TALK TO A LAWYER

Need to apply this to your business?

This guide gives general legal information. Send us the details of your project; the lawyer in charge will review it and propose the route, timeline and fees in writing.

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HOW 7SLAW HELPS

01

Check the conditions

Review business lines, location and documents, and choose the right route before you incur costs.

02

Prepare the file

Draft the full application, and guide legalisation, translation and signing on the correct forms.

03

Deal with the authorities

File on your behalf, follow up, explain and supplement the file when requested.

04

Hand over and track deadlines

Receive and hand over the result, and remind you of reporting and renewal obligations.

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