



### *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.

A 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. Visa may also be applied for through the Host.

Visas granted to a foreigner ranges from 15 days to 5 years depending on his/her entry purpose into Vietnam. The initial duration of stay granted to foreigners entering Vietnam with an entry visa is generally three months. After the initial visa period, the foreigner must renew the visa in order to validly remain in the country.

Effective 1 January 2015, it is not allowable to change the visa type after entry into Vietnam. Foreigners may need to travel outside of Vietnam to apply for a new type of visa.

### *Work Permit*

A foreigner working in Vietnam is required to have a work permit. There are certain exceptions to this requirement. Where an exemption applies, specific reporting procedures with the relevant provincial Department of Labour apply.

Evidence of work permit/work permit exemption is required for issuance of a working visa.

## *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 long-term visa or 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, confirmation of no prior criminal record, university degree (or alternatively confirmation of three to five years overseas working experience). University degree condition is not applied for executive levels, however, a confirmation on managerial experience overseas is required. 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.

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## *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 two 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 Residence 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.

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## *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 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:

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