

NEWSLETTER

April 2026



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DETAIL CONTENT

I – UPDATES ON ACCOUNTING – TAX

Circular No. 41/2026/TT-BTC

- **Issued by:** Ministry of Finance

- **Dated:** 06/04/2026

- **Content:** Guiding the declaration, withholding, payment, and finalization of taxes in the crypto-asset market

On 06 April 2026, the Ministry of Finance issued Circular No. 41/2026/TT-BTC providing guidance on tax declaration, withholding, payment, and tax finalization in relation to the crypto-asset market. This Circular takes effect from the date of issuance.

The Circular applies to organizations and individuals involved in the trading, transfer, and business activities relating to crypto assets in Vietnam.

- Declaration and payment of Value-Added Tax (VAT): Organizations providing crypto-asset services are required to declare and pay VAT in accordance with applicable regulations. Tax declaration dossiers shall be prepared using the forms prescribed in the Appendices attached to the Circular and relevant Decrees.
- Declaration and payment of Corporate Income Tax (CIT): Service providers are required to determine and pay provisional quarterly CIT. The provisional CIT paid shall be credited against the final CIT liability upon annual tax finalization. Tax declaration dossiers shall be prepared using the prescribed forms.
- Tax withholding and payment on behalf of taxpayers: Service providers are responsible for withholding and remitting taxes on behalf of foreign organizations and individuals engaging in crypto-asset transfer transactions. The withholding obligation arises upon confirmation of successful transactions. The withholding tax amount shall be determined based on the prescribed rates.
- Responsibilities of service providers: Service providers are required to perform tax withholding, declaration, and payment accurately and fully. They are also responsible for account management, retention of transaction data, and provision of information to tax authorities upon request. Information technology systems must ensure the capability to extract and convert data in accordance with tax authority management requirements.

This Circular is implemented on a pilot basis during the period prescribed under Resolution No. 05/2025/NQ-CP. Matters not specifically guided under this Circular shall be implemented in accordance with the prevailing tax administration regulations.

Circular No. 41/2026/TT-BTC takes effect from 06 April 2026.

Official Letter No. 4711/DON-QLDN1

- **Issued by:** Dong Nai Tax Office

- **Dated:** 01/04/2026

- **Content:** Providing guidance on compensation for goods and the provision of sample goods free of charge

In case the Company sells goods and defective or substandard products arise during the manufacturing process, resulting in compensation payable to customers, the Company may choose to issue either an adjustment invoice or a replacement invoice and submit a supplementary tax declaration in accordance with Clause 13, Article 1 of Decree No. 70/2025/ND-CP dated 20 March 2025 of the Government amending the title of Article 19 and amending and supplementing Article 19 of Decree No. 123/2020/ND-CP dated 19 October 2020 of the Government.

In case the Company provides domestic sample goods free of charge in compliance with the laws on commerce, and the input goods satisfy all input VAT deduction conditions under Articles 25 and 26 of Decree No. 181/2025/ND-CP, the input VAT shall be deductible.

In case the Company exports sample goods overseas free of charge without non-cash payment supporting documents, the Company shall not be entitled to input VAT deduction and is not required to declare output VAT in accordance with Clause 9, Article 28 of Decree No. 181/2025/ND-CP.

Official Letter No. 1983/CT-CS

- **Issued by:** Tax Department

- **Dated:** 03/04/2026

- **Content:** Providing guidance on Corporate Income Tax (CIT) incentives policy

The tax exemption and tax reduction period shall be calculated from the first year in which the new investment project generates taxable income eligible for CIT incentives. In case the Company does not generate taxable income within the first three years from the first year in which revenue is generated from the new investment project, the tax exemption and tax reduction period shall be calculated from the fourth year in which the new investment project generates revenue.

In case the Company earns taxable income from interest on term deposits, such income shall be treated as other income subject to tax declaration and payment and shall not be entitled to tax exemption or reduction incentives applicable to income generated from the new investment project.

The Company is required to separately determine income from business activities not eligible for tax incentives and income eligible for tax incentives in order to declare and pay tax separately for each category of income.

Official Letter No. 2194/CT-CS

- **Issued by:** Tax Department

- **Dated:** 08/04/2026

- **Content:** Providing guidance on Value-Added Tax (VAT) policy and invoices

In case the Company transfers goods among independently accounting units for sale, electronic VAT invoices shall be used as the basis for payment, VAT declaration, and VAT payment at each unit and at each independently accounted stage. The applicable VAT rate shall be determined based on the VAT rate applicable to the transferred goods.

Official Letter No. 2400/CT-CS

- **Issued by:** Tax Department

- **Dated:** 15/04/2026

- **Content:** Providing guidance on Value-Added Tax (VAT) policy

VAT refunds for goods and services purchased in Vietnam by entities entitled to diplomatic privileges and immunities shall be implemented in accordance with Clause 7, Article 15 of the Law on Value-Added Tax No. 48/2024/QH15 dated 26 November 2024 of the National Assembly and Article 35 of Decree No. 181/2025/ND-CP dated 01 July 2025 of the Government.

II – POLICY UPDATES IN THE FIELD OF INVESTMENT AND ENTERPRISES

New regulation on administrative penalties in cultural and advertising field

On March 27, 2026, the Government issued Decree No. 87/2026/ND-CP on administrative penalties in the fields of culture and advertising.

This Decree sets out administrative violations, forms of penalties, penalty levels, remedial measures, authority to make administrative violation records, authority to impose penalties, and the implementation of penalties and remedial measures for administrative violations in the fields of culture and advertising.

Decree No. 87/2026/ND-CP shall take effect on May 15, 2026.

Failure to notify an economic concentration may be subject to a fine of up to VND 2 billion

On March 31, 2026, the Government issued Decree No. 102/2026/ND-CP providing amendments to Government's Decree No. 75/2019/ND-CP dated September 26, 2019 prescribing penalties for administrative violations against regulations on competition.

Accordingly, from May 20, 2026, each enterprise participating in an economic concentration that fails to submit the required notification under the Competition Law may be subject to a fine ranging from 500 million to 2 billion VND. The applicable fine shall depend on the scale of its total assets, total sales revenue, or total purchase turnover in the Vietnamese market.

The above fine shall apply to organizations and shall not exceed 5% of the total turnover of the violating enterprise in the relevant market in the financial year immediately preceding the year in which the violation occurred.

Decree No. 102/2026/ND-CP shall take effect from May 20, 2026.

Amendment to procedures for registration of methods and bases for calculating insurance premiums

On March 31, 2026, the Government issued Decree No. 97/2026/ND-CP amending Decree No. 46/2023/ND-CP on elaboration of the Law on Insurance Business.

Accordingly, insurance enterprises and branches of foreign non-life insurance enterprises shall register and obtain approval from the Ministry of Finance for the methods and bases for calculating insurance premiums before launching insurance products under life insurance and health insurance lines.

Compared with the previous regulation, Decree No. 97/2026/ND-CP removes the registration requirement for motor vehicle insurance products, except for compulsory civil liability insurance of motor vehicle owners.

The Ministry of Finance shall approve or refuse to approve the application within 30 days from the date of receipt of a complete and valid dossier.

Decree No. 97/2026/ND-CP shall take effect from the date of signing.

Regulations on outward investment capital

On March 31, 2026, the Government issued Decree No. 103/2026/ND-CP on outward investment.

Accordingly, outward investment capital includes money and other lawful assets of investors, including equity capital, loans raised in Vietnam and transferred overseas, and profits from outward investment projects retained for reinvestment.

Outward investment capital may be used to contribute capital, provide loans to economic organizations overseas, pay for the purchase of shares or capital contributions, or perform guarantee obligations arising from outward investment in accordance with the law.

In addition, capital amounts that have been transferred overseas, when recovered and remitted back to Vietnam, shall not be counted as capital already transferred overseas and shall not be included in the outward investment capital limit stated in the Outward Investment Registration Certificate.

Decree No. 103/2026/ND-CP shall take effect from April 3, 2026.

Penalties for administrative violations for failure to submit a bankruptcy petition upon insolvency

On April 1, 2026, the Government issued Decree No. 109/2026/ND-CP on penalties for administrative violations in the fields of judicial support; judicial administration; marriage and family; civil judgment enforcement; and recovery and bankruptcy of enterprises and cooperatives.

Accordingly, a fine ranging from 1 million to 3 million VND shall be imposed on the legal representative of an enterprise or cooperative; the Board of Directors of a joint stock company; the Members' Council of a limited liability company with two or more members or of a partnership; the General Meeting of Members of a cooperative; the owner of a private enterprise; or the owner of a single-member limited liability company for failing to submit a petition for initiation of bankruptcy proceedings when the enterprise or cooperative becomes insolvent, except where a petition for application of recovery procedures has been submitted.

Decree No. 109/2026/ND-CP shall take effect from May 18, 2026.

Amendment to procedures for issuance of Copyright Registration Certificates

On April 2, 2026, the Government issued Decree No. 116/2026/ND-CP amending decrees on procedures related to production and business activities under the management of the Ministry of Culture, Sports and Tourism.

Accordingly, from April 8, 2026, the time limit for reviewing, classifying, and assessing the validity of applications for issuance of Copyright Registration Certificates and Related Rights Registration Certificates shall be 22 working days from the date of receipt of the application.

For re-issuance applications, the time limit shall be 08 working days; for renewal applications, the time limit shall be 13 working days. Previously, the time limit for assessing the validity of an application was 01 month from the date of receipt of the application.

Decree No. 116/2026/ND-CP shall take effect from April 8, 2026.

Procedures for replacement of Automobile Import Business License

On April 3, 2026, the Government issued Decree No. 117/2026/ND-CP amending Decree No. 116/2017/ND-CP on conditions for the manufacture, assembly and import of automobiles, and the provision of automobile warranty and maintenance services.

Theo đó, Giấy phép kinh doanh nhập khẩu ô tô được cấp đổi khi có thay đổi về nội dung thông tin ghi trên Giấy phép. Hồ sơ đề nghị cấp đổi gồm đơn đề nghị cấp đổi và giấy tờ, tài liệu chứng minh nội dung thay đổi.

Accordingly, an Automobile Import Business License shall be replaced in case of any change to the information stated in the License. The application dossier for replacement shall include an application form for replacement and documents proving the changed information.

The enterprise shall submit the application dossier directly or by post to the Ministry of Industry and Trade, or online via the National Public Service Portal. The Ministry of Industry and Trade shall consider and issue the replacement License within 10 working days from the date of receipt of a complete and valid dossier. If an on-site inspection is required, the inspection period shall not exceed 15 working days.

Decree No. 117/2026/ND-CP shall take effect from April 3, 2026.

Conditions for registration of multi-level marketing activities from July 1, 2026

On April 7, 2026, the Government issued Decree No. 137/2026/ND-CP on the management of business activities conducted through the multi-level marketing method.

Accordingly, an enterprise registering multi-level marketing activities shall satisfy certain conditions, including being established in Vietnam; having never had its Certificate of Registration of Multi-Level Marketing Activities revoked; making a deposit as prescribed; having clear and transparent participation contracts, operating rules, compensation plans, and basic training programs; and having an information technology system for managing its network of multi-level marketing participants.

For an enterprise with foreign investors or foreign-invested economic organizations contributing capital, such investors shall have at least 03 consecutive years of actual multi-level marketing business operations in a country or territory worldwide.

Decree No. 137/2026/ND-CP shall take effect from July 1, 2026.

Profit margin on equity of PPP project investors in the education sector

On April 21, 2026, the Minister of Education and Training issued Circular No. 35/2026/TT-BGDĐT guiding certain matters in public-private partnership investment activities in the field of education and training.

Accordingly, the profit on equity of the investor under the financial plan shall be determined as follows:

- The maximum level shall not exceed the investor's cost for use of equity;
- The minimum level shall not be lower than the interest rate applicable to investment capital mobilization.

The cost for use of equity shall be determined on the basis of the interest rate applicable to investment capital mobilization plus the inflation rate.

Circular No. 35/2026/TT-BGDĐT shall take effect from June 6, 2026.

Report forms and appendices for investment supervision and assessment reports from April 22, 2026

On April 22, 2026, the Minister of Finance issued Circular No. 44/2026/TT-BTC providing for forms of investment supervision and assessment reports, online reporting regime, and the management and operation of the information system for investment supervision and assessment.

Accordingly, the Circular promulgates report forms for investment supervision and assessment activities, except for outward investment projects, and provides for the implementation of reporting regimes on the professional information system for investment supervision and assessment.

Circular No. 44/2026/TT-BTC shall take effect from April 22, 2026.

Issuance of 08 Resolutions abolishing 890 business conditions

On April 29, 2026, the Government issued 08 Resolutions on the reduction, decentralization, and simplification of administrative procedures and business conditions under the management of various ministries and sectors.

Accordingly, these 08 Resolutions abolish 184 administrative procedures, decentralize the settlement of 134 procedures to local authorities, and simplify 349 administrative procedures. At the same time, 890 business conditions are abolished and 04 business conditions are simplified. Specifically, the 08 Resolutions include:

- Resolution No. 17/2026/NQ-CP under the management of the Ministry of Agriculture and Environment;
- Resolution No. 18/2026/NQ-CP under the management of the Ministry of Culture, Sports and Tourism;
- Resolution No. 19/2026/NQ-CP under the management of the Ministry of Industry and Trade;
- Resolution No. 20/2026/NQ-CP under the management of the Ministry of Science and Technology;
- Resolution No. 21/2026/NQ-CP in the healthcare sector;
- Resolution No. 22/2026/NQ-CP under the management of the Ministry of Public Security;
- Resolution No. 23/2026/NQ-CP under the management of the Ministry of Education and Training;
- Resolution No. 24/2026/NQ-CP in the fields of national defense, home affairs, finance, construction, foreign affairs, justice, and banking.

These Resolutions shall take effect from April 29, 2026.

III – POLICY UPDATES IN THE FIELD OF LABOR AND SOCIAL INSURANCE

New regulation on participation in supplementary pension insurance

On March 25, 2026, the Government issued Decree No. 85/2026/ND-CP on supplementary pension insurance.

Under the Decree, eligible participants include employers and employees who have participated in compulsory social insurance. Participation in supplementary pension insurance shall be on a voluntary basis and shall not be used as a recruitment condition or be linked to the enterprise's evaluation, reward, or welfare policies.

The Decree also provides specific cases where employees shall be entitled to benefits, including: satisfy the conditions agreed upon; die; suffer from a critical illness; have a working capacity reduction of 81% or more or are persons with extremely severe disabilities; or where foreign employees terminate their residence and employment in Vietnam.

Decree No. 85/2026/ND-CP shall take effect from May 10, 2026.

Amendment to principles for settlement and payment of social insurance and unemployment

On March 27, 2026, Vietnam Social Security issued Decision No. 313/QD-BHXH amending the process for settlement and payment of social insurance and unemployment insurance benefits issued together with Decision No. 2222/QD-BHXH in 2025.

Accordingly, the basis for settling social insurance benefits and for cross-checking before preparing the list for payment of unemployment insurance benefits shall be the social insurance book, which records the period of payment of social insurance and unemployment insurance premiums and is synchronized with the contribution database.

Where the contribution data is unavailable, inconsistent with the information recorded in the social insurance book, or insufficient as a basis for settlement, the dossier shall be transferred back to the contribution management division for adjustment and confirmation of the contribution period, which shall serve as the basis for settlement and payment.

Decision No. 313/QD-BHXH shall take effect from April 1, 2026.

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