

THE GOVERNMENT

THE SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

No. 75/2020/ND-CP

Hanoi, July 1, 2020

DECREE

Detailing a number of articles of the Law Amending and Supplementing a Number of Articles of the Law on Foreigners' Entry into, Exit from, Transit through and Residence in Vietnam

Pursuant to the June 19, 2015 Law on Organization of the Government;

Pursuant to the June 16, 2014 Law on Foreigners' Entry into, Exit from, Transit through and Residence in Vietnam;

Pursuant to the November 25, 2019 Law Amending and Supplementing a Number of Articles of the Law on Foreigners' Entry into, Exit from, Transit through and Residence in Vietnam;

At the proposal of the Minister of Public Security;

The Government promulgates the Decree detailing a number of articles of the Law Amending and Supplementing a Number of Articles of the Law on Foreigners' Entry into, Exit from, Transit through and Residence in Vietnam.

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Decree provides for:

1. The issuance of visas to foreigners entering border-gate economic zones or coastal economic zones under visa waiver programs as prescribed in Clause 3, Article 12 of the Law on Foreigners' Entry into, Exit from, Transit through and Residence in Vietnam, and Clause 7, Article 1 of the Law Amending and Supplementing a Number of Articles of the Law on Foreigners' Entry into, Exit

from, Transit through and Residence in Vietnam, who wish to travel to other places in Vietnam.

2. The issuance of visas to foreigners entering Vietnam under treaties to which Vietnam is a contracting party who have no commercial presence or partner in Vietnam.

3. Forms of issuance of temporary residence certificates to foreigners entering Vietnam.

Article 2. Subjects of application

This Decree applies to foreigners on entry into, exit from and residence in Vietnam, state management agencies of Vietnam, and related Vietnamese and foreign agencies, organizations and individuals.

Chapter II

SPECIFIC PROVISIONS

Article 3. Issuance of visas to foreigners entering border-gate economic zones or coastal economic zones to travel to other places in Vietnam

1. Foreigners entering border-gate economic zones or coastal economic zones under visa waiver programs as prescribed in Clause 3, Article 12 of the Law on Foreigners' Entry in, Exit from, Transit through and Residence in Vietnam, and Clause 7, Article 1 of the Law Amending and Supplementing a Number of Articles of the Law on Foreigners' Entry in, Exit from, Transit through and Residence in Vietnam, who wish to travel to other places in Vietnam shall, through the inviting or guaranteeing agencies, organizations or individuals in Vietnam, carry out procedures for visa application at immigration agencies prescribed in Article 19 of the Law on Foreigners' Entry into, Exit from, Transit through and Residence in Vietnam.

2. For citizens of countries eligible for Vietnam's unilateral visa waiver who enter border-gate economic zones or coastal economic zones under visa waiver programs as prescribed in Clause 3, Article 12 of the Law on Foreigners' Entry into, Exit from, Transit through and Residence in Vietnam, and Clause 7, Article 1 of the Law Amending and Supplementing a Number of Articles of the Law on Foreigners' Entry into, Exit from, Transit through and Residence in Vietnam, and wish to travel to other places in Vietnam:

a/ If they have stayed in Vietnam for less than 15 days, immigration control units shall append the invalidation stamp to the old temporary residence

certificate and grant a new temporary residence certificate with the validity term of 15 days from the date of entry;

b/ If they have stayed for 15 days or more, procedures for visa application shall be carried out under Clause 1 of this Article.

3. For foreigners entering border-gate economic zones or coastal economic zones who are eligible for visa waiver under treaties to which Vietnam is a contracting party, if their temporary residence duration has expired and they wish to travel to other places in Vietnam, the issuance of visas must comply with such treaties.

Article 4. Issuance of visas to foreigners entering Vietnam under treaties to which Vietnam is a contracting party who have no commercial presence or partner in Vietnam

1. A foreigner applying for a visa shall access the National Web Portal on Immigration and shall:

a/ Fill in the required information in the visa application form, upload his/her photo and passport data page image;

b/ Upload the paper proving that he/she is a subject of application of a treaty to which Vietnam is a contracting party. Such paper must be the one already consularly legalized, unless it is exempt from consular legalization under Vietnam's law or a treaty to which Vietnam is a contracting party;

c/ Receive a registration code from the immigration agency.

2. Within 2 working days after receiving sufficient information on visa application, the immigration agency shall forward it to the agency assigned by the Government to take charge of implementation of the treaty.

3. Within 3 working days after receiving the foreigner's visa application from the immigration agency, the agency assigned by the Government to take charge of implementation of the treaty shall determine whether or not the foreigner is a subject of application of the treaty and shall:

a/ Directly send a request for visa issuance to the immigration agency, if the foreigner is a subject of application of the treaty and falls into the sector under the state management of the agency in charge of implementation of the treaty;

b/ Send a document of exchange and forward a request for visa issuance to the ministry or ministerial-level agency in charge of state management of such sector, if the foreigner is a subject of application of the treaty but does not fall

into the sector under the state management of the agency in charge of implementation of the treaty; or,

c/ Issue a reply to the immigration agency for the latter to send a notice to the foreigner, if the foreigner is not a subject of application of the treaty.

4. Within 2 working days after receiving a foreigner's visa application, the ministry or ministerial-level agency prescribed at Point b, Clause 3 of this Article shall directly send a request for visa issuance to the immigration agency.

5. Within 3 working days after receiving the request for visa issuance, the immigration agency shall consider and process the request and reply to the agency requesting for visa issuance and notify to the applying foreigner at the National Web Portal on Immigration.

6. The foreigner applying for a visa shall use the registration code to check and print out application processing results of the immigration agency in order to carry out procedures for visa receipt as prescribed in Clause 2, Article 17, and Article 18, of the Law on Foreigner's Entry into, Exit from, Transit through and Residence in Vietnam.

Article 5. Forms of issuance of temporary residence certificates to foreigners entering Vietnam

1. Immigration control units shall issue temporary residence certificates to foreigners on entry by appending a seal to their passports or loose-leaf visas, except the case prescribed in Clause 2 of this Article.

2. Immigration control units shall refuse to issue temporary residence certificates to foreigners on entry via auto gates.

Chapter III

IMPLEMENTATION PROVISIONS

Article 6. Effect

This Decree takes effect on July 1, 2020.

Article 7. Implementation responsibility

Ministers, heads of ministerial-level agencies, heads of government-attached agencies, chairpersons of provincial-level People's Committees and related organizations and individuals shall implement this Decree.-

On behalf of the Government
Prime Minister
NGUYEN XUAN PHUC