

**LAW**

**On foreigners' entry into, exit from, transit through and  
residence in Vietnam<sup>1</sup>**

*Pursuant to the Constitution of the Socialist Republic of Vietnam;*

*The National Assembly promulgates the Law on Foreigners' Entry into, Exit from, Transit through, and Residence in Vietnam.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope of regulation**

This Law provides principles, conditions, order and procedures for entry into, exit from, transit through and residence in Vietnam and rights and obligations of foreigners; rights and responsibilities of Vietnamese state management agencies as well as agencies, organizations and individuals in foreigners' entry into, exit from, transit through and residence in Vietnam.

**Article 2. Subjects of application**

This Law applies to foreigners who enter, exit, transit and reside in Vietnam, Vietnamese state management agencies and related Vietnamese and foreign agencies, organizations and individuals.

**Article 3. Interpretation of terms**

In this Law, the terms below are construed as follows:

1. *Foreigner* means a person holding a paper proving his/her foreign nationality or a stateless person who enters, exits, transits or resides in Vietnam.

2. *Paper proving foreign nationality* is a paper issued by a foreign competent authority or the United Nations, i.e. passport or passport substitute (below referred to as passport).

3. *International travel document* means a document issued by a competent authority of a country to a stateless person currently residing in such country and accepted by a Vietnamese competent agency.

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4. *Entry* means a foreigner's entry into the Vietnamese territory through a Vietnamese border gate.

5. *Transit* means a foreigner's passage through or stay in a transit area at a Vietnamese international border gate before going to a third country.

6. *Exit* means a foreigner's departure from the Vietnamese territory through a Vietnamese border gate.

7. *Suspension from exit* means a case in which a competent Vietnamese person decides to suspend the exit from Vietnam of a foreigner currently residing in Vietnam for a certain period of time.

8. *Compelled exit* means a case in which a competent Vietnamese person decides to compel a foreigner to leave the Vietnamese territory through a Vietnamese border gate.

9. *Residence* means a foreigner's permanent or temporary residence in Vietnam.

10. *Border gate* means a place where foreigners are permitted to enter, exit or transit Vietnam.

11. *Visa* means a document issued by a Vietnamese competent agency permitting a foreigner to enter Vietnam.

12. *Temporary residence certification* means determination by a competent Vietnamese agency of the period of time a foreigner may temporarily reside in Vietnam.

13. *Temporary residence card* means a document issued by the immigration management agency or a competent agency of the Ministry of Foreign Affairs to a foreigner who is permitted to reside in Vietnam for a certain period of time. This card has the same validity as a visa.

14. *Permanent residence card* means a document issued by an immigration management agency to a foreigner who is permitted to reside indefinitely in Vietnam. This card has the same validity as a visa.

15. *Immigration management agency* means a specialized agency of the Ministry of Public Security which is in charge of management of foreigners' entry into, exit from, transit through and residence in Vietnam.

16. *Immigration control unit* means a specialized unit in charge of control of foreigners' entry, exit and transit at border gates.

17. *Overseas Vietnamese agencies competent to grant visas* include overseas Vietnamese representative missions and other agencies authorized to perform the consular function.

#### **Article 4. Principles of entry, exit, transit and residence**

1. To comply with this Law and other relevant laws of Vietnam or treaties to which Vietnam is a contracting party.

2. To respect the independence, sovereignty, unity and territorial integrity; to ensure national security, social order and safety and equality in international relations.

3. To ensure publicity, transparency and convenience for foreigners; to closely and uniformly manage foreigners' entry into, exit from, transit through and residence in Vietnam.

4. A foreigner who holds more than one passport may use only one of them for his/her entry into, exit from, transit through and residence in Vietnam.

#### **Article 5. Prohibited acts**

1. Preventing foreigners and related agencies, organizations and individuals from exercising their rights or discharging their obligations and responsibilities in accordance with the law on foreigners' entry into, exit from, transit through and residence in Vietnam.

2. Establishing procedures or requiring documents or charges in contravention of this Law and other relevant laws; causing harassments or troubles while carrying out procedures for foreigners' entry into, exit from, transit through or residence in Vietnam.

3. Illegally entering, exiting, transiting or residing in Vietnam; forging or using forged papers for entry into, exit from, transit through or residence in Vietnam.

4. Providing false information or documents in order to obtain permission for entry into, exit from, transit through or residence in Vietnam.

5. Taking advantage of entry into, exit from, transit through or residence in Vietnam to act against the Socialist Republic of Vietnam; infringing upon rights and legitimate interests of other agencies, organizations and individuals.

6. Buying, selling, renting, leasing, borrowing, lending, erasing or modifying contents of entry, exit and residence papers for foreigners to enter, exit, transit or reside in Vietnam.

#### **Article 6. Revocation or invalidation of entry, exit and residence papers issued by Vietnamese competent agencies**

Foreigners who violate Clauses 3, 4, 5 and 6, Article 5; Clause 3, Article 21; and Point b, Clause 2, Article 44 of this Law shall have their papers for entry into, exit from or residence in Vietnam revoked or invalidated.

## **Chapter II**

### **VISAS**

#### **Article 7. Validity and form of visas**

1. Visas may be single or multiple ones and their status must not be changed.

2. Each person shall be granted a visa, except under-14 children who share passports with their parents or guardians.

3. Visas may be placed in passports or separate pieces of paper.

#### **Article 8. Visa symbols**

1. NG1 - To be granted to members of delegations invited by the Secretary General of the Communist Party of Vietnam's Central Committee, the President, the Chairperson of the National Assembly or the Prime Minister.

2. NG2 - To be granted to members of delegations invited by the Standing Body of the Communist Party of Vietnam's Secretariat, Vice Presidents, National Assembly Vice Chairpersons, Deputy Prime Ministers, the President of the Vietnam Fatherland Front's Central Committee, the Chief Justice of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy, or the State Auditor General; members of delegations invited by ministers and the equivalent post holders, secretaries of Party Committees of provinces and centrally run cities or chairpersons of People's Councils and People's Committees of provinces and centrally run cities.

3. NG3 - To be granted to members of diplomatic missions, consular offices and representative offices of international organizations affiliated to the United Nations, representative offices of intergovernmental organizations and their spouses, under-18 children and housemaids who live with them during their terms of office.

4. NG4 - To be granted to people who come to work with diplomatic missions, consular offices, representative offices of international organizations affiliated to the United Nations and representative offices of intergovernmental organizations; visitors of members of diplomatic missions, consular offices, representative offices of international organizations affiliated to the United Nations and representative offices of intergovernmental organizations.

5. LV1 - To be granted to people who come to work with departments, agencies and units under the Communist Party of Vietnam's Central Committee; the National Assembly, the Government, the Central Committee of Vietnam Fatherland Front, the Supreme People's Court, the Supreme People's Procuracy, the State Audit of Vietnam, ministries, ministerial-level agencies, government-attached agencies, People's Councils and People's Committees of provinces and centrally run cities.

6. LV2 - To be granted to people who come to work with socio-political organizations, social organizations and the Vietnam Chamber of Commerce and Industry.

7. ĐT - To be granted to foreign investors in Vietnam and foreign lawyers practicing in Vietnam.

8. DN - To be granted to people who come to work with Vietnam-based enterprises.

9. NN1 - To be granted to heads of representative offices or projects of international organizations and foreign non-governmental organizations in Vietnam.

10. NN2 - To be granted to heads of representative offices or branches of foreign traders, representative offices of other foreign economic, cultural, professional organizations in Vietnam.

11. NN3 - To be granted to people who come to work with foreign non-governmental organizations, representative offices or branches of foreign traders, representative offices of other foreign economic, cultural, professional organizations in Vietnam.

12. DH - To be granted to people who come to practice as probationers or study in Vietnam.

13. HN - To be granted to people who come to attend conferences or workshops.

14. PV1 - To be granted to permanent correspondents and journalists in Vietnam.

15. PV2 - To be granted to correspondents and journalists who come to work for a short term in Vietnam.

16. LĐ - To be granted to people who come to work.

17. DL - To be granted to tourists.

18. TT - To be granted to foreigners who are parents, spouses, under-18 children of foreigners holding LV1, LV2, ĐT, NN1, NN2, DH, PV1 or LĐ visas, or foreigners who are parents, spouses or children of Vietnamese citizens.

19. VR - To be granted to people who come to visit their relatives or for other purposes.

20. SQ - To be granted to people in the cases prescribed in Clause 3, Article 17 of this Law.

#### **Article 9. Validity duration of visas**

1. An SQ visa is valid for at most 30 days.

2. An HN visa or a DL visa is valid for at most 3 months.

3. A VR visa is valid for at most 6 months.

4. An NG1, NG2, NG3, NG4, LV1, LV2, DN, NN1, NN2, NN3, DH, PV1, PV2 or TT visa is valid for at most 12 months.

5. An LD visa is valid for at most 2 years.
6. A DT visa is valid for at most 5 years.
7. Those whose visas have expired may be considered for grant of new visas.
8. The validity duration of a visa granted to a person must be at least 30 days shorter than that of his/her passport or international travel document.

#### **Article 10. Conditions for grant of a visa**

1. Having a passport or an international travel document.
2. Being invited or guaranteed by an agency, organization or individual in Vietnam, except the cases prescribed in Clause 3, Article 17 of this Law.
3. Not falling into the cases of suspension from entry prescribed in Article 21 of this Law.
4. Papers proving the purposes of entry are required when applying for a visa in the following cases:
  - a/ Foreigners who come to make investment must have papers proving their investment in Vietnam in accordance with the Law on Investment;
  - b/ Foreigners practicing law in Vietnam must have a practice license in accordance with the Law on Lawyers;
  - c/ Foreigners who come to work in Vietnam must have work permits in accordance with the Labor Code;
  - d/ Foreigners who come to study in Vietnam must have admission documents of Vietnamese schools or educational institutions.

#### **Article 11. Cases in which visas are placed in separate pieces of paper**

1. Applicants' passports run out of blank visa pages.
2. Applicants' passports are issued by states that have not yet established diplomatic relations with Vietnam.
3. International travel documents.
4. For reasons of external relations, national defense or security.

#### **Article 12. Cases eligible for visa exemption**

1. Persons eligible for visas exemption in accordance with treaties to which Vietnam is a contracting party.
2. Holders of permanent residence cards or temporary residence cards in accordance this Law.
3. Persons who enter border-gate economic zones or special administrative-economic units.

4. Persons in the cases prescribed in Article 13 of this Law.

5. Overseas Vietnamese holding passports or international travel documents issued by foreign competent agencies and foreigners who are their spouses or children; foreigners who are spouses and children of Vietnamese citizens who are exempted from visas under the Government's regulations.

### **Article 13. Unilateral visa exemption**

1. A decision on unilateral visa exemption for citizens of a country may be made only when the following conditions are fully met:

a/ Such country has diplomatic relations with Vietnam;

b/ The decision is conformable with Vietnam's policies on socio-economic development and external relations in each period;

c/ The decision does not cause harms to Vietnam's national defense, security, social order and safety.

2. A decision on unilateral visa exemption is valid for at most 5 years and may be considered for extension. A decision on unilateral visa exemption shall be invalidated if the conditions prescribed in Clause 1 of this Article are no longer fully met.

3. The Government shall, in pursuance to this Article, decide on definite unilateral visa exemption for each country.

### **Article 14. Agencies, organizations and individuals inviting or guaranteeing foreigners**

1. Agencies, organizations and individuals inviting or guaranteeing foreigners to enter Vietnam under Clause 2, Article 10 of this Law include:

a/ The Secretary General of the Communist Party of Vietnam's Central Committee, the President, the Chairman of the National Assembly, and the Prime Minister;

b/ The Standing Body of the Communist Party of Vietnam's Secretariat, Vice President, Vice Chairpersons of the National Assembly, Deputy Prime Ministers, President of the Central Committee of Vietnam Fatherland Front, the Chief Justice of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy, the State Auditor General; ministers or equivalent post holders; secretaries of Party Committees of provinces and centrally run cities, and chairpersons of People's Councils and People's Committees of provinces and centrally run cities;

c/ Departments, agencies and units under the Communist Party of Vietnam's Central Committee, agencies of the National Assembly, agencies under the National Assembly Standing Committee, the Central Committee of Vietnam Fatherland Front, the Supreme People's Court, the Supreme People's

Procuracy, the State Audit of Vietnam, ministerial-level agencies, and government-attached agencies;

d/ Party Committees of provinces and centrally run cities; People's Councils and People's Committees of provinces and centrally run cities;

dd/ Central bodies of socio-political organizations and social organizations, the Vietnam Chamber of Commerce and Industry;

e/ Enterprises established under Vietnamese law;

g/ Diplomatic missions, consular offices, representative offices of international organizations affiliated to the United Nations, intergovernmental organizations in Vietnam;

h/ Representative offices and branches of foreign traders; representative offices of foreign economic, cultural and other professional organizations in Vietnam;

i/ Other organizations with the legal person status as prescribed by Vietnamese law;

k/ Vietnamese citizens permanently residing in Vietnam, foreigners holding temporary residence cards or permanent residence cards.

2. Agencies' and organizations' invitation of and guarantee for foreigners must conform to their function, tasks and powers prescribed by law or their operation licenses. Vietnamese citizens permanently residing in Vietnam and foreigners holding temporary residence cards or permanent residence cards may invite or guarantee foreigners to visit Vietnam but must have papers proving their relationship with the invited or guaranteed persons.

#### **Article 15. Procedures for inviting or guaranteeing foreigners to enter Vietnam at competent agencies of the Ministry of Foreign Affairs**

1. Foreigners falling into the cases prescribed in Clauses 1, 2, 3 and 4, Article 8 of this Law shall, via the inviting or guaranteeing agencies and organizations, send visa applications to the competent agency of the Ministry of Foreign Affairs.

2. Agencies and organizations inviting or guaranteeing foreigners prescribed in Clauses 1 and 2, Article 8 of this Law shall notify in writing their invitation or guarantee to the competent agency of the Ministry of Foreign Affairs for the latter to direct overseas Vietnamese agencies competent to grant visas to grant visas, if visas are required, and concurrently notify such to the immigration management agency.

3. Inviting or guaranteeing agencies and organizations prescribed in Clauses 3 and 4, Article 8 of this Law shall directly send visa applications to the competent agency of the Ministry of Foreign Affairs for the latter to notify such in writing to the immigration management agency. Within 2 working days, if



receiving no reply from the immigration management agency, the competent agency of the Ministry of Foreign Affairs shall reply the inviting or guaranteeing agencies and organizations and request overseas Vietnamese agencies competent to grant visas to grant visas, if visas are required.

4. In case of applying for visas at border gates, it is required to specify the border gates and time of entry and reasons for applying for at border gates.

5. After receiving the written reply from the competent agency of the Ministry of Foreign Affairs, the agencies and organizations inviting or guaranteeing foreigners to Vietnam shall notify such to the foreigners for the latter to carry out procedures for receiving visas at overseas Vietnamese agencies competent to grant visas.

6. Agencies and organizations that apply for visas to foreigners at overseas Vietnamese agencies competent to grant visas shall pay to the competent agency of the Ministry of Foreign Affairs a charge for notification of the grant of visas.

#### **Article 16. Procedures for inviting or guaranteeing foreigners to enter Vietnam at the immigration management agency**

1. Foreigners other than those mentioned in Clauses 1, 2, 3 and 4, Article 8 of this Law shall, via inviting or guaranteeing agencies, organizations and individuals, carry out procedures at the immigration management agency. The inviting or guaranteeing agencies and organizations shall directly submit visa applications to the immigration management agency.

2. Before carrying out procedures for inviting or guaranteeing a foreigner to enter Vietnam, a social organization, an enterprise or another organization having the legal person status as prescribed by Vietnamese law, a foreign trader's branch or the representative office of a foreign economic, cultural or professional organization in Vietnam shall send to the immigration management agency a written notice, together with a dossier comprising:

a/ A certified copy of the organization's establishment license or decision issued by a competent agency;

b/ A document introducing the seal and signature of the organization's competent person.

The notice shall only be sent only once. If the contents of the dossier are changed, the agency or organization shall submit an additional notice.

3. Within 5 working days after receiving the visa application, the immigration management agency shall consider and process the dossier and send a reply to the inviting or guaranteeing agency, organization or individual and notify such to the overseas Vietnamese agency competent to grant visas.

4. After receiving the written reply from the immigration management agency, the inviting or guaranteeing agency, organization or individual shall

notify such to the foreigner for the latter to carry out procedures for receiving the visa at the overseas Vietnamese agency competent to grant visas.

5. In case of applying for visa at a border gate, the immigration management agency shall consider and process the dossier within 3 working days after receiving a complete dossier, for the cases prescribed at Points a, b, c, and d, Clause 1, Article 18 of this Law; and within 12 working hours after receiving a complete dossier, for the cases prescribed at Points dd and e, Clause 1, Article 18 of this Law.

6. Agencies, organizations and individuals that apply for visas for foreigners at overseas Vietnamese agencies competent to grant visas shall pay to the immigration management agency a charge for notification of the grant of visas.

### **Article 17. Grant of visas at overseas Vietnamese agencies competent to grant visas**

1. Within 1 working day after receiving the direction from the competent agency of the Ministry of Foreign Affairs, the passport and the visa application stuck with a photo of the applicant, for the case prescribed in Clause 2, Article 15 of this Law, the overseas Vietnamese agency competent to grant visas shall grant a visa.

2. For cases other than those prescribed in Clause 1 of this Article, after receiving the notice from the inviting or guaranteeing agency, organization or individual, the foreigner shall submit his/her passport, the application and his/her photo to an overseas Vietnamese agency competent to grant visas, if visas are required. Under-14 children who share passports with their parents or guardians are not required to make visa applications.

Within 3 working days after receiving a notice from the immigration management agency or the competent agency of the Ministry of Foreign Affairs, the overseas Vietnamese agency competent to grant visas shall grant a visa.

3. Heads of overseas Vietnamese agencies competent to grant visas shall grant visas which are valid for at most 30 days to foreigners who wish to enter Vietnam to conduct market surveys, take tours, visit relatives or receive medical treatment and fall into any of the following cases:

a/ Those who have working relations with overseas Vietnamese agencies competent to grant visas and their spouses and children; those who have received written requests of competent agencies of the Ministries of Foreign Affairs of the host countries;

b/ Those who have a diplomatic note of guarantee issued by a foreign diplomatic mission or consular office at the host country.

4. After granting visas to persons prescribed in Clause 3 of this Article, the heads of overseas Vietnamese agencies competent to grant visas shall notify

such to the immigration management agency and bear responsibility for the grant of visas.

### **Article 18. Grant of visas at border gates**

1. A foreigner may be granted a visa at an international border gate in the following cases:

a/ He/she departs from a country without a Vietnamese agency competent to grant visas;

b/ He/she has to travel through many countries before arriving in Vietnam;

c/ He/she enters Vietnam on a tour organized by an international travel agent in Vietnam;

d/ He/she is a crewmember on board a foreign ship anchoring at a Vietnamese seaport and wishes to leave Vietnam through another border gate;

dd/ He/she enters Vietnam to attend the funeral of a relative, or to visit a seriously ill relative;

e/ He/she enters Vietnam to join in the handling of urgent incidents, search and rescue, prevention and control of natural disasters or epidemics or for other special purposes at the request of a competent Vietnamese agency.

2. Foreigners who are eligible for visa grant at international border gates shall submit their passports or international travel documents and filled visa applications stuck with their photos, to immigration control units. Information on under-14 children who share passports with their parents or guardians shall be declared on visa applications of their parents or guardians.

3. Immigration control units shall examine and check information against notices of the immigration management agency before granting visas.

### **Article 19. Grant of visas at the immigration management agency or competent agency of the Ministry of Foreign Affairs**

1. If wishing to be granted a new visa, a foreigner temporarily residing in Vietnam shall request the inviting or guaranteeing agency, organization or individual to carry out procedures at the immigration management agency or competent agency of the Ministry of Foreign Affairs.

2. The inviting or guaranteeing agency, organization or individual prescribed in Clause 1 of this Article shall directly send a visa application, enclosed with the passport or international travel document of the foreigner, to the immigration management agency or the competent agency of the Ministry of Foreign Affairs.

3. Within 5 working days after receiving a complete dossier, the immigration management agency or competent agency of the Ministry of Foreign Affairs shall consider granting a visa.

## **Chapter III**

### **ENTRY**

#### **Article 20. Conditions for entry**

A foreigner may enter Vietnam when fully meeting the following conditions:

1. Having a passport or an international travel document and a visa.

A foreigner who is eligible for visa exemption upon entry under an unilateral visa exemption scheme must have a passport that remains valid for at least 6 months, and the interval between the entry date and the previous exit date must be at least 30 days;

2. Not falling into the cases of suspension from entry prescribed in Article 21 of this Law.

#### **Article 21. Persons and cases subject to suspension from entry**

1. Those who do not meet the conditions prescribed in Clause 1 Article 20 of this Law.

2. Under-14 children who are not accompanied by their parents, guardians or authorized persons.

3. Those who have forged papers or made false declaration to obtain entry, exit or residence papers.

4. Those who suffer mental diseases or infectious diseases which threaten the community's health.

5. Those who were expelled from Vietnam within the last 3 years, counted from the effective date of the expulsion decisions.

6. Those who were compelled to leave Vietnam within the last 6 months, counted from the effective date of the decisions on compelled exit.

7. For epidemic prevention and control.

8. In circumstance of natural disasters.

9. For national defense, security or social order and safety.

#### **Article 22. Competence to decide on suspension from entry**

1. Heads of immigration control units shall decide on suspension from entry in the cases prescribed in Clauses 1, 2, 3, 4, 5 and 6, Article 21 of this Law.

2. The Minister of Health shall decide on suspension of entry in the cases prescribed in Clause 7, Article 21 of this Law.

3. The Minister of Agriculture and Rural Development shall decide on suspension of entry in the cases prescribed in Clause 8, Article 21 of this Law.

4. The Minister of Public Security and the Minister of National Defense shall decide on suspension of entry in the cases prescribed in Clause 9, Article 21 of this Law.

5. Persons competent to issue decisions on suspension of entry may decide to lift such suspension and shall take responsibility before law for their decisions.

## **Chapter IV**

### **TRANSIT**

#### **Article 23. Conditions for transit**

A foreigner may transit Vietnam when fully meeting the following conditions:

1. Having a passport or an international travel document;
2. Having a ticket suitable to his/her trip to the third country;
3. Having the third country's visa, except those who are exempted from visas.

#### **Article 24. Transit areas**

1. Transit areas are areas within international border gates where foreigners may stay before going to a third country.
2. Transit areas are decided by agencies competent to manage international border gates.

#### **Article 25. Air passengers' transit**

1. Foreigners in transit who travel by air are exempted from visas and must stay within transit areas at international airports pending their flights.
2. During their transit time, if foreigners wish to enter Vietnam to take sightseeing tours organized by Vietnam-based international travel agents, they may be considered for grant of visas in conformity with their transit time.

#### **Article 26. Sea passengers' transit**

Foreigners in transit who travel by sea are exempted from visas and must stay within transit areas at international seaports while their ships are anchoring; if wishing to enter Vietnam to take sightseeing tours organized by Vietnam-based international travel agents, they may be considered for grant of visas in conformity with their transit time; if wishing to exit Vietnam through another border gate, they will be considered for grant of a VR visa.

## **Chapter V**

### **EXIT**

#### **Article 27. Conditions for exit**

A foreigner may exit Vietnam if fully meeting the following conditions:

1. Having a passport or an international travel document;
2. Having a valid temporary residence certificate, temporary residence card or permanent residence card;
3. Not falling into the cases of suspension from exit prescribed in Article 28 of this Law.

**Article 28. Cases of suspension from exit and duration of suspension**

1. A foreigner may be suspended from exit if falling into one of the following cases:

a/ Being the accused, a defendant or person with related obligations in a criminal case; or being a defendant or person with related obligations in a civil, business, commercial, labor, administrative or marriage and family case;

b/ Being obliged to serve a court judgment or decision or a decision of the Competition Settlement Council;

c/ Having not yet fulfilled his/her tax obligations;

d/ Being obliged to execute a decision on sanctioning of administrative violation;

dd/ For the reason of national defense and security.

2. Clause 1 of this Article is not applicable to people who are serving imprisonment sentences and escorted abroad to provide evidence under Article 25 of the Law on Judicial Assistance.

3. The duration of suspension from exit must not exceed 3 years and may be extended.

**Article 29. Competence to decide on exit suspension, extend exit suspension duration and lift exit suspension**

1. Heads of investigation agencies, chairpersons of procuracies, presidents of courts, heads of judgment enforcement agencies and chairpersons of competition settlement councils shall, within the ambit of their tasks and powers, decide on exit suspension in the cases prescribed at Points a and b, Clause 1, Article 28 of this Law.

2. Heads of tax administration agencies shall decide on exit suspension in the cases prescribed at Point c, Clause 1, Article 28 of this Law.

3. The Minister of Public Security shall decide to suspend the exit of foreigners prescribed at Point d, Clause 1, Article 28 of this Law in the following cases:

a/ The foreigners are obliged to execute decisions on sanctioning of administrative violations issued by public security agencies;

b/ At the request of the Chief Justice of the Supreme People's Court, ministers, heads of ministerial-level agencies or chairpersons of provincial-level People's Committees.

4. The Minister of Public Security and the Minister of National Defense shall decide on exit suspension in the cases prescribed at Point dd, Clause 1, Article 28 of this Law.

5. Persons competent to decide on exit suspension are also competent to extend the suspension duration and lift suspension, and shall take responsibility before law for their decisions.

Persons who decide on exit suspension shall issue decisions to lift suspension right after the reasons for exit suspension no longer exist.

6. Decisions on exit suspension, extension of suspension duration, or lift of suspension must be promptly sent to the immigration management agency and the persons subject to exit suspension for execution.

7. After receiving decisions on exit suspension, extension of suspension duration, or lift of suspension, the immigration management agency shall execute them.

### **Article 30. Compelled exit**

1. A foreigner may be compelled to exit Vietnam in any of the following cases:

a/ His/her temporary residence duration has expired but he/she does not leave Vietnam;

b/ For the reason of national defense, security or social order and safety.

2. Competence to decide on compelled exit:

a/ The immigration management agency shall decide on compelled exit in the case prescribed at Point a, Clause 1 of this Article;

b/ The Minister of Public Security and the Minister of National Defense shall decide on compelled exit in the case prescribed at Point b, Clause 1 of this Article.

## **Chapter VI**

### **RESIDENCE**

#### **Section 1**

#### **TEMPORARY RESIDENCE**

### **Article 31. Temporary residence certification**

1. Immigration control units shall grant temporary residence certification to foreigners on entry by appending a seal to their passports or loose visas as follows:

a/ The duration of temporary residence equals the validity duration of visas. For those whose visas are going to expire in 15 days or less, the duration of temporary residence will be 15 days. For those who hold ĐT or LĐ visas, the temporary residence duration must not exceed 12 months and the grant of a temporary residence card may be considered;

b/ For those who are exempted from visas under treaties to which Vietnam is contracting party, the duration of temporary residence complies with such treaties or will be 30 days if such treaties do not provide a duration of temporary residence;

c/ For those who are exempted from visas to enter border-gate economic zones or special administrative-economic units, the temporary residence duration will be 15 days or 30 days, respectively;

d/ For citizens of countries eligible for Vietnam's unilateral visa exemption, the temporary residence duration will be 15 days;

dd/ Foreigners holding valid permanent residence cards or temporary residence cards are not subject to temporary residence certification.

2. Foreigners may temporarily reside in Vietnam throughout the permitted temporary residence duration.

3. The temporary residence duration may be cancelled or shortened by the immigration management agency in case foreigners violate Vietnamese law.

### **Article 32. Accommodation establishments**

Accommodation establishments are places where foreigners temporarily reside in the Vietnamese territory, including tourist accommodation establishments, guesthouses, housing areas for foreigners who work, study, practice as probationers, or medical examination and treatment establishments, private houses, and other accommodation establishments prescribed by law.

### **Article 33. Declaration of temporary residence**

1. Foreigners who temporarily reside in Vietnam shall, via managers and executives of accommodation establishments, declare their temporary residence to public security agencies of communes, wards or townships or police stations in localities where such accommodation establishments are located.

2. Accommodation establishments' managers and executives shall fill in temporary residence declarations for foreigners and submit such declarations to public security agencies of communes, wards or townships or police stations in localities where their accommodation establishments are located within 12 hours or within 24 hours, for remote and deep-lying areas, after the foreigners arrive in their establishments.

3. Tourist accommodation establishments that are hotels must have Internet access or have their computer networks connected to immigration management



agencies under provincial-level Public Security Departments in order to transmit information on foreigners' temporary residence. Other accommodation establishments that have Internet access may directly send declared information on foreigners' temporary residence to email addresses of immigration management agencies under provincial-level Public Security Departments.

4. Foreigners who change their places of temporary residence or reside at places other than those stated in their temporary residence cards shall make temporary residence declaration under Clause 1 of this Article.

**Article 34. Temporary residence in industrial parks, export processing zones, border-gate economic zones, coastal economic zones, border areas and special administrative-economic units**

1. Foreigners may temporarily reside in accommodation establishments in industrial parks, export processing zones, border-gate economic zones and coastal economic zones, and shall declare their temporary residence according to Article 33 of this Law.

2. Foreigners may not temporarily reside in restricted areas in land and sea border areas. In case foreigners reside in accommodation establishments in border areas or tourist townships, towns and cities or tourist and service centers, special administrative-economic units and other economic zones in border areas, the declaration of temporary residence complies with Article 33 of this Law. Agencies that receive information on foreigners' temporary residence shall notify such information to border guard stations of localities where accommodation establishments are located.

**Article 35. Extension of temporary residence duration**

1. If wishing to extend his/her temporary residence duration, a foreigner temporarily residing in Vietnam shall request the agency, organization or individual that has invited or guaranteed him/her to carry out procedures at the immigration management agency or the competent agency of the Ministry of Foreign Affairs.

2. The inviting or guaranteeing agency, organization or individual prescribed in Clause 1 of this Article shall send a written request for extension of temporary residence duration, enclosed with the passport or international travel document of the foreigners, directly to the competent agency of the Ministry of Foreign Affairs, for the cases prescribed in Clauses 1, 2, 3 and 4, Article 8 of this Law, or to the immigration management agency, for the cases prescribed in Clause 1, Article 16 of this Law.

3. Within 5 working days after receiving a complete dossier, the immigration management agency or competent agency of the Ministry of Foreign Affairs shall consider extending the temporary residence duration.

### **Article 36. Cases eligible for grant of temporary residence cards and symbols of temporary residence cards**

1. Foreigners who are members of diplomatic missions, consular offices, representative offices of international organizations affiliated to the United Nations or intergovernmental organizations in Vietnam, their spouses, under-18 children and housemaid who live with them during their terms of office may be granted temporary residence cards with the symbol NG3.

2. Foreigners who hold LV1, LV2, ĐT, NN1, NN2, DH, PV1, LĐ or TT visas may be granted temporary residence cards with the same symbols.

### **Article 37. Procedures for grant of temporary residence cards**

1. A dossier of application for a temporary residence card comprises:

a/ A written request of the inviting or guaranteeing agency, organization or individual;

b/ A declaration for grant of a temporary residence card, stuck the applicant's photo;

c/ The passport;

d/ Papers proving the eligibility as prescribed in Article 36 of this Law.

2. Grant of temporary residence cards:

a/ Diplomatic missions, consular offices or other authorized foreign agencies in Vietnam shall send dossiers of application for NG3 temporary residence cards to the competent agency of the Ministry of Foreign Affairs;

b/ Inviting or guaranteeing agencies, organizations and individuals shall directly submit dossiers of application for temporary residence cards for foreigners prescribed in Clause 2, Article 36 of this Law to immigration management agencies in localities where inviting or guaranteeing agencies, organizations and individuals are located or where invited or guaranteed persons reside.

c/ Within 5 working days after receiving a complete dossier, the immigration management agency or competent agency of the Ministry of Foreign Affairs shall consider granting a temporary residence card.

### **Article 38. Validity duration of temporary residence cards**

1. The validity duration of a temporary residence card granted to a foreigner is at least 30 days shorter than the remaining validity duration of the passport of its holder.

2. The validity duration of an NG3, LV1, LV2, ĐT or DH temporary residence card is at most 5 years.

3. The validity duration of an NN1, NN2 or TT temporary residence card is at most 3 years.

4. The validity duration of an LĐ or PV1 temporary residence card is at most 2 years.

5. Those whose temporary residence cards expired may be considered for grant of a new card.

## **Section 2**

### **PERMANENT RESIDENCE**

#### **Article 39. Persons eligible for consideration for permission for permanent residence**

1. Foreigners who have made meritorious services and contributions to the national construction and defense of Vietnam and awarded medals or state honorary titles by the Vietnamese Government.

2. Foreigners who are scientists or experts temporarily residing in Vietnam.

3. Foreigners guaranteed by their parents, spouses or children who are Vietnamese citizen permanently residing in Vietnam.

4. Stateless persons who have been temporarily residing Vietnam since 2000 or earlier.

#### **Article 40. Conditions for consideration for permission for permanent residence**

1. Foreigners prescribed in Article 39 of this Law may be permitted for permanent residence if they have lawful places of habitation and stable incomes to ensure their livelihood in Vietnam.

2. Foreigners prescribed in Clause 2, Article 39 of this Law must be requested by ministers, heads of ministerial-level agencies or heads of government-attached agencies that perform the state management in their professional fields.

3. Foreigners prescribed in Clause 3, Article 39 of this Law must have been temporarily residing in Vietnam for at least 3 consecutive years.

#### **Article 41. Procedures for permitting permanent residence**

1. Foreigners applying for permanent residence permission shall carry out procedures at the immigration management agency. An application dossier comprises:

a/ An application for permanent residence permission;

b/ The applicant's criminal record issued by a competent authority of the country of which the applicant is a citizen;

c/ A diplomatic note from the representative mission of the country of which the applicant is a citizen, requesting permanent residence permission for the applicant;

d/ A certified copy of the applicant's passport;

dd/ Papers proving the applicant's satisfaction of the conditions for permanent residence permission prescribed in Article 40 of this Law;

e/ A letter of guarantee, for foreigners prescribed in Clause 3, Article 39 of this Law.

2. Within 4 months after receiving a complete dossier, the Minister of Public Security shall consider and decide to permit permanent residence; if considering it necessary to make further verification, this time limit may be extended for up to 2 months.

3. The immigration management agency shall notify in writing the results to the applicant and provincial-level Public Security Department of the locality where the foreigner wishes to permanently reside.

4. Within 5 working days after receiving a notice from the immigration management agency, the provincial-level Public Security Department of the locality where the applicant wishes to permanently reside shall notify such to the foreigner whose application is accepted.

5. Within 3 months after receiving the notice of permanent residence permission, the foreigner must go to the immigration management agency of the provincial-level Public Security Department of the locality where he/she wishes to permanently reside to receive a permanent residence card.

#### **Article 42. Permanent residence permission for stateless persons**

1. A stateless person prescribed in Clause 4, Article 39 of this Law shall submit an application to the immigration management agency under the provincial-level Public Security Department of the locality where he/she is temporarily residing. The dossier comprises:

a/ An application for permanent residence permission;

b/ Papers proving that he/she has been temporarily residing in Vietnam since before 2000 and fully satisfy the conditions prescribed in Clause 1, Article 40 of this Law.

2. Procedures for permitting permanent residence of stateless persons must comply with Clauses 2, 3, 4 and 5, Article 41 of this Law.

#### **Article 43. Renewal and re-grant of permanent residence cards**

1. Permanent residence cards shall be granted by provincial-level Public Security Departments. Once every 10 years, foreigners permanently residing in Vietnam shall come to provincial-level Public Security Departments of the

localities where they are residing to have their permanent residence cards renewed. A dossier comprises:

- a/ An application for renewal of a permanent residence card;
- b/ The permanent residence card;
- c/ A certified copy of the passport, except for stateless persons.

2. If his/her permanent residence card is lost or damaged, or if there are any changes to its contents, a foreigner shall carry out procedures for re-grant of the card at the Public Security Department of the province or centrally run city where he/she is residing. The application dossier comprises:

- a/ An application for re-grant of a permanent residence card;
- b/ The permanent residence card or a report on the loss of the card, if the card is lost;
- c/ A certified copy of the passport, except for stateless persons;
- d/ Papers proving the changes in the contents of the permanent residence card.

3. Within 20 days after receiving a complete dossier, the Public Security Department of the province or centrally run city where the foreigner is residing shall re-grant the card.

## **Chapter VII**

### **RIGHTS AND OBLIGATIONS OF FOREIGNERS; RIGHTS AND OBLIGATIONS OF AGENCIES, ORGANIZATIONS AND INDIVIDUALS INVITING OR GUARANTEEING FOREIGNERS TO VIETNAM**

#### **Article 44. Rights and obligations of foreigners**

1. Foreigners who enter, exit, transit or reside in Vietnam have the following rights:

a/ To have their lives, honor, property, and rights and legitimate interests protected in accordance with Vietnamese law while they are residing in the territory of Socialist Republic of Vietnam;

b/ Temporary residence card holders may provide guarantee for their grandparents, parents, spouses and children to enter Vietnam; and provide guarantee for their spouses and under-18 children to stay with them within the validity duration of their temporary residence cards if their inviting or guaranteeing agencies or organizations so agree.

c/ Permanent residence card holders may provide guarantee for their parents, parents, spouses and children to visit Vietnam;

d/ Those who are residing lawfully in Vietnam may travel in the Vietnamese territory for the tourist purpose combined with the purpose of visiting relatives or taking medical treatment without having to ask for permission; those who enter restricted areas shall comply with law;

dd/ Crewmembers on board ships entering Vietnam may go onshore within the provinces or centrally run cities where their ships are anchored; if they wish to go beyond the above areas or exit Vietnam through another border gates, they may be considered for grant of visas;

e/ Spouse and children of a member of a diplomatic mission, consular office, representative office of an international organization affiliated to the United Nations, or an intergovernmental organization in Vietnam who enter Vietnam together with such person during his/her term of office may work if they have work permits, except for those who are ineligible for grant of work permits; and may go to school if they are accepted in writing by schools or educational institutions;

g/ Those who are studying at schools or educational institutions under treaties or international agreements may work if such is permitted in writing by the schools or educational institutions;

h/ Stateless persons permanently residing in foreign countries may enter Vietnam for the purpose of tourism or visiting relatives;

i/ Stateless persons residing in Vietnam who wish to exit Vietnam may be considered for grant of international travel documents by the Ministry of Public Security.

2. Foreigners who enter, exit or reside in Vietnam have the following obligations:

a/ To comply with Vietnamese law; to respect Vietnam's cultural traditions and customs;

b/ To operate in Vietnam in accordance with the purposes of their entry;

c/ To carry along passports or international travel documents and papers related to their residence in Vietnam while traveling, and produce them to competent agencies when so requested;

d/ Foreigners permanently residing in Vietnam, when leaving Vietnam to another country for permanent residence, shall return their permanent residence cards to immigration control units at border gates.

#### **Article 45. Rights and responsibilities of inviting or guaranteeing agencies, organizations and individuals**

1. Inviting or guaranteeing agencies, organizations and individuals have the following rights:

a/ Organizations lawfully established in Vietnam may invite and provide guarantee for foreigners to enter Vietnam in conformity with their functions, tasks and scope and domains of operation;

b/ Vietnamese citizens permanently residing in the country may invite or provide guarantee for the grandparents and parents of their spouses, children and siblings who are foreigners to enter Vietnam;

c/ Vietnamese citizens permanently residing in the country may provide guarantee for their parents, spouses and children who are foreigners to apply for permanent residence permission or temporary residence cards in Vietnam.

2. Inviting and guaranteeing agencies, organizations and individuals have the following responsibilities:

a/ To carry out procedures for inviting or providing guarantee for foreigners to enter, exit or reside in Vietnam in accordance with this Law;

b/ To provide guidance and explanation to foreigners for them to comply with law and respect Vietnam's cultural traditions and customs;

c/ To fulfill their guarantee responsibility as prescribed by law and coordinate with Vietnamese competent agencies in settling arising problems related to the invited or guaranteed foreigners;

d/ To coordinate with functional agencies in managing foreigners' activities in accordance with their entry purposes during their temporary residence in Vietnam; to coordinate with accommodation establishments in making temporary residence declaration for foreigners;

dd/ To carry out procedures at state management agencies in charge of sectors or fields which require the application for permission before inviting or providing guarantee for foreigners to enter Vietnam to operate in such sectors or fields.

e/ To notify in writing the immigration management agency of the cases in which foreigners' granted entry, exit or residence papers have not yet expired but inviting or guaranteeing agencies, organizations and individuals no longer wish to provide guarantee for such foreigners during their temporary residence in Vietnam, and coordinate with functional agencies in requesting such foreigners to leave Vietnam.

## **Chapter VIII**

### **RESPONSIBILITIES OF AGENCIES AND ORGANIZATIONS FOR FOREIGNERS' ENTRY INTO, EXIT FROM, TRANSIT THROUGH AND RESIDENCE IN VIETNAM**

#### **Article 46. Responsibilities of the Government**

1. To perform the uniform management of foreigners' entry into, exit from, transit through and residence in Vietnam.

2. To provide a mechanism for coordination among ministries, ministerial-level agencies and provincial-level People's Committees in management of foreigners' entry into, exit from, transit through and residence in Vietnam.

#### **Article 47. Responsibilities of the Ministry of Public Security**

1. To take responsibility before the Government for assuming the prime responsibility for, and coordinating with related ministries and ministerial-level agencies in, performing the state management of foreigners' entry into, exit from, transit through and residence in Vietnam.

2. To assume the prime responsibility for formulating and submitting to competent agencies for promulgation, or to promulgate according to its competence, legal documents on foreigners' entry into, exit from, transit through and residence in Vietnam.

3. To organize the implementation of legal documents on foreigners' entry into, exit from, transit through and residence in Vietnam.

4. To grant permits for foreigners' entry into, exit from and residence in Vietnam.

5. To control the entry, exit and transit at international border gates as prescribed by law.

6. To conduct inspection and examination, settle complaints and denunciations, and handle violations of the law on foreigners' entry into, exit from, transit through and residence in Vietnam.

7. To promulgate forms of papers on foreigners' entry into, exit from and residence in Vietnam.

8. To make state statistics on foreigners' entry into, exit from, transit through and residence in Vietnam.

9. To enter into international cooperation according to its competence, to propose to competent agencies the conclusion of and accession to treaties on foreigners' entry into, exit from, transit through and residence in Vietnam.

#### **Article 48. Responsibilities of the Ministry of Foreign Affairs**

1. To coordinate with the Ministry of Public Security in managing foreigners' entry into, exit from, transit through and residence in Vietnam.

2. To grant, modify, supplement and invalidate visas; to grant and invalidate temporary residence cards; to extend temporary residence duration for foreigners in accordance with this Law.

3. To direct overseas Vietnamese agencies competent to grant visas to comply with relevant regulations on foreigners' entry into, exit from, transit through and residence in Vietnam.



4. To propose to competent agencies the conclusion of and accession to treaties on foreigners' entry into, exit from, transit through and residence in Vietnam.

#### **Article 49. Responsibilities of the Ministry of National Defense**

1. To coordinate with the Ministry of Public Security in managing foreigners' entry into, exit from, transit through and residence in Vietnam.

2. To control the entry, exit and transit at border gates as prescribed by law; to grant, modify, supplement and invalidate visas and issue temporary residence certification in accordance with this Law.

3. To examine and handle violations of law on foreigners' entry into, exit from, transit through and residence in Vietnam at border gates under its management.

#### **Article 50. Responsibilities of other ministries and ministerial-level agencies**

Ministries and ministerial-level agencies other than those mentioned in Article 48 and Article 49 of this Law shall, within the ambit of their tasks and powers, coordinate with the Ministry of Public Security, the Ministry of Foreign Affairs and the Ministry of National Defense in managing foreigners' entry into, exit from, transit through and residence in Vietnam.

#### **Article 51. Responsibilities of People's Committees of different levels**

1. To organize the implementation of the law on foreigners' entry into, exit from, transit through and residence in Vietnam.

2. To direct their professional agencies to perform the management of foreigners' residence in their localities in accordance with this Law.

3. To conduct dissemination and education of the law on entry, exit and residence to foreigners in their localities.

4. To conduct inspection and examination, settle complaints and denunciations, and handle violations of the law on foreigners' entry into, exit from, transit through and residence in their localities.

5. In addition to the provisions of Clauses 1, 2, 3 and 4 of this Article, People's Committees of communes, wards and townships must grasp the operations of accommodation establishments and manage foreigners' residence and activities in their localities.

#### **Article 52. Responsibilities of Vietnam Fatherland Front and its member organizations**

1. To coordinate with competent state agencies in disseminating and educating this Law and in encouraging people to implement it.

2. To supervise the implementation of the law on foreigners' entry into, exit from, transit through and residence in Vietnam.

## **Chapter IX**

### **IMPLEMENTATION PROVISIONS**

#### **Article 53. Transitional provisions**

Entry, exit and residence papers of foreigners in Vietnam granted before the effective date of this Law and remaining valid may be used until their expiry date.

#### **Article 54. Effect**

1. This Law takes effect on January 01, 2015.

2. The Ordinance No. 24/1999/PL-UBTVQH10 on Foreigners' Entry into, Exit from and Residence in Vietnam ceases to be effective from the effective date of this Law.

#### **Article 55. Detailing**

The Government shall detail articles and clauses as assigned in this Law.

*This Law was passed on June 16, 2014, by the XIII<sup>th</sup> National Assembly of Socialist Republic of Vietnam at the 7<sup>th</sup> session.-*

**Chairman of the National Assembly**

**(Signed)**

**NGUYEN SINH HUNG**