



Immigration alert

July 2023

With an aim to help tourism bound back and boost the socio-economic development, on 24 June 2023, the Vietnamese National Assembly officially adopted Law No.23/2023/QH15 amending several articles of Law on entry, exit, transit and residence of foreigners in Vietnam (amended Law No. 23).

The amended Law No. 23 will take effect from 15 August 2023 and includes a number of relaxations on the entry regulations for foreigners to travel and stay in Vietnam, specifically:

1. Relaxation on electronic visa (e-visa)

- The validity of e-visa is extended from 30 days to up to 90 days. Further, the legislature also allows multiple entries for the e-visa instead of single entry as under the previous law. As such, foreigners can enter Vietnam multiple times during the validity of the visa instead of having to obtain a new one each time.
- Vietnam currently offers e-visa to citizens of 80 countries. However, the amended Law regulates that citizens of territories can also be entitled to an e-visa and the government is now given power to determine the list of countries and territories whose citizens are eligible for e-visa.

2. Relaxation on unilateral visa exemption scheme

- The validity of unilateral visa exemption is extended from 15 days to 45 days. Accordingly, passport holders of the following countries will enjoy the improvement over the current rule: Germany, France, Italy, Spain, the United Kingdom and North Ireland, Denmark, Finland, Russia, Japan, Norway, South Korea, Sweden and Belarus.
- Foreigners of the above countries entering Vietnam under the visa exemption scheme can also be considered for visa issuance or temporary stay extension. In this regard, for foreigners who obtain a work permit to work legally in Vietnam, they can also apply for a work visa/temporary resident card in Vietnam without flying out and flying in again as before.

3. More responsibility for lodging establishments and employers

- According to the amended Law No.23, organizations, employers, individuals can only use foreigners or arrange tours for foreigners or allow foreigners to stay in their lodging establishments when the foreigners stay legally in Vietnam.
- When detecting any signs of violation of the law on entry, exit, transit and residence of foreigners in Vietnam, the organisations/employers/individuals must immediately report to the competent authority.

KPMG notes

The above changes in Vietnam immigration/emigration policies will greatly help in enabling inbound passengers to travel to Vietnam for business or investment purposes. However, while it is easier to enter and stay in Vietnam, beside considering suitable visa scheme and schedule to travel to Vietnam, it is important to also plan their work in Vietnam to be in line with labour regulations.

Also, as the amended Law No.23 regulates more clearly on responsibility of employers on using foreigners who stay legally in Vietnam (with suitable visa documents), businesses using foreign labour must also assess the necessity of any working document/notification required to enable the foreigners to work legally in Vietnam.

Please contact KPMG should you need further discussion on the impact of the changes on the businesses' mobility plan.

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