

# Alert on Immigration

July 2024

On 10 July 2024, the Government issued Decree No. 84/2024/NĐ-CP regulating the pilot decentralization of authority to perform certain state management sectors to Ho Chi Minh City (the People's Council and the People's Committee of Ho Chi Minh City), in which state management in the labor area is emphasized.

Specifically, from 10 July 2024, the following organizations, agencies, and enterprises having their registered office and operating in the City will perform the administrative procedures of approval for employment of foreign workers; certify eligibility for exemption of work permits and work permit-related processes at the People's Committee of Ho Chi Minh City, instead of at the Ministry of Labor, War Invalids and Social Affairs (Department of Employment) as instructed in Decree 70:

- International organizations, offices of foreign projects in Vietnam licensed by the Government, the Prime Minister, ministries or central authorities as per the law;
- Organizations, agencies, and enterprises permitted for establishment by the Government, the Prime Minister, Ministries, ministerial agencies or governmental agencies registered and operating in the city, including:
  - Representative offices, branches of enterprises, agencies or organizations licensed by the competent authorities;
  - Regulatory agencies, political organizations, socio-political organizations, socio-political professional organizations, social organizations or socio-professional organizations;
  - Public sector entities, educational institutions established as per the law.

In addition, organizations and individuals that have submitted applications before 10 July 2024 shall continue implementing relevant regulations of law, which:

- Exemption of work permits, work permits issued before 10 July 2024, shall continue to have effect until their expiration dates.
- The adjustments, renewal, reissuance, and revocation of the above documents from 10 July 2024 shall be performed at the People's Committee of Ho Chi Minh City.

At the commencement of the above-mentioned delegation from the Ministry of Labor, War Invalids and Social Affairs (Department of Employment) to the People's Committee of Ho Chi Minh City, the timeline for the work permit procedures at the local People's Committee might be longer than the standard one. Therefore, businesses located in Ho Chi Minh City should consider consulting with the competent authorities (People's Committee of Ho Chi Minh City/ Department of Labor, War Invalids and Social Affairs of Ho Chi Minh City) and arranging the procedures soon to make sure the proposed working duration of the foreign employees is met.

Please contact KPMG for further advice on the above.

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