

# GMS Flash Alert

## Immigration Edition

2023-156 | August 1, 2023



# Vietnam - Immigration Law Amendments to Facilitate Foreigners' Travel to Vietnam

To help tourism rebound and boost socio-economic development, the Vietnamese National Assembly officially adopted Law No.23/2023/QH15 amending some Articles of Law on Entry, Exit, Transit and Residence of Foreigners in Vietnam on 24 June 2023. The amended Law No.23 will take effect from 15 August 2023.

The amendments significantly expand the e-visa availability and length of stay, allow for multiple entries, and extend the period for visa-exemptions.

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## WHY THIS MATTERS

Under the current immigration regulations, Vietnam offers visa-exemption scheme to 25 countries, of which, citizens of 13 countries enjoy unilateral visa exemption of 15 days each time they visit Vietnam and citizens of 11 other countries enjoy visa exemption under bilateral visa agreements between Vietnam and the respective countries. The validity period of the visa exemption scheme is rather short and there is no ability to convert to other visa types.

Further, Vietnam currently offers e-visas to citizens of 80 countries with validity of 30 days and only single entry.

The relaxation of the visa scheme from 15 August is expected to revive the struggling tourism sector and socio-economic development to make it easier for foreigners to enter and stay in Vietnam for longer periods for tourism, business and investment purposes.

Businesses should consider the latest immigration regulations to arrange the mobility plans of their expatriates in Vietnam accordingly.

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## Relaxation of Visa Scheme for Inbound Foreigners

### Relaxation on electronic visa (e-visa)

The validity of e-visa will be extended from 30 days to up to 90 days. Further, the changes also allow 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. The amended law entitles citizens of territories to an e-visa and gives the government power to determine the list of countries and territories whose citizens are eligible for e-visa.

### Relaxation on unilateral visa exemption scheme

The validity of the unilateral visa exemption is extended from 15 days to 45 days. Passport holders of the following countries will enjoy the improvement over the current rule: Germany, France, Italy, Spain, the United Kingdom and Northern Ireland, Denmark, Finland, Russia, Japan, Norway, South Korea, Sweden and Belarus.

Foreigners from these countries entering Vietnam under the visa exemption scheme can also be considered for visa issuance or temporary stay extension. Foreigners who obtain a work permit to work legally in Vietnam can also apply for a work visa/temporary resident card in Vietnam without leaving and returning as before.

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## KPMG INSIGHTS

The above relaxation provides more choices for foreigners to enter Vietnam for multiple purposes. As such, instead of obtaining a business visa, eligible business travelers can opt to obtain an e-visa for training/meeting/working purposes to enter and stay in Vietnam during the validity of the e-visa, which, from 15 August 2023, has the same duration as a business visa.

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## More Responsibility for Lodging Establishments and Employers

Under amended Law No.23, organizations, employers and individuals can only employ 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, organizations, employers, and individuals must immediately report to the competent authority.

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## KPMG INSIGHTS

As the amended, Law No.23 puts more responsibility on employers using foreigners who stay legally in Vietnam (with suitable visa documents), businesses using foreign labour must also, in addition to considering the suitable visa scheme for foreigners to enter and stay in Vietnam to fit with the business's activities in Vietnam, assess the necessity of any working documents and notifications required to enable the foreigners to work legally in Vietnam.

It is expected that there will be more mechanisms for managing and supervising the use of foreign labour working in Vietnam and foreign labour audits are likely to be more in-depth and more frequent to encourage management of foreign labour/foreign business travelers to Vietnam for labour compliance purpose.

## Contact us

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*\* Please note the KPMG International member firm in the United States does not provide immigration or labour law services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.*

**The information contained in this newsletter was submitted by the KPMG International member firm in Vietnam.**

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