

Technical Update

10 June 2026

I. Global Minimum Tax (GMT) / Top-up Corporate Income Tax

Determination of eligible payroll costs for Qualified Domestic Minimum Top-up Tax (QDMTT)

According to Official Letter No. 2697/CT-CS dated 28 April 2026 issued by the Department of Taxation (“DoT”) (referring to Decree No. 236/2025/NĐ-CP), in principle, benefit-in-kind to employees as well as allowances and welfare benefits provided to employees’ family members may be treated as eligible payroll expenses for SBIE calculation, provided that such expenses:

- Satisfy the criteria for eligible payroll costs and relate to eligible employees; and
- Constitute direct and individualized welfare benefits for employees in accordance with Point 6.2, Section II, Appendix II of Decree No. 236/2025/NĐ-CP

On that basis, these expenses are considered qualified payroll costs and are included in the basis for determining the substance-based income exclusion (in respect of payroll) for purposes of calculating the Qualified Domestic Minimum Top-up Tax.

II. Value Added Tax (“VAT”)

1. VAT treatment on the transfer of Verified Emission Reduction (“VER”) certificate

According to Official Letter No. 2401/CT-CS dated 15 April 2026 of the DoT, with reference to Official Letter No. 683/BTC-CST dated 19 January 2026 of the Ministry of Finance, in principle, the transfer of VERs is treated as provision of service and subject to VAT as follows:

- Where the transfer of VERs is determined as a service consumed in Vietnam, it is subject to VAT at the rate of 10%.
- Where the transfer of VERs qualifies as exported services in accordance with prevailing regulations, it is eligible for the 0% VAT rate.

2. No requirement for construction permit / land use right certificate for VAT refund on exports

Pursuant to Official Letter No. 2689/CT-CS dated 24 April 2026 of the DOT (referring to Official Letter No. 2782/CT-CS dated 30 July 2025 and Official Letter No. 873/TCT-CS dated 26 February 2025), in principle, current VAT regulations do not require construction permits or land-related documents as conditions for VAT refunds on exported goods and services as in the case of investment projects.

Accordingly, VAT refunds for domestic enterprises providing construction services to export processing enterprises (“EPEs”) are not dependent on the EPE being granted with a construction permit.

3. Decree No. 144/2026/NĐ-CP amending Decree No. 181/2025/NĐ-CP on VAT

On 05 May 2026, the Government issued Decree No. 144/2026/NĐ-CP amending Decree No. 181/2025/NĐ-CP on VAT, with notable points as follows:

Amendments in relation to non-taxable objects

- Supplements to clarify that the transfer of certificates of deposit falls under objects not subject to VAT (no longer limited to transactions between non-credit institutions as previously regulated).
- Supplement to include insurance brokerage commissions to the list of VAT-exempt items.

Amendments in relation to VAT input credit allocation

- Revenue of credit institutions, branches of foreign banks; revenue from securities and stock market activities; and revenue from insurance business activities are determined in accordance with the relevant specialized laws.
- Total revenue used as the basis for input VAT allocation includes revenue from goods and services are not required for VAT declaration and payment.

Amendments in relation to VAT credit in deferred/instalment payments

- Enterprises are allowed to declare and claim the input VAT credits before the contractual payment due date.
- At the payment due date, if non-cash payments documentation are not available, the previously claimed input VAT must be decrementally adjusted.
- Upon subsequent fulfillment of non-cash payment evidence, input VAT can be additionally claimed.

4. Non-cash payment conditions for VAT refund on exports

According to Official Letter No. 3251/CT-CS dated 21 May 2026 of the DoT:

- Bank payment refers to the transfer of funds from the importer's account to the exporter's account opened at a bank, in accordance with the payment terms in the contract and bank regulations. The payment document is the credit advice issued by the exporter's bank.
- Where the foreign party makes direct payments to an entrusted exporter, the entrusted exporter must have bank payment documents, and such the payment method must be specified in the contract.
- Where the exporter does not receive payment directly from the importer but receives payment from another enterprise in Vietnam (not being the exporter), such payment arrangements does not satisfy the bank payment condition for input VAT credit or refund on exported goods/services.

5. VAT treatment where EPEs sell goods to the domestic market

According to Official Letter No. 3292/CT-CS dated 21 May 2026 of the DoT, EPEs are not VAT taxpayers, except where they conduct other business activities as prescribed under regulations on industrial zones and economic zones. Accordingly:

- Where an EPE sells goods manufactured by itself into the domestic market, such activity is not considered a other business activity; the transaction is treated as importation from a non-tariff zone into the domestic market and subject to VAT and import/export duties in accordance with regulations. The EPE uses the sales invoice “For organizations and individuals in non-tariff zones”.
- Where an EPE conducts other business activities, it becomes a VAT taxpayer for such activities and must use e-sale invoices or e-VAT invoices depending on the applicable VAT declaration method.

III. Tax Administration and Invoicing

1. Circular No. 21/2026/TT-BTC amending Circular No. 80/2021/TT-BTC on Tax Administration

On 17 March 2026, the Ministry of Finance issued Circular No. 21/2026/TT-BTC amending and supplementing several provisions of Circular No. 80/2021/TT-BTC. Key points include:

- Updates to tax dossiers, procedures, and replacement of certain tax declaration forms, including Form No. 05/TNDN – the CIT return applicable to income from capital transfers of foreign investors, in line with the CIT Law and Decree No. 320/2025/ND-CP.
- Transitional provision: for cases where foreign enterprises have capital transfer agreements signed before 15 December 2025 (i.e. the effective date of Decree No. 320/2025/ND-CP), CIT declarations for such transactions shall follow Form No. 05/TNDN issued together with Circular No. 80/2021/TT-BTC dated 29 September 2021.

Circular 21 takes effect from 17 March 2026.

2. Mandatory biometric authentication to legal representatives for e-invoice registration/changes

According to Official Letter No. 3078/CT-NVT dated 15 May 2026, when registering for or updating information relating to the use of e-invoices, the legal representative of enterprises, organizations, and business individuals must perform biometric authentication via the eTax Mobile application, linked to a Level 2 VNeID electronic identification account.

This requirement does not yet apply to foreign legal representatives who have not met Level 2 electronic identification requirements under the implementation roadmap.

3. Quarterly Personal Income Tax (“PIT”) declaration for organizations and individuals responsible for withholding PIT from salaries and wages

On 07 April 2026, the Government issued Resolution No. 66.16/NQ-CP on simplification of administrative procedures. Based on Section I, Part D, Appendix I.9 of the Resolution and guidance under Decision No. 1109/QĐ-BTC dated 08 May 2026, monthly PIT declaration procedures (Administrative Procedure Code 2.002235) and Form No. 05/KK-TNCN, applicable to organizations and individuals withholding PIT from salaries and wages, are changed to quarterly declaration.

Resolution No. 66.16 takes effect from 15 April 2026 until 28 February 2027, except where the National Assembly, the Standing Committee of the National Assembly, the Government, the Prime Minister, Ministers, or Heads of ministerial-level agencies issue other regulatory documents on relevant administrative procedures with effective dates falling within the effective period of Resolution No. 66.16.

IV. Compulsory Insurance

Adjustment of the statutory base salary effective from 01 July 2026

On 15 May 2026, the Government issued Decree No. 161/2026/ND-CP increasing the statutory base salary from VND 2,340,000/month to VND 2,530,000/month. Accordingly, the maximum salary base for compulsory social insurance and health insurance contributions will be VND 50,600,000/month.

Decree 161 takes effect from 01 July 2026.

V. Other Updates

On 24 April 2026, the National Assembly passed Law No. 09/2026/QH16 amending several provisions of the PIT Law, VAT Law, CIT Law, and Special Consumption Tax (“SCT”) Law, with key highlights as follows:

- Supplement provisions authorizing the Government to determine annual revenue thresholds eligible for exemption from PIT and VAT for resident individuals engaged in production and business activities, in line with socio-economic conditions from time to time.
- Supplement provisions authorizing the Government to determine annual revenue thresholds eligible for CIT exemption, in line with socio-economic conditions from time to time.
- Extends the roadmap for increasing SCT rates on battery-powered vehicles with fewer than 24 seats from 2027 to 2031.

Law No. 09 takes effect from 24 April 2026. Amendments relating to PIT, VAT, and CIT take effect from 01 January 2026.

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