KPMG

Custom Alert

August 2026

The New Decree on implementation of the Foreign Trade Management Law will take effect from 5 September 2026

On 22 July 2026, the Government issued Decree No. 292/2026/ND-CP (**"Decree 292"**) detailing and guiding the implementation of the Law on Foreign Trade Management, replacing Decree No. 69/2018/ND-CP dated 15 May 2018. Decree 292 will officially take effect from 5 September 2026, with some notable changes related to import and export activities highlighted as follows:

1. **Temporary import for re-export and temporary export for re-import -** Specifically stipulates that each shipment under temporary import or temporary export procedures may be granted no more than two (02) extensions. Decree 292 also clearly provides that goods under these arrangements must not undergo any changes to their form, use, or fundamental characteristics, and must not used to create other goods.
2. **Transshipment business -** Expands the scope of transsshipment activities to allow foreign direct investment (**"FDI"**) to conduct transshipment business whereby goods are transported directly from the exporting country to the importing country without passing through a Vietnamese border gate.
3. **Processing for foreign traders -** Amends and supplements certain detailed regulations on mandatory provisions in processing (toll manufacturing) contract, including the handling of excess materials and products both during the implementation and after the termination of the contract, as well as requirements applicable to changes in the bill of materials and loss/ wastage rates.
4. **List of goods prohibited from import and export -** Supplements the list of goods prohibited from export and/or import such as electronic cigarettes, heated tobacco products, rough diamonds, and goods manufactured or produced wholly or partially through forced labor.
5. **Certificate of Free Sale ("CFS") -** Supplements requirements for CFS, such as CFS for imported goods must be issued in English or translated into Vietnamese and certified by the importing trader if issued in another language, CFS for exported goods is valid for 5 years (unless otherwise provided by law).

Our Comments

Decree 292 supplements the regulations on timelines and specific requirements for certain procedures, documentation relating to import and export activities. Such changes reflect a stricter regulatory approach to the management of specialized import and export activities, as well as require higher compliance obligations on enterprises. Therefore, the enterprises, particularly FDI engaged in processing for foreign traders, temporary import for re-export, temporary export for re-import, etc. should proactively review changes on the new regulations in order to assess the potential implications, adjust supply chains and update relevant internal process for ensuring compliance with the new regulations once the New Decree officially takes effect.

Please contact KPMG should you require further consultation or assistance regarding customs and import-export matters.

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