

**Chandrawat
& Partners**



IMMIGRATION TO VIETNAM

enquiries@chandrawatpartners.com | www.chandrawatpartners.com

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System of immigration

The immigration system in Vietnam refers to the rules, regulations, and procedures governing the entry, stay, and departure of foreigners in Vietnam. Here are some key points about the immigration system in Vietnam:

- **Visas:** Most foreigners planning to enter Vietnam need a visa. The visa requirements vary depending on the purpose and duration of stay. Visitors can apply for different types of visas, such as tourist visas, business visas, work visas, and student visas. Vietnam offers both single-entry and multiple-entry visas.
- **Visa exemptions:** Citizens of certain countries are exempted from obtaining a visa for a specified period. These countries include Japan, South Korea, Russia, most ASEAN countries, and several European countries. The visa exemption duration differs depending on the nationality.
- **Work permits:** Foreigners planning to work in Vietnam are required to obtain a work permit. The process involves obtaining a job offer from a Vietnamese employer, providing necessary documents, and fulfilling specific criteria. Work permits are usually valid for up to two years and can be renewed.
- **Temporary residence cards:** Foreigners staying in Vietnam for an extended period, such as for work, may need to obtain a Temporary Residence Card. The card provides legal status and allows multiple entries and longer stays without the need for a visa. The duration of the Temporary Residence Card can vary.
- **Immigration procedures:** Upon arrival in Vietnam, foreigners must go through immigration procedures, including presenting their passport, and visa (if required), and completing an entry/exit form. The immigration officers may ask questions regarding the purpose and duration of their stay. Visitors are usually required to register their place of residence with the local authorities.
- **Overstaying:** Overstaying the allowed duration without proper authorization is a violation of Vietnamese immigration law. Penalties for overstaying can include fines, deportation, and potential difficulties in future visits to Vietnam.



Purposes for immigration

1. Many job opportunities for foreigners in Vietnam

Vietnamese job seekers are increasingly sought after by other nations. Many foreigners travel to Vietnam in search of better employment that matches their level. Additionally, foreigners are interested in the numerous international jobs available in Vietnam. Vietnam offers many jobs to foreigners as a developing economy. Although there are many opportunities for foreigners in smaller towns, most foreign workers are concentrated in Ho Chi Minh City and Hanoi. The IT, construction, and tourism industries are some of the fields that draw foreigners. But a lot of foreigners travel to Vietnam and find employment as English teachers in universities, language institutes, and non-governmental organizations, particularly in Hanoi and Ho Chi Minh City.

It is known that Vietnam is lacking in highly qualified labour, so foreigners come to Vietnam to find a job which seems to be a factor in narrowing the gap in certain areas. In some areas of public relations, labour from the Philippines, Indians, and Westerners came to Vietnam to work.

Many industries love hiring foreigners for a variety of reasons, such as a lack of skills in the local labour market, promising faces for the development of the company, and the ability to work with companies/international investors. If a foreigner can develop a reputation, they can live and work here for a long time in the way they want.

2. Low cost of living for foreigners in Vietnam

According to a newly published ranking, Vietnam is the country with the cheap cost of living for foreigners compared to any other country in the world. According to the rankings in 2017, Vietnam became the leading country in the Personal Finance Index. Nearly three out of 10 respondents (28%) are completely satisfied with their financial situation when living in Vietnam, higher than 11% than the global average (17%).

Only 7% of foreigners in Vietnam think that their family income is not enough to cover their living expenses. 93% of respondents said they had enough or more than they needed, far more than the global average of 77%. Almost one in five (18%) even think they have more money than they need to live.

More than nine out of ten foreigners (91%) are also happy with the cost of living in Vietnam, with more than four in tenths (43%) saying that costs are very reasonable (on average, only about 15% of the respondents praised the host country for a reasonable cost of living). InterAction's 2017 survey also found that nearly three-quarters of foreigners (73%) considered the lower living expenses as a potential benefit when considering moving to live in Vietnam.

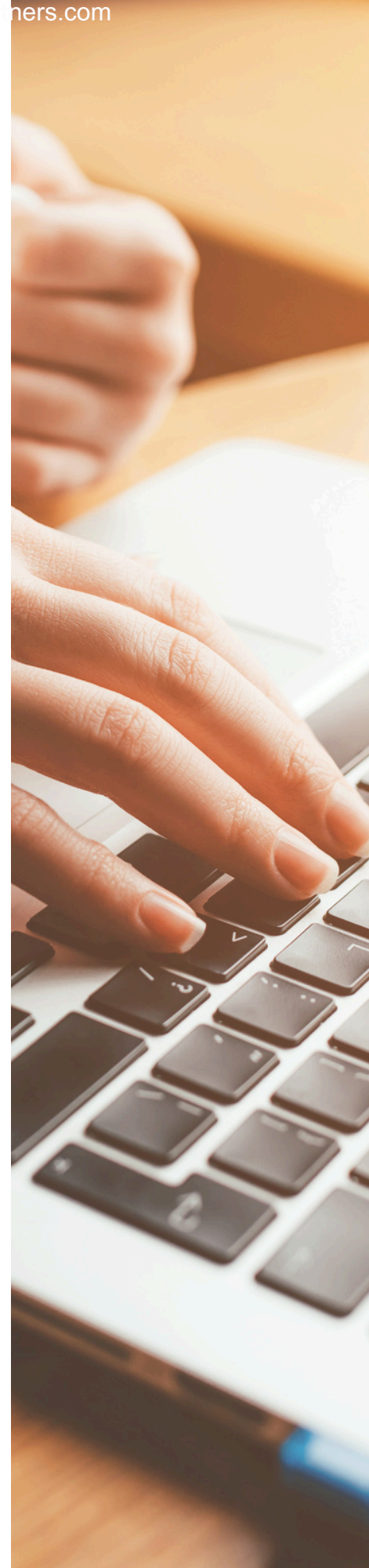
3. High salary for foreigners working in Vietnam

- **Industry and Job Role:** Salaries can differ significantly across industries. Professions such as finance, IT, engineering, and management generally offer higher salaries compared to other fields. Moreover, senior, or specialized positions tend to command higher pay.
- **Qualifications and Experience:** Your qualifications and experience play a significant role in determining your salary. Those with advanced degrees, certifications, or extensive experience in their field are likely to receive higher compensation.
- **Location:** Salaries can vary depending on the city or region you work in. Major cities like Ho Chi Minh City and Hanoi generally offer higher salaries compared to smaller towns or rural areas.

4. Vietnam – beautiful country – ideal for combining working and traveling

Vietnam is not only beautiful by nature, but also extremely interesting because of its history, culture, and people. In the eyes of foreigners, Vietnam is an attractive tourist destination. In addition to the beautiful nature, and good food, foreigners often advise each other to travel to Vietnam because this is a place “very rich in culture and history,” which still retains its very own characteristics representing Vietnamese culture.

Vietnam has many beautiful sights of nature, constantly named in the scenic world honours. By 2014, Vietnam has been recognized by 18 UNESCO World Heritage sites, including 2 natural heritages (Halong Bay, Phong Nha – Ke Bang National Park); 5 cultural heritages (Thang Long Imperial Citadel, Hanoi Citadel, Hue Imperial Citadel, Hoi An Ancient Town, My Son Temple); a mixed heritage (Trang A Complex) and other intangible cultural heritage.



Indirect routes to immigration

Vietnam has specific immigration policies and regulations, and the primary route for immigration to Vietnam is through the direct application process. However, some alternative routes and programs allow individuals to live and work in Vietnam. Here are a few options:

- Marriage:** If you are married to a Vietnamese citizen, you may be eligible for a spouse visa, which permits you to live in Vietnam. The process usually involves providing the necessary documentation and going through the immigration procedures.

- Employment:** Obtaining a job offer from a Vietnamese company can be another way to immigrate to Vietnam. The employer will need to sponsor your work permit, and you will be required to provide the necessary documentation and meet the qualifications set by the Vietnamese government. It is categorized into:

LD1 – to be granted to foreigners who come to work in Vietnam with work permit exemption certificate, unless otherwise provided for in international treaties to which Vietnam is a member.



LD2 – to be granted to foreigners who must have work permit Vietnam to work.

This type of visa for Vietnam is valid for 2 years at maximum. In case you wish to stay in Vietnam for longer, you need to apply for an LD temporary residence card which is valid for up to 02 years.

- Investment:** Vietnam offers opportunities for foreign individuals who wish to invest in the country. By establishing a business and making a significant investment, you may be eligible for a business visa or a long-term residency permit. The specific requirements and investment amounts vary based on the type of business and location.

DT1 – to be granted to foreign investors in Vietnam and representatives of foreign organizations investing in Vietnam with capital contribution of at least VND100 billion, or investing in the business fields and areas of investment incentives decided by the Vietnam Government. Valid for up to 5 years.

DT2 – to be granted to foreign investors in Vietnam and representatives of foreign organizations investing in Vietnam with capital contribution of VND50 – under VND100 billion, or investing in the business fields of investment encouragement decided by the Vietnam Government. Valid for up to 5 years.

DT3 – to be granted to foreign investors in Vietnam and representatives of foreign organizations investing in Vietnam with capital contribution of VND3 – under VND50 billion. Valid for up to 3 years.

DT4 – to be granted to foreign investors in Vietnam and representatives of foreign organizations investing in Vietnam with capital contribution of less than VND3 billion. Valid for up to 12 months.

•**Study Programs:** Enrolling in a recognized educational institution in Vietnam can be a pathway for immigration. Student visas are typically granted to international students pursuing full-time courses in Vietnam. After completing their studies, some individuals may have the opportunity to transition to work visas.



•**Retiree Visa:** Vietnam offers a long-term visa for retirees who wish to reside in the country. The specific requirements and conditions may vary, but generally, applicants must be of a certain age (usually 55 or older), provide proof of retirement, and meet the financial criteria set by the Vietnamese government.



•To enter Vietnam, most foreigners need a visa issued by a Vietnamese Embassy or Consulate. A Vietnamese visa can be granted while in a third country or from within Vietnam. That said, citizens of many countries can receive visa-free entry to Vietnam. These include:

1. ASEAN countries: from 14 to 30 days;
2. Chile: 90 days; and
3. Denmark, Finland, France, Germany, Italy, Norway, South Korea, Spain, Sweden, and the UK (British citizens only): 15 days

Visa categories

Business visa: Most often, foreign nationals will need a business (HN) visa (unless they are visa-exempt). The Vietnamese embassy should be contacted for this visa. Or consulate in the nation of origin or authorized residency of the foreign national.



Basic requirements

The following are general requirements for business visitors and are subject to change by the Vietnamese immigration authorities:

- The foreign national must demonstrate a sincere desire to travel for business.
- The foreign citizen must present the Vietnam sponsor's business visa authorization (issued by the Vietnamese Immigration Department,
- The foreign national must give proof that there are no limitations on traveling to Vietnam (Ministry of Public Security).
- The maximum period of stay This visa allows business visitors to make a single-entry visit to Vietnam for up to three months during the visa validity period. The visa may be renewed only after the visitor has left Vietnam.

Employment authorization

Permission for foreign nationals to take employment and work in Vietnam is more complex than entry as a business visitor. Unless exempt, foreign nationals who intend to work in Vietnam must have a Work Permit. In addition, a visa or temporary resident card is also required. This section provides the basic requirements for some of the most common work visa categories: DN visas (for foreign nationals who will work with a Vietnamese entity) and LD visas (for other foreign workers).



Work permit and visa validity periods

A Work Permit for foreign employees will be valid for a maximum of two years and may be renewed for another two years at the discretion of the Vietnamese immigration authorities. The validity periods of the work visas vary depending on the purpose of entry. The DN visa is generally issued for up to 12 months, while the LD visa is generally issued for 2 years.

Conditions for a valid visa

Depending on the type of visa applied for:

- The foreign national must be at least 18 years of age
- The foreign national must hold the position of a manager, executive, expert, or technician role
- The foreign national must not have a criminal a record that involves a national security offense in Vietnam or overseas
- The employer must receive approval to recruit a foreign national
- The foreign national must provide the evidence of the intra-company transfer decision
- The foreign national must prove that he or she has been employed by the foreign entity for at least 12 consecutive months before coming to Vietnam to work (e.g., by way of the employment contract, confirmation from the parent company, decision on employment recruitment or receipt of tax or insurance payments)

Vietnam Visa types by Length of Stay and Validity

By this criterion, Vietnam visa is normally categorized into:

- 1-month single entry visa
- 1-month multiple entry visa
- 3 months single entry visa
- 3 months multiple entry visa
- 6 months multiple entry visa
- 1-year multiple entry visa



Submission Process

The process for obtaining employment and work authorization involves four steps, summarised below:

1. Applicants can apply for a Work Permit in person or by post to a Vietnamese embassy or consulate.
2. Applicants must receive an authorization letter from the Vietnamese Immigration Department to obtain a work visa at the Vietnamese embassy or consulate.
3. Once in Vietnam, the foreign national must obtain residence registration from the local police.
4. A foreign national who has stayed in Vietnam for more than one year may apply for a temporary residence card ("TRC") from the Vietnamese Immigration Department which would permit the foreign national to stay in Vietnam without a visa during the validity period of the TRC.

Foreign-issued documents used in the submission process must be legalised. A notarized Vietnamese translation of the legalised document will be needed if the document was authored in another language. The application procedure may be severely delayed and take many weeks. Please be aware that documentation needs and processing times can change. For failing to comply with Vietnam's immigration regulations, there are also monetary and incarcerate consequences. For more detailed counsel, kindly get in touch with our immigration attorneys.

Immigration documentation checklist

Documents Required for Vietnam Tourist Visa Application for Indians

- Indian Passport, with a validity of minimum of six more months from the date of travel to Vietnam. You will need at least two blank pages on your passport for the visa stamp.
- Two passport-sized photographs.
- If you are looking to avail visa on arrival, you need to provide the following additional documents as well.
- Duly filled-up application form for the visa on arrival. It is also known as an M3 form.
- Proper approval letter that lets you acquire the visa upon arrival at Vietnam's airport.
- For visa on arrival, you must also pay the stamping fee applicable in cash. Keep in mind that this payment needs to be made in the official Vietnamese currency, the Vietnamese Dong.

Any recent changes that may have taken place in the immigration rules (as on 16 march 2023)

The Prime Minister Pham Minh Chinh has asked his cabinet to review the policies regarding immigration procedures, such as offering more visa waivers, increasing the duration of stays for foreign tourists with reasonable fees, and expanding the country's e-visa program.

- Vietnam has granted visa waivers to visitors from 13 nations — 11 in Europe and two in Asia — who can stay in the country for 15 days.
- Visitors from nine Asian nations can stay in the country visa-free for as long as 30 days.
- Vietnam currently offers e-visas to 80 nations, the immigration department said.
- Vietnam's ministry of tourism says a more relaxed visa policy is key to drawing more international tourists.
- Local tourist firms at a Wednesday tourism conference proposed increasing the length of stays to as much as 45 days, state media reported.

Vietnam aims to attract eight million foreign tourists in 2023. This ambitious target can only be achieved if the visa policies are relaxed, as tourists will have an easier time obtaining visas and exploring the country's beauty. By easing visa requirements, the country will also improve its tourism infrastructure and services, which will make Vietnam a more desirable travel destination. This move will help to revive the tourism industry in the country and bring back the millions of visitors who once came to Vietnam to experience its culture, food, and beautiful sights.

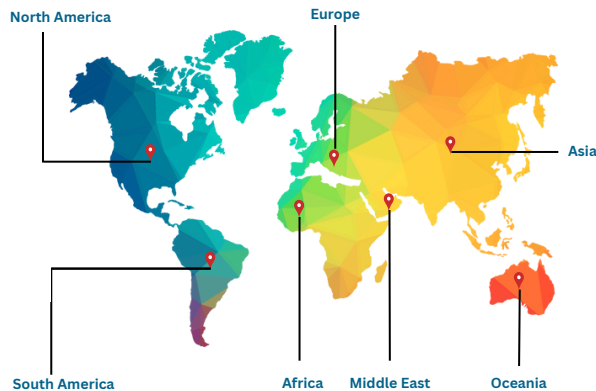
How we can help ?

Our team of dedicated immigration experts understand the complexities and challenges that individuals face when it comes to the immigration process and are committed to providing comprehensive support and supervision to ensure a smooth and hassle-free immigration experience for our clients who are interested in relocating to Vietnam. Here are some of the specific services our Team offers for immigration to Vietnam:

- Our team guides clients through the entire visa application process, ensuring that all necessary documents are prepared and submitted accurately and on time. Our Team provides step-by-step guidance to help individuals navigate through the complexities of the application process, whether it is for a tourist visa, business visa, social visa, or any other category applicable to their situation.
- Vietnam offers various visa categories, each with its own set of requirements and conditions. Our immigration professionals have a comprehensive understanding of the different visa types and can provide expert advice on choosing the most suitable visa category based on the client's purpose of visit, whether it is for employment, study, investment, or other purposes.
- For individuals seeking employment in Vietnam, our team aids in obtaining the necessary work permits. Our Team understands the specific requirements and procedures involved in obtaining work permits and strive to make the process as smooth as possible.
- Our services extend beyond the visa application process. Our Team provides post-arrival support to help individuals settle into their new lives in Vietnam. This includes assistance with accommodation, healthcare, education, and other essential aspects of relocation.



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Key Contact



Surendra Singh Chandrawat

Managing Partner

✉ surendra@chandrawatpartners.com

Connect Surendra on

[LinkedIn](#)

[WhatsApp](#)

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