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## SECURING SUCCESS

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Overview of visa, work permit and temporary residence card in Vietnam

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# Overview

In Vietnam, a visa and a work permit are 2 separate documents that are used for different purposes. A visa is an official endorsement allowing a foreigner to enter and to remain within Vietnam, while a work permit is the permission for a foreign worker to take a job in Vietnam. A visa can be replaced by a temporary residence card "TRC" which grants a foreign worker the right to stay in Vietnam for a certain length of time. If a foreigner wants to stay and to work in Vietnam, a work permit and a visa or a TRC shall be required.

## Visa

### TYPES OF VISA

Types of visa	Requirements and conditions	Authorities receiving the application
VISA EXEMPTION	<ul style="list-style-type: none"> <li>- The citizens of some countries, including Germany, are allowed to enter Vietnam without visas for tourism purpose.</li> <li>- The duration of stay is 15 days provided that the gap between the 2 entries via visa free access is 30 days.</li> </ul>	
TOURIST VISA	<ul style="list-style-type: none"> <li>- This type of visa is for foreigners attempting to enter Vietnam for tourism purpose. A multiple-entry tourist visa is valid within 3 months.</li> <li>- A tourist visa must be sponsored by a travel company.</li> </ul>	Vietnamese airports, or overseas Vietnamese embassies, or overseas Vietnamese consulates
BUSINESS VISA	<ul style="list-style-type: none"> <li>- This type of visa is for foreigners attempting to enter Vietnam for business purpose. The common validity of a multiple-entry business visa is 3 months.</li> </ul>	Overseas Vietnamese embassies, or overseas Vietnamese consulates
FAMILY VISA	<ul style="list-style-type: none"> <li>- This type of visa is for direct family member of a foreigner working in Vietnam. The family members must have the adequate evidence of dependency.</li> <li>- The maximum validity of a multiple-entry family visa is 12 months on a case by case basis.</li> </ul>	Overseas Vietnamese embassies, or overseas Vietnamese consulates
WORKING VISA	<ul style="list-style-type: none"> <li>- This type of visa shall be issued when an foreigner obtains a work permit.</li> <li>- The validity of a multiple-entry working visa shall be the same with the validity of the work permit, which is a maximum of 2 years on a case by case basis.</li> </ul>	Overseas Vietnamese embassies, or overseas Vietnamese consulates
INVESTMENT VISA	<ul style="list-style-type: none"> <li>- This type of visa is for foreign investors mentioned in the Enterprise Registration Certificate and the Investment Registration Certificate, or for lawyers having the Foreign Registered Lawyer Licenses.</li> <li>- The maximum validity of a multiple-entry investment visa is 5 years on a case by case basis.</li> </ul>	Overseas Vietnamese embassies, or overseas Vietnamese consulates

**Note:** In practice, the authorities only issue visas with the maximum validity of a maximum of 1 year. Moreover, although the laws state that a multiple-entry business visa can be valid for a maximum of 12 months, it is in practice not possible to transparently receive a 12-month business visa. Normally, the authorities only issue the business visa with the validity of 3 months. The foreigner should not accept offers of consultants promising 1 year business visa as these visa are gained intransparently and the risk of deportation due to an illegal visa is immanent. To stay in Vietnam for more than 1 year, a foreigner must have a TRC.

Required documents	Timeline	Application results
<ul style="list-style-type: none"> <li>- Application forms</li> <li>- Enterprise Registration Certificate</li> <li>- Copy of passport</li> </ul>	5 working days	A visa approval letter for an foreigner to receive the visa at an overseas embassy or consulate of Vietnam.

# Work permit

## WORK PERMIT EXEMPTION

Exemption cases	Requirements and conditions
Foreigner having a short term assignments	<ul style="list-style-type: none"> <li>- The foreigner must stay in Vietnam for no more than a total of 90 days in a year and no more than 30 days at a time. (90 / 30 rule)</li> <li>- The application for confirmation on work permit exemption is not required.</li> </ul>
Internal transferees working for the companies that operate in one of the 11 service industries	<ul style="list-style-type: none"> <li>- The foreigner must work for their parent companies for at least 12 months.</li> <li>- The foreigners' companies must operate in one of the 11 service sectors stipulated in Vietnam's WTO Commitments on Services. Details of the CPC codes of these 11 service industries are in the relevant legislations and guidance.</li> <li>- The application for confirmation on work permit exemption is required.</li> </ul>
Investors or members of Board of Directors "BoD"	<ul style="list-style-type: none"> <li>- The foreign investor must be mentioned in the Enterprise Registration Certificate and the Investment Registration Certificate.</li> <li>- The foreigner must be a member of the BoD of the Vietnamese entities.</li> <li>- The application for confirmation on work permit exemption is required.</li> </ul>
Lawyers	<ul style="list-style-type: none"> <li>- Lawyers must have a Foreign Registered Lawyer Licenses</li> <li>- The application for confirmation on work permit exemption is required.</li> </ul>
Foreign interns	<ul style="list-style-type: none"> <li>- The foreign interns must be international students seconded from their university in their home country to a local university.</li> <li>- There is no particular guidance for the duration of stay of the foreign interns. Normally, they are able to stay in Vietnam from 3 to 6 months.</li> <li>- The application for confirmation on work permit exemption is not required.</li> </ul>

Application process	Required documents	Timeline	Application results
STEP 1: Registration of the need of using foreign workers	- Report on the need of using foreign workers	10 working days	Approval letter on the need of using foreign workers
STEP 2: Application for a work permit	- Application form - Approval letter on the need of using foreign workers - The foreigner's criminal record from overseas or in Vietnam - The foreigner's health check from overseas or in Vietnam - The foreigner's documents confirming the experience of the foreigner, and the educational qualifications of the foreigner	7 working days	Work permit with the maximum duration of 2 years
STEP 3: Submission of labor contract (in case of recruitment)	- A copy of the signed labor contract between the foreigner and the company	The signed labor contract must be submitted to the labor authority within 05 working days upon the date of signing the labor contract	

# Temporary Residency with a TRC

A TRC shall replace a visa and it shall be issued when a foreign worker has a work permit or a Law Practice Registration Certificate or an Investment Certificate. The family members of the foreigner can get their TRCs along with the foreigners as long as they have the adequate evidence of dependency.

During the period of renewal of the TRC, the foreigner (and his family, if any) does not need to leave Vietnam provided that the foreigner still works at the same company sponsoring his TRC at the first time.

The process of application for a TRC:

Required Documents	Timeline	Application results
- Request forms or information forms - Work permit, or Law Practice Registration Certificate, or Investment Certificate, and Evidence of dependency (for the family of the foreigner) - Original passport with relevant visa - Confirmation of residence letter issued by the local police (pink book or confirmation letter)	5 working days (the original passport shall be kept during the timeline)	The TRC with the maximum validity that is in compliance with the duration in the work permit, or in the Law Practice Registration Certificate, or in the Investment Certificate



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