



Newsletter

On Taxation, Accounting and Business

February 2026

UPDATING ON TAX LAW

- Decree 293/2025/ND-CP, issued by the Government on November 10, 2025, stipulates the minimum wage for employees working under labor contracts, effective from January 1, 2026.
- Decree 373/2025/ND-CP, issued by the Government on December 31, 2025, amends and supplements several articles of Decree 126/2020/ND-CP detailing some provisions of the Law on Tax Administration, and takes effect from February 14, 2026.
- Circular 33/2025/TT-BKHCH dated November 15, 2025, detailing the criteria for determining enterprises manufacturing electronic equipment eligible for corporate income tax incentives, effective from January 1, 2026.
- Decision 216/QĐ-BTC dated February 3, 2026, on the announcement of amended, supplemented, and abolished administrative procedures in the field of tax management within the scope of the Ministry of Finance's management functions, effective from February 14, 2026.
- Official Letter 63/CT-CS dated January 7, 2026, from the Tax Department regarding the declaration of personal income tax on tax-exempt salaries and wages.
- Official Letter 202/CT-CS dated January 13, 2026, from the Tax Department regarding foreign contractor tax policy.
- Official Letter 645/CT-CS dated January 23, 2026, from the Tax Department regarding the dissemination and support for the collection and payment of business license fees from January 1, 2026.
- Official Letter 873/CT-CS dated February 5, 2026, from the Tax Department regarding VAT policy for exported goods delivered through bonded warehouses.
- Official Letter 1067/CT-CS dated February 12, 2026, from the Tax Department regarding the determination of corporate income tax incentives for the extension of the operating time of a software development project.
- Official Letter No. 1068/CT-CS dated February 12, 2026, from the Tax Department regarding VAT policy for advertising revenue via YouTube.

UPDATING ON TAX LAW

Decree 293/2025/ND-CP, issued by the Government on November 10, 2025, stipulates the minimum wage for employees working under labor contracts, effective from January 1, 2026.

1. Increase in Regional Minimum Wage from 01 January 2026

- Region I: The minimum wage increases from VND 4,960,000/month to VND 5,310,000/month (correspondingly from VND 23,800/hour to VND 25,500/hour).
- Region II: The minimum wage increases from VND 4,410,000/month to VND 4,730,000/month (correspondingly from VND 21,200/hour to VND 22,700/hour).
- Region III: The minimum wage increases from VND 3,860,000/month to VND 4,140,000/month (correspondingly from VND 18,600/hour to VND 20,000/hour).
- Region IV: The minimum wage increases from VND 3,450,000/month to VND 3,700,000/month (correspondingly from VND 16,600/hour to VND 17,800/hour).

Accordingly, from 01 January 2026, the regional minimum wage will increase by 7.2% compared to the current regulation.

2. Changes in Applicable Regions

Currently, Decree No. 74/2024/ND-CP classifies regions for minimum wage application based on district-level administrative boundaries.

However, district-level administrative units have now been reorganized and merged into commune-level administrative units under Resolution No. 76/2025/UBTVQH15.

Therefore, the areas for application of the regional minimum wage have been adjusted accordingly, with regional classification now based on commune-level administrative boundaries to ensure accurate application under the new structure.



3. Expansion of Scope of Application

Pursuant to Point c, Clause 3, Article 3 of Decree No. 293/2025/ND-CP, the highest regional minimum wage is expanded to apply to special zones, including High-Tech Parks and Concentrated Digital Technology Parks.

Specifically, employers operating in industrial

parks, export processing zones, high-tech parks, or concentrated digital technology parks located in areas with different regional minimum wages must apply the highest regional minimum wage applicable to those areas.

4. Protection of Employees' Rights Where the New Regional Wage Is Lower

Clause 5, Article 5 of Decree No. 293/2025/ND-CP clearly stipulates that in cases where, due to adjustments in administrative boundaries, the regional minimum wage applicable under the Appendix of Decree No. 293/2025/ND-CP is lower than the minimum wage prescribed by the Government as of 31 December 2025, the employer must continue applying the minimum wage effective as of 31 December 2025 for employees recruited on or before that date until new regulations are issued by the Government.

Decree 373/2025/ND-CP, issued by the Government on December 31, 2025, amends and supplements several articles of Decree 126/2020/ND-CP detailing some provisions of the Law on Tax Administration, and takes effect from February 14, 2026.

1. No Administrative Penalty for Late Submission of Tax Returns Due to Change in Tax Filing Period

UPDATING ON TAX LAW



Decree 373/2025/ND-CP supplements Clause 3, Article 9 of Decree 126/2020/ND-CP, providing guidance on cases where taxpayers have filed tax returns on a quarterly basis but are not eligible for quarterly filing:

Where a taxpayer self-identifies that it does not meet the conditions for quarterly filing, the taxpayer must switch to monthly tax filing from the first month of the following quarter, re-submit monthly tax returns for the previous quarters, and calculate late payment interest in accordance with regulations.

Where the tax authority determines that the taxpayer is not eligible for quarterly filing, it will issue a written notice requiring the taxpayer to file tax returns on a monthly basis from the first month of the following quarter, re-submit monthly tax returns for the previous quarters, and calculate

late payment interest in accordance with regulations (except where the issue is discovered through an on-site tax inspection at the taxpayer's premises). The taxpayer must comply with the tax authority's written request.

Notably, taxpayers will not be subject to administrative penalties for late submission of tax returns in respect of the re-submitted returns due to the change in filing period. The monthly returns will be treated as replacement returns for the previously submitted quarterly returns.

2. Unified Tax Finalization Authority for Individuals with Multiple Income Sources

Decree 373/2025/ND-CP also amends the regulations on the place of submission for Personal Income Tax (PIT) finalization dossiers for resident individuals earning salary and wage income from two or more sources:

Resident individuals whose salary and wage income is subject to withholding at source by two or more income-paying organizations must submit their PIT finalization dossiers to the tax authority directly managing the organization that paid the largest income amount during the year.

Where there are multiple largest income sources of equal value during the year, the individual may submit the finalization dossier to one of the tax authorities directly managing those income-paying organizations.

If an individual submits the PIT finalization dossier to the incorrect tax authority, the receiving tax

authority will, based on information available in the tax administration system, support the transfer of the dossier to the appropriate tax authority for processing in accordance with regulations.

3. Supplementation of Deadlines for Payment of Land Use Fees and Land Rental



Decree 373/2025/ND-CP also supplements provisions under Decree 126/2020/ND-CP regarding the deadline for payment of additional amounts arising from periods during which land use fees or land rental were not yet calculated.

Accordingly:

The tax authority will issue a notice and collect land rental, land use fees, and any additional payable amounts simultaneously with the notification of financial obligations.

No later than 30 days from the date of issuance of the payment notice, the land user must pay 50% of the total payable amount stated in the notice.

UPDATING ON TAX LAW

No later than 90 days from the date of issuance of the payment notice, the land user must pay the remaining 50% of the total payable amount.

In cases where the land use fee is re-determined more than five years after the issuance of a decision on allocation of resettlement land and the household or individual has not fully paid the outstanding land use fee, the land user must pay 100% of the payable amount within 30 days from the date of issuance of the payment notice.

Circular 33/2025/TT-BKHCN dated November 15, 2025, detailing the criteria for determining enterprises manufacturing electronic equipment eligible for corporate income tax incentives, effective from January 1, 2026

The Circular applies to agencies, organizations, and enterprises involved in electronic equipment manufacturing projects in Vietnam, and provides detailed guidance on Clause 5, Article 40 of the Law on Digital Technology Industry.

Enterprises executing electronic equipment manufacture projects shall receive corporate income tax incentives in the following cases:

1. Criteria for using semiconductor products designed, manufactured, or packaged, tested in Vietnam in the products of the electronic

equipment manufacture project:

- Semiconductor products with designs owned by Vietnamese organizations, enterprises, or individuals are used. In which, ownership rights are established through self-design or hiring others (including Vietnamese individuals) to design or purchasing designs from other entities.
- Semiconductor products manufactured or packaged, tested at factories, production lines in Vietnam are used.



2. Enterprises must meet 02 of the following contents in the criteria for scientific research, technology development, and innovation:

- Enterprises must have a research and development department consisting of at least 10 employees who are university graduates or

higher; at least 50% of the research and development department are Vietnamese citizens.

For small and medium-sized enterprises in accordance with Law on Assistance for Small and Medium-Sized Enterprises, a research and development department is not compulsory, but they must have at least 03 employees who are university graduates or higher to carry out this activity. At least 50% of the employees conducting research and development and innovation are Vietnamese citizens.

- Enterprises must have an expenditure for scientific research, technology development, and innovation activities, which is at least 2% of the average gross revenue in the last 3 consecutive fiscal years or from VND 200 billion per year in the last 3 consecutive fiscal years; in cases where the enterprise has operated for less than 3 years, it shall be calculated over the entire operating period from the date of establishment, provided that the period is not less than 1 fiscal year.

3. Products of the electronic equipment manufacture project in Vietnam have designs (including specification requirements, system architecture, detailed design, principle diagrams, circuit layouts, and related technical documents) owned by the enterprise itself. In which, ownership rights are established through self-design or hiring others (including Vietnamese individuals) to design or purchasing designs from other entities.

UPDATING ON TAX LAW

4. Criteria for developing domestic supply chains and technology transfer:

- At least 30% of Vietnamese enterprises in the total number of enterprises participates in and implement contracts for assembly and supply of materials, components, services directly serving electronic equipment manufacture projects;
- Implement technology transfer to at least 01 Vietnamese organization/enterprise within 5 years from the date of issuance of the Investment Registration Certificate or Decision on approval of the investment project or written agreement with the competent authority. The form and content of technology transfer shall comply with regulations of the law on technology transfer.



Decision 216/QD-BTC dated February 3, 2026, on the announcement of amended, supplemented, and abolished administrative procedures in the field of tax management within the scope of the Ministry of Finance's management functions, effective from February 14, 2026.

In order to further promote administrative procedure reform, enhance the application of information technology, simplify dossier processing procedures, and create more favorable conditions for individuals and enterprises in fulfilling their tax obligations, Decision No. 216/QD-BTC has been issued.

This Decision promulgates 17 amended and supplemented administrative procedures and abolishes 14 administrative procedures in the field of tax administration under the management authority of the Ministry of Finance.

1. 17 Administrative Procedures Amended and Supplemented

- Application for an Advance Pricing Agreement (APA);
- Initial tax registration for individual taxpayers and dependents;
- Declaration of Special Consumption Tax (SCT)

for the production and trading of goods and services subject to SCT;

- Corporate Income Tax (CIT) finalization under the revenue–expense method;
- Personal Income Tax (PIT) finalization / tax refund for resident individuals earning income from salaries and wages who directly finalize tax with the tax authority;
- Tax declaration applicable to foreign reinsurance companies / foreign airlines;
- Tax declaration / tax finalization for foreign contractors and foreign subcontractors;
- Provisional tax declaration for crude oil and natural gas exploration and export activities / CIT finalization for crude oil and natural gas exploration and export activities (excluding Block 09.1);
- Finalization of natural resource tax / surcharge finalization / CIT finalization / special tax adjustment applicable to natural gas of the Vietsovpetro Joint Venture at Block 09.1;
- Provisional declaration of the host country's share of petroleum profit oil and gas;
- Finalization of the host country's share of petroleum profit oil and gas;
- Surcharge finalization on contractors' share of profit oil when crude oil prices increase (excluding Block 09.1);
- Exemption or reduction of land rental and land

UPDATING ON TAX LAW

use fees;

- Extension of tax payment deadlines;
- PIT declaration for individuals earning income from real estate transfers; income from inheritance and gifts being real estate;
- Declaration; exemption or reduction of non-agricultural land use tax / declaration of agricultural land use tax;
- Declaration of land rental fees.

2. 14 Administrative Procedures Abolished

- Registration of dependents for family circumstance-based deduction applicable to individuals earning income from salaries and wages;
- SCT declaration for facilities producing or blending biofuel gasoline;
- Declaration of additional monthly VAT and PIT payable exceeding the amount declared on a quarterly basis;
- Provisional natural resource tax declaration for crude oil and natural gas exploration and export activities (excluding Block 09.1);
- Provisional tax declaration for the Vietsovpetro Joint Venture at Block 09.1;
- Special tax adjustment declaration for natural gas applicable to the Vietsovpetro Joint Venture at Block 09.1;
- Provisional declaration of the host country's

share of petroleum profit oil and gas from the Vietsovpetro Joint Venture at Block 09.1;

- Finalization of the host country's share of petroleum profit oil and gas from the Vietsovpetro Joint Venture at Block 09.1;
- VAT, PIT, and CIT declaration for activities involving the enforcement and disposal of secured assets during the pending settlement period;
- Extension of payment for mineral exploitation rights in cases of land clearance difficulties;
- Reporting on projected petroleum output and provisional tax payment ratios;
- Annual APA report;
- Ad hoc APA report;
- Exemption or reduction of non-agricultural land use tax.



Official Letter 63/CT-CS dated January 7, 2026, from the Tax Department regarding the declaration of personal income tax on tax-exempt salaries and wages.

In cases where organizations or individuals paying income are subject to monthly or quarterly personal income tax (PIT) declaration, if PIT withholding arises during the period, they are required to submit the monthly or quarterly PIT return and fully declare the amount of tax withheld in such period. If no PIT withholding arises in that month or quarter, they are not required to submit the monthly or quarterly PIT return.

For tax finalization, organizations and individuals paying income from salaries and wages are required to file the annual PIT finalization return, regardless of whether tax withholding arises or not.

Official Letter 202/CT-CS dated January 13, 2026, from the Tax Department regarding foreign contractor tax policy

The General Department of Taxation agrees with the proposal stated in Official Letter No. 2078/LDO-QLDN3 dated 18 September 2025 of the Lam Dong Provincial Tax Department regarding

UPDATING ON TAX LAW

the application of a tax code for the Foreign Contractor to declare and pay corporate income tax (CIT) under the percentage (%) method on taxable revenue at the Foreign Contractor level, for contractor tax (CIT applicable to machinery, equipment and accompanying services) based on the contract signed with the project owner, provided that the actual conditions prescribed by law are satisfied.



Official Letter 645/CT-CS dated January 23, 2026, from the Tax Department regarding the dissemination and support for the collection and payment of business license fees from January 1, 2026.



Clause 7, Article 10 of Resolution No. 198/2025/QH15 dated 17 May 2025 of the National Assembly on certain special mechanisms and policies for the development of the private economy provides:

"7. The collection and payment of business license fees shall be terminated from 01 January 2026."

Clause 4, Article 6 of Decree No. 362/2025/ND-CP dated 31 December 2025 of the Government detailing a number of articles and measures for the implementation of the Law on Fees and Charges stipulates:

"4. To abolish Decree No. 139/2016/ND-CP dated 04 October 2016 of the Government on business license fees and Decree No. 22/2020/ND-CP dated 24 February 2020 of the Government amending and supplementing a number of articles of Decree No. 139/2016/ND-CP dated 04 October 2016 on business license fees."

Based on the above provisions, from 01 January 2026, taxpayers are not required to pay business

license fees for 2026 and subsequent years. Accordingly, taxpayers are not required to submit business license fee declarations for 2026 and the following years.

Official Letter 873/CT-CS dated February 5, 2026, from the Tax Department regarding VAT policy for exported goods delivered through bonded warehouses.

Regarding value-added tax (VAT) applicable to goods transported from the domestic market into a bonded warehouse, on 17 February 2025, the Ministry of Finance issued Official Letter No. 1872/BTC-TCT in response to the People's Committee of Dong Nai Province.

Based on the above regulations, the conditions for applying the 0% VAT rate to exported goods require that the goods be sold by an entity in Vietnam to an organization or individual overseas and be consumed outside Vietnam.

In cases where a domestic enterprise signs a contract to sell goods to a foreign trader and delivers the goods to a bonded warehouse, but it cannot yet be determined that the goods are consumed outside Vietnam, there is insufficient basis to apply the 0% VAT rate in accordance with regulations.

UPDATING ON TAX LAW

Where the contract stipulates that the goods are delivered to a third party being a Vietnamese enterprise, with the delivery location through a bonded warehouse, the Ministry of Finance has provided its opinion in Official Letter No. 1872/BTC-TCT as mentioned above.



Official Letter 1067/CT-CS dated February 12, 2026, from the Tax Department regarding the determination of corporate income tax incentives for the extension of the operating time of a software development project.

Regarding the extension of an investment project, the Ministry of Finance issued Official Letter No. 206/BTC-TCT dated 07 January 2015 providing guidance on tax policy, stating that:

"... The legal documents on CIT only stipulate that enterprises established in cases of conversion,

division, separation, merger, etc., may continue to enjoy CIT incentives for the remaining incentive period of the former enterprise if they continue to satisfy investment incentive conditions. There is no provision allowing CIT incentives to apply to any extended operating period beyond the initial Investment License..."

Therefore, for the new investment project, if it satisfies the conditions applicable to incentivized investment sectors, it shall be entitled to CIT incentives for the period stated in the first Investment Certificate (05 years).

For the extended period granted under the amended Investment Certificate, the enterprise is not entitled to CIT incentives for such extended period of the investment project.

Official Letter No. 1068/CT-CS dated February 12, 2026, from the Tax Department regarding VAT policy for advertising revenue via YouTube.

- For the period before 01 July 2025: In case the Company uses Google's services by uploading content (videos) to the YouTube platform and receives 55% of advertising revenue generated from advertisements displayed on each video pursuant to the YouTube Monetization Agreement, the entire revenue paid to the Company by Google (YouTube) is determined

as advertising revenue and is subject to value-added tax (VAT) at the rate of 10%.

- From 01 July 2025 onwards: The Hanoi Tax Department is requested to guide the Company to comply with the provisions of the Law on Value Added Tax No. 48/2024/QH15 and its guiding documents.



CONTACT

OUR SERVICES

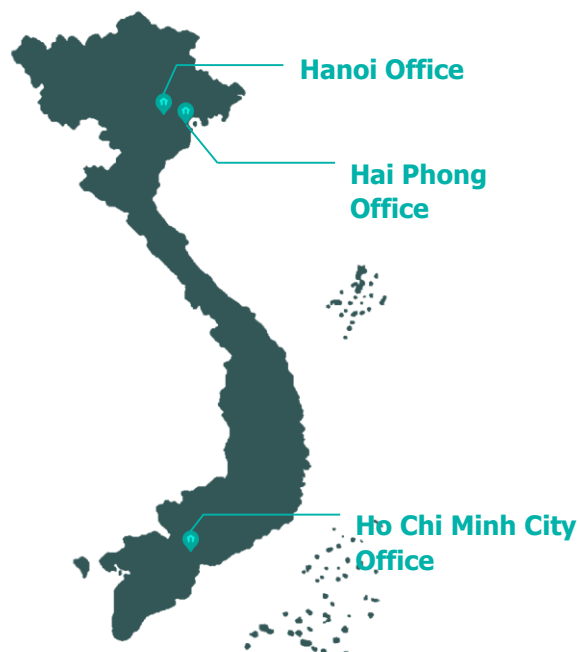
Audit and Assurance

Accounting and Business Process Outsourcing

International and Local Taxation

Transfer Pricing

Business Advisory



OUR CONTACTS

Hanoi Office

10th Floor, Geleximco Tower, 36 Hoang Cau Str.,

O Cho Dua Ward, Hanoi

Email: nexiastt@nexia.vn

Phone: +84 24 3935 0990

Hai Phong Office

No.245 Bach Dang Str., Hong Bang Ward,

Hai Phong City, Vietnam

Email: ktanphat@nexia.vn

Phone: +84 225 3539969/666/555

Ho Chi Minh City Office

No. 22 Ly Tu Trong, Sai Gon Ward,

Ho Chi Minh City, Vietnam

Email: nexiastt@nexia.vn

Phone: +84 28 7 304 3599

