

GOVERNMENT

SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom – Happiness

No. 75/2020/ND-CP

Hanoi, July 1, 2020

DECREE

**ON ELABORATING TO LAW ON AMENDMENTS TO LAW ON ENTRY, EXIT, TRANSIT
AND RESIDENCE OF FOREIGNERS IN VIETNAM**

Pursuant to Law on Government Organization dated June 19, 2015;

Pursuant to Law on Entry, Exit, Transit and Stay of Foreigners in Vietnam dated June 16, 2014;

*Pursuant to Law on amendments to Law on Entry, Exit, Transit and Stay of Foreigners in
Vietnam dated November 25, 2019;*

At the request of the Minister of Public Security;

*The Government promulgates Decree on elaborating to Law on amendments to Law on entry,
exit, transit and residence of foreigners in Vietnam.*

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Decree prescribes:

1. Foreigners who enter border economic zones and coastal economic zones under visa exemption specified in Clause 3 Article 12 of Law on entry, exit, transit, and residence of foreigners in Vietnam and Clause 7 Article 1 of Law on amendments to Law on entry, exit, transit, and residence of foreigners in Vietnamese wish to visit other destinations in Vietnam.

2. Issuance of visa for foreigners who have not had commercial presence or partner in Vietnam to enter Vietnam according to international agreements to which Vietnam is a signatory.

3. Form of issuing temporary residence certification for foreigners entering Vietnam.

Article 2. Regulated entities

This Decree applies to foreigners entering, exiting, and residing in Vietnam, regulatory agencies in Vietnam, relevant Vietnamese and foreign agencies, organizations, and individuals.

Chapter II

SPECIFIC PROVISIONS

Article 3. Issuance of visas for foreigners who enter border economic zones or coastal economic zones to visit other destinations

1. Foreigners who enter border economic zones and coastal economic zones under visa exemption specified in Clause 3 Article 12 of Law on entry, exit, transit, and residence of foreigners in Vietnam and Clause 7 Article 1 of Law on amendments to Law on entry, exit, transit, and residence of foreigners in Vietnamese wish to visit other destinations in Vietnam shall follow inviting or guaranteeing agencies, organizations, and individuals in Vietnam to adopt procedures for visa issuance at immigration authorities according to Article 19 of Law on entry, exit, transit, and residence of foreigners in Vietnam.

2. A national who benefits from unilateral visa exemption of Vietnam, enters border economic zones and coastal economic zones under visa exemption specified in Clause 3 Article 12 of Law on entry, exit, transit, and residence of foreigners in Vietnam and Clause 7 Article 1 of Law on amendments to Law on entry, exit, transit, and residence of foreigners in Vietnamese, and wishes to visit other destinations in Vietnam shall proceed as follows:

- a) If he/she has been temporarily residing for less than 15 days, an immigration control entity shall issue expiry stamp on the old temporary residence certification and issue a new temporary residence certification which expires after 15 days from the date of entry;
- b) If he/she has been temporarily residing for more than 15 days, adopt procedures for issuance of visa as specified under Clause 1 of this Article.

3. In case foreigners entering border economic zones and coastal economic zones under visa exemption according to international agreements to which Vietnam is a signatory whose temporary residence period has expired and wish to visit other destinations of Vietnam, issuance of visas for the foreigners shall conform to the international agreements.

Article 4. Issuance of visa for foreigners who have not had commercial presence or partner in Vietnam to enter Vietnam according to international agreements to which Vietnam is a signatory

1. Foreigners applying for issuance of visas shall access electronic portal on immigration and perform as follows:

- a) Declare information and upload photos, personal record, and passports;
- b) Upload documents proving eligibility mentioned under international agreements to which Vietnam is a signatory but has not had commercial presence or partners in Vietnam. The documents must be consular legalized, except for cases of consular legalization exemption

according to regulations and law of Vietnam or international agreements to which Vietnam is a signatory;

c) Receive electronic dossier code of immigration authorities.

2. Within 2 working days from the date on which adequate information on visa application is received, immigration authorities shall transfer to agencies assigned by the Government to take charge implementing international agreements.

3. Within 3 working days from the date on which visa application transferred from immigration authorities is received, agencies assigned by the Government to take charge implementing international agreements are responsible for verifying whether or not the foreigners are eligible as specified in the international agreements and performing as follows:

a) In case the foreigners are eligible according to the international agreements to which Vietnam is a signatory and under state management of presiding authorities, submit visa application at immigration authorities;

b) In case the foreigners are eligible according to the international agreements to which Vietnam is a signatory but not under state management of presiding authorities, transfer visa application to ministries and ministerial agencies specialized in the fields;

c) In case the foreigners are not eligible according to the international agreements to which Vietnam is a signatory, respond to immigration authorities to inform the foreigners.

4. Within 2 working days from the date on which visa application is received, ministries and ministerial agencies specified under Point b Clause 3 of this Article are responsible for submitting visa application at immigration authorities.

5. Immigration authorities shall consider, process, and respond to applying agencies and the foreigners via electronic portal on immigration within 3 working days from the date on visa application has been received.

6. The foreign applicants shall use electronic dossier code to examine and print response of immigration authorities to proceed with procedures for receiving visas as specified under Clause 2 Article 17 and Article 18 of Law on entry, exit, transit, and residence of foreigners in Vietnam.

Article 5. Form of issuing temporary residence certification for foreigners entering Vietnam

1. Immigration control shall issue temporary residence certification for foreigners who enter via stamping in passports or loose leaf visas, except for cases specified under Clause 2 of this Article.

2. Immigration control shall not issue temporary residence certification for foreigners entering via automated control posts.

Chapter III

IMPLEMENTATION

Article 6. Entry into force

This Decree comes into force from July 1, 2020.

Article 7. Responsibilities for implementation

Related ministers, heads of ministerial agencies, heads of Governmental agencies, Chairman of the Provincial People's Committee, authorities, organizations, individuals are responsible for the implementation of this Decree./.

**PP. GOVERNMENT
PRIME MINISTER**

Nguyen Xuan Phuc

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