

# LEGAL UPDATE

APRIL 2021

*Welcome to this week's edition of the BLawyers Vietnam's Legal Update, a news update for who wants to stay on the edge of Vietnam's legal policies and guidelines*

*On this week's Legal Update, we will lead you explore 3 following issues:*

1. The extension of the time limit for Value Added Tax, Corporate Income Tax, Personal Income Tax, and land rental payment in 2021;
2. Regulations on document, report templates related to the investing activities in Vietnam, investing activities from Vietnam to abroad, and investment promotion; and
3. Managing entry to Vietnam for COVID-19 epidemic prevention.



# THE EXTENSION OF THE TIME LIMIT FOR VALUE ADDED TAX (“VAT”), CORPORATE INCOME TAX (“CIT”), PERSONAL INCOME TAX (“PIT”), AND LAND RENTAL PAYMENT IN 2021

On 19 April 2021, the Government issued Decree No. 52/2021/ND-CP on the extension of time limit for VAT, CIT, PIT, and land rental payment in 2021 with the following contents:

Regarding VAT:

The tax period	The extension period
From March 2021 to June 2021	04 months
First quarter, second quarter of 2021	04 months
July 2021	04 months
August 2021	03 months

The extension period is counted from the end of the VAT payment deadline.

Enterprises and organizations are eligible for the extension to declare VAT, submit VAT declarations but are not required to pay VAT at this moment. The deadline for paying VAT is extended as follows:

The tax period	The deadline
March 2021	20 September 2021
April 2021	20 October 2021
May 2021	20 November 2021
June 2021	20 December 2021
July 2021	20 December 2021
August 2021	20 December 2021
First quarter of 2021	30 September 2021
Second quarter of 2021	31 December 2021

Regarding CIT: Extension of the time limit for PIT payment for the first quarter and second quarter of the 2021 CIT period is 03 months from the end of the CIT payment deadline.

Regarding VAT, PIT of households and individuals: Extension of the time limit for PIT payment of business households and individuals to 31 December 2021.

Regarding land rental payment: Duration for extension of time limit for land rental payment for land rental is 06 months from 31 May 2021.

The procedure for extending the time limit: The taxpayer submits a request for extension and takes responsibility for the accuracy of the extension.

## REGULATIONS ON DOCUMENT, REPORT TEMPLATES RELATED TO THE INVESTING ACTIVITIES IN VIETNAM, INVESTING ACTIVITIES FROM VIETNAM TO ABROAD, AND INVESTMENT PROMOTION

On 9 April 2021, the Ministry of Planning and Investing issued Circular No. 03/2021/TT-BKHDT to regulate about document, report templates related to the investing activities in Vietnam, investing activities from Vietnam to abroad, and investment promotion. Some notable points are:

Document and report templates related to each field are specified in each appendix:

- Relating to the investing activities in Vietnam: Appendix A
- Relating to the investing activities from Vietnam to abroad: Appendix B
- Relating to the investing promotion activities: Appendix C

Guidance on the signing of documents and reports:

- In case of investing in the form of establishing an economic organization in Vietnam: Before establishing the economic organization, the investor signs the documents on investment procedures; after the establishment of the economic organization, the legal representative of the organization signs the documents implementing the investment procedures.
- In the case of investment in the form of capital contribution, share purchase, capital contribution purchase in Vietnam: the foreign investors contribute capital, purchase shares, purchase capital contributions and the legal representatives of the invested economic organizations together sign the documents implementing investment procedures.
- In the case of investment in the form of a business cooperation contract in Vietnam: the parties who join in the cooperation contract sign the documents implementing the investment procedures and documents related to investment activities.
- Investors, who are defined in Article 68 of Decree No. 31/2021/ND-CP, sign documents and reports related to investment activities from Vietnam to abroad.

## MANAGING ENTRY TO VIETNAM FOR COVID-19 EPIDEMIC PREVENTION

On 16 April 2021, the National Steering Committee for COVID-19 Prevention and Control issued Official Letter No. 2924/CV-BCD about managing cases of expert relatives applying for entry to Vietnam to prevent COVID-19 epidemic with the following content:

In the cases of relatives (father, mother, spouse, children) of investors, technical experts, skilled workers, enterprise managers (collectively referred to as experts) who enter Vietnam to do business, the management will apply as it is to professionals. Accordingly, the Province level People's Committee decides the list of relatives of experts who will be allowed to enter and sends the list to the Ministry of Public Security (Immigration Department) to consider, resolve and ensure the requirements for epidemic prevention before, during and after the entry.