PwC Legal NewsBrief

New work permit rules for foreigners

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At a glance

The Government issued Decree 393/2026/ND-CP on 20 October, making some significant changes to Vietnam's foreign worker regime. Effective 5 December 2026, Decree 393 will come into effect and replace Decree 219 issued last year. Please see our previous NewsBrief on Decree 219

Notable changes

- **Greater access to foreign talent**

  Decree 393 introduces more flexible eligibility criteria for work permits, and broader pathways for foreign talent, including graduates of top-500 global universities, particularly in areas Vietnam is seeking to promote, such as technology, science, education and research.

- **Broader work permit exemptions**

  Work permit exemptions are expanded to facilitate the attraction of highly qualified and specialised talent, particularly in education, strategic technology and AI.

- **Tighter rules for short-term assignments**

  The 90-day exemption is now clarified to apply per foreign worker across all work in Vietnam during a calendar year, rather than per employer. Also, where an employment relationship arises and remuneration is paid, a work permit under the local-hire employment form must be obtained.

- **More digital and streamlined procedures**

  Decree 393 promotes greater government data sharing, allowing authorities to retrieve information such as criminal records, health examination results and passport biodata directly from Vietnam's national databases, where available, rather than requiring these documents to be submitted with the work permit application. Passports are also expressly now exempt from consular legalisation.

- **Reporting and workforce compliance**

  Employers will be subject to twice-yearly reporting on their foreign workforce, by 5 June and 5 December, as well as certain ad hoc reporting obligations, subject to specified exceptions. In addition, foreign workers must be employed for the employer's own workforce needs and cannot be subleased to other employers.



Contact us

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