



# September 2025 Newsletter

---

**KMC CONSULTING COMPANY LIMITED**

Hotline: +84 81 489 4789 (English) | +84 91 988 9331 (Japanese)

URL: [www.kmc.vn](http://www.kmc.vn) | Email: [info@kmc.vn](mailto:info@kmc.vn)



# Content

<u><b>1</b></u>	OL No. 4094/CT-CS dated 29 September 2025 issued by the Tax Department regarding PIT finalization from salaries and wages.	<b>PIT</b>
<u><b>2</b></u>	Decree No. 236/2025/NĐ-CP dated 29 August 2025 issued by the Government, detailed regulations for the implementation of certain provisions on Resolution No. 107/2023/QH15 dated 29 November 2023 by the National Assembly regarding the application of the supplementary CIT for anti-erosion of the global tax base.	<b>CIT</b>
<u><b>3</b></u>	OL No. 3601/CT-CS dated 5 September 2025 issued by the Tax Department regarding the determination of CIT incentives.	<b>CIT</b>
<u><b>4</b></u>	OL No. 3577/CT-CS dated 04 September 2025 issued by the Tax Department regarding input VAT during the trial operation and performance stage.	<b>VAT</b>
<u><b>5</b></u>	OL No. 1585/TCS3-QLDN1 dated 08 September 2025 issued by the Dong Nai Provincial Tax Department regarding VAT on exported goods and services.	<b>VAT</b>
<u><b>6</b></u>	OL No. 3611/CT-CS dated 05 September 2025 issued by the Tax Department regarding VAT.	<b>VAT</b>

# Content

<u><b>7</b></u>	OL No. 3654/CT-CS dated 9 September 2025 issued by the Tax Department regarding VAT.	<b>VAT</b>
<u><b>8</b></u>	OL No. 24885/CHQ-NVTHQ dated 17 September 2025 issued by the General Department of Customs regarding VAT on food products.	<b>VAT</b>
<u><b>9</b></u>	OL No. 3967/CT-CS dated 22 September 2025 issued by the Tax Department regarding VAT policy.	<b>VAT</b>
<u><b>10</b></u>	OL No. 782/CMA-QLDN2 dated 19 September 2025 issued by the Ca Mau Provincial Tax Department regarding VAT policy.	<b>VAT</b>
<u><b>11</b></u>	OL No. 25426/CHQ-NVTHQ dated 22 September 2025 issued by the General Department of Customs regarding VAT on exported goods returned by foreign parties.	<b>VAT</b>
<u><b>12</b></u>	OL No. 434/VLO-QLDN2 dated 21 August 2025 issued by the Vinh Long Provincial Tax Department regarding rules on late payment under contracts or appendices.	<b>OTH</b>

# Content

<b><u>13</u></b>	OL No. 3391/CT-CS dated 25 August 2025 issued by the the Tax Department regarding rules on non-agricultural land use tax.	<b>OTH</b>
<b><u>14</u></b>	Circular No. 1802/CTH-QLDN3 dated 03 September 2025 issued by the Can Tho Tax Department regarding commercial discount invoices.	<b>INV</b>
<b><u>15</u></b>	OL No. 3924/CT-NVT dated 19 September 2025 issued by the Tax Department regarding the use of invoices on a per-transaction basis when the tax authority enforces suspension of invoice usage.	<b>INV</b>
<b><u>16</u></b>	OL No. 3955/CT-CS dated 19 September 2025 issued by the Tax Department regarding electronic invoices.	<b>INV</b>



## **1 PIT finalization from salaries and wages**

---

*OL No. 4094/CT-CS dated 29 September 2025 issued by the Tax Department regarding PIT finalization from salaries and wages:*

In cases where, a taxpayer generates income from salaries and wages from two or more sources, including occasional income that has not been subject to withholding of 10% PIT rate PIT during the tax year, the taxpayer is not eligible to authorize income-paying organizations/individuals to finalize PIT on their behalf as stipulated at Sub-point d.2, Point d, Clause 6, Article 8 of Decree No. 126/2020/NĐ-CP dated 19 October 2020 by the Government. Accordingly, the taxpayer must directly submit the PIT finalization to the tax authority (in cases of additional tax payable or an overpaid amount for a refund or carried forward to the next tax declaration period) and fully declare taxable income from salaries and wages received during the tax year.

## **Detailed regulations on the application of the supplementary CIT to anti-erosion of the global tax base**

---

*Decree No. 236/2025/NĐ-CP dated 29 August 2025 issued by the Government, detailed regulations for the implementation of certain provisions on Resolution No. 107/2023/QH15 dated 29 November 2023 by the National Assembly regarding the application of the supplementary CIT for anti-erosion of the global tax base:*

Regulations on the application of the supplementary CIT to prevent global tax base erosion.

On 29 August 2025, the Government promulgated Decree No. 236/2025/NĐ-CP detailing certain provisions on Resolution No. 107/2023/QH15 by the National Assembly for the application of supplementary CIT to prevent the global base erosion. The Decree takes effect on 15 October 2025 and applies from the 2024 fiscal year.

## Detailed regulations on the application of the supplementary CIT to anti-erosion of the global tax base

---

The Decree applies to taxpayers who are constituent entities of multinational enterprise (MNE) groups with consolidated revenue of EUR 750 million or more, tax authorities and officials, other agencies, organizations, and individuals involved in the implementation of the global minimum tax rules.

- **Taxpayers and applicable revenue:** Taxpayers are constituent entities of an MNE group with consolidated revenue of EUR 750 million or more in at least 2 of the 4 fiscal years preceding the fiscal year in which the tax liability is determined. The revenue is calculated based on the consolidated financial statements of the ultimate parent entity.
- **Regulations on supplementary CIT:** Constituent entities of an MNE group operating in Vietnam are required to apply the Qualified Domestic Minimum Top-up Tax (QDMTT). The MNE group may voluntarily decide on the allocation of the top-up tax among its constituent entities in Vietnam.

## Detailed regulations on the application of the supplementary CIT to anti-erosion of the global tax base

---

- **Determination of effective tax rate and top-up tax base:** The effective tax rate in Vietnam is calculated for each fiscal year and is determined based on corporate income tax and other similar taxes. The top-up tax base is determined according to net income and deductions for tangible assets and payroll costs.
- **Transitional relief in the initial stage:** In the initial stage of international investment activities, the top-up tax under QDMTT in Vietnam may be set as zero if the group satisfies the conditions regarding the number of jurisdictions with constituent entities and the value of tangible assets.
- **Tax declaration and payment:** The constituent entity responsible for the declaration should submit the tax dossier and fulfil tax obligations according to regulations. The tax dossier includes a supplementary declaration on information and CIT. The deadlines for declaring and paying tax are explicitly stipulated in the Decree.



## **3 CIT incentives by location or sector**

*OL No. 3601/CT-CS dated 5 September 2025 issued by the Tax Department regarding the determination of CIT incentives:*

- In principle the cases of an enterprise is during enjoying CIT incentives and derives income entitled to CIT incentives under area investment or preferable sector conditions as prescribed by the legal documents on CIT, simultaneously satisfying the conditions for income from cultivation, husbandry, and processing activities in the agricultural, forestry, and fishery sectors as regulated in Decree No. 12/2015/ND-CP dated 12 February 2015 by the Government, the enterprise is entitled to select and apply the most favorable tax incentive following Clause 12 Article 1 of Law No. 32/2013/QH13 and as guided in OL No. 3091/BTC-TCT dated 8 March 2017 by the Ministry of Finance to Provincial and Municipal Tax Departments. In cases where the incentive period under sectoral or locational conditions has expired, the enterprise is ineligible to switch to applying CIT incentives for income derived from cultivation, husbandry, and processing activities in the agriculture, forestry, and fishery sectors as provided in Decree No. 12/2015/ND-CP dated 12 February 2015 by the Government.

## **3 CIT incentives by location or sector**

---

- In case of an enterprises having investment projects are enjoying CIT incentives under sectoral or locational conditions or have not yet benefited from CIT incentives, and concurrently satisfy the conditions for income derived from cultivation, husbandry, and processing activities in the agriculture, forestry, and fishery sectors under Decree No. 12/2015/ND-CP dated 12 February 2015 of the Government, such enterprises are entitled to select and apply the most favorable tax incentive (either under sectoral or locational incentives, or under incentives applicable to income derived from cultivation, husbandry, and processing activities in the agriculture, forestry, and fishery sectors).

## **4** Input VAT during the trial operation and performance stage

---

*OL No. 3577/CT-CS dated 04 September 2025 issued by the Tax Department regarding input VAT during the trial operation and performance stage:*

In case a business establishment with a new investment project conducts trial operation and performance activities during the investment stage, if the trial time is a criterion or a stage required under technical standards prescribed by specialised laws and is implemented under the specific rights and obligations specified in agreemental documents, the trial activities shall be considered as part of the investment project implementation stage.

## **5 VAT on exported goods and services**

*OL No. 1585/TCS3-QLDN1 dated 08 September 2025 issued by the Dong Nai Provincial Tax Department regarding VAT on exported goods and services:*

- Cases of goods supplied from the Vietnamese domestic market to organizations located in non-tariff zones and consumed within the non-tariff zones for direct serving export production activities, the applicable VAT rate shall be 0% when the conditions stipulated in Clause 1, Article 18 of Decree No. 181/2025/NĐ-CP are satisfied.
- Cases of services directly provided to organizations in non-tariff zones and consumed within the non-tariff zones for the forthright purpose of export production activities, the applicable VAT rate shall be 0% when the conditions stipulated in Clause 2, Article 18 of Decree No. 181/2025/NĐ-CP are satisfied.
- Cases of the inapplicable 0% tax rate are prescribed in Clause 4, Article 18 of Decree No. 181/2025/NĐ-CP.
- Enterprises should implement customs declaration procedures under the provisions of the Law on Customs for exported goods and services.



## **6 VAT refund for investment projects serving the production of export goods**

---

*OL No. 3611/CT-CS dated 05 September 2025 issued by the Tax Department regarding VAT:*

In the case where a Company implements an investment project (divided into stages or items) serving the production business of exported goods (with export revenue accounting for more than 90% of total revenue) and incurred input VAT arising from investment activities during the investment stage, the Company is eligible for VAT refund under the provisions of the Law on VAT.

Upon completion of the investment stage, when the Company generates export revenue, the input VAT on purchased goods (included fixed assets) and services used in the production and business of exported goods shall be eligible for a VAT refund for export activities as per the regulations.

From 01 July 2025, VAT refund for investment projects shall be implemented under Clause 2, Article 15 of the Law on VAT No. 48/2024/QH15 and Article 30 of Decree No. 181/2025/NĐ-CP dated 01 July 2025 by the Government.

## **7 VAT refund on a monthly/quarterly basis for business establishments engaged in export activities**

---

*OL No. 3654/CT-CS dated 9 September 2025 issued by the Tax Department regarding VAT:*

In cases where a business establishment, in a month (for monthly declaration) or in a quarter (for quarterly declaration), has input VAT of exported goods or services not yet been deducted from 300 million or more, the establishment is entitled to a VAT refund on a monthly or quarterly basis. Accordingly, the establishment requests a VAT refund that should be applied effective VAT refund policy for a particular month or quarter; the VAT refund procedures shall be implemented under the provisions of the Law on Tax Administration.

## **8** VAT on food products

---

*OL No. 24885/CHQ-NVTHQ dated 17 September 2025 issued by the General Department of Customs regarding VAT on food products:*

In cases where food products are derived from cultivated crops, plantation forests (excluding timber and bamboo shoots), livestock, or farmed or caught aquatic products that have not been processed into other products or only undergone simple preliminary processing, the products are not subject to VAT at the import stage. At the commercial trading stage, these products are subject to VAT at the rate of 5%. The food products that have already been processed are subject to VAT at the rate of 10% at the import stage.

## **9** VAT on investment projects

---

*OL No. 3967/CT-CS dated 22 September 2025 issued by the Tax Department regarding VAT policy:*

- In case the Company has an investment project that is ineligible for VAT refund, the Company shall declare the input VAT of the investment project together with the VAT of production and business activities in Form No. 01/GTGT. Otherwise, the Company has already declared the VAT of an investment project that is ineligible for VAT refund in Form No. 02/GTGT, the Company is permitted to make supplementary declarations for the relevant tax period in accordance with the provisions of the Law on Tax Administration.
- In case an investment project that is eligible for VAT refund has been completed and put into operation, the input VAT of the investment project that is not refunded shall be carried forward and declared in Form No. 01/GTGT in the subsequent tax period from the completion and commencement of operation time.



## **10 Provisions on deductible input VAT and expenses in cases where payments are made via an authorized individual's bank account**

---

*OL No. 782/CMA-QLDN2 dated 19 September 2025 issued by the Ca Mau Provincial Tax Department regarding VAT policy:*

In the case where the Company authorises an individual who is an employee of the Company to use the personal bank account opened at credit institutions by the law to make payments for goods and services purchased for the production and business of VAT goods and services as stipulated in the Company's financial regulations or internal regulations, or an authorisation decision for payment to the seller. Subsequently, the Company makes NON-cash payments to the individual. The input VAT shall be deducted, and the expenses shall be considered deductible when determining taxable corporate income under Article 14 of the Law on VAT No. 48/2024/QH15, Article 26 of Decree No. 181/2025/NĐ-CP (effective from 01 July 2025), and Article 4 of Circular No. 96/2015/TT-BTC.

## **11** VAT on exported goods returned by foreign parties

---

*OL No. 25426/CHQ-NVTHQ dated 22 September 2025 issued by the General Department of Customs regarding VAT on exported goods returned by foreign parties:*

From 01 July 2025, exported goods that are returned by foreign parties, upon re-importation, shall be subject to VAT in accordance with Article 3 of Law on VAT No. 48/2024/QH15.

## **12** Regulations on late payment under contracts or appendices

---

*OL No. 434/VLO-QLDN2 dated 21 August 2025 issued by the Vinh Long Provincial Tax Department regarding rules on late payment under contracts or appendices:*

- For goods and services purchased on a deferred payment or instalment basis with a value of VND 5 million or more, the enterprise should declare and adjust to reduce the deductible input VAT corresponding to the value of goods and services without non-cash payment vouchers when the non-cash payment has not been made by due date under the contract or appendix in the tax period the payment obligation arises.
- In the case of services purchased on deferred payment basis, if the Company does not have non-cash payment vouchers by the due date under the contract or appendix and has already declared and adjusted to reduce the deductible input VAT but subsequently (after the deferred payment period in the contract or appendix) the Company obtains non-cash payment vouchers, the input VAT shall still not allowed to be declared for deduction.

## **13** Regulations on non-agricultural land use tax

---

*OL No. 3391/CT-CS dated 25 August 2025 issued by the the Tax Department regarding rules on non-agricultural land use tax:*

Entities that use non-agricultural land for the construction of power transmission lines and substations for public purposes are exempt from non-agricultural land use tax. Where entities use non-agricultural land to construct public facilities for business purposes, they are subject to non-agricultural land use tax.

For subjects to the non-agricultural land use tax, the taxable period shall commence from the date of actually starting to use the land. In case the land was used before the effective date of the Law on Non-agricultural Land Use Tax, the tax shall be calculated from the effective date of the Law on Non-agricultural Land Use Tax No. 48/2010/QH12 dated 17 May 2010 (effective from 01 January 2012).



## **14 Commercial discount invoices**

---

*Circular No. 1802/CTH-QLDN3 dated 03 September 2025 issued by the Can Tho Tax Department regarding commercial discount invoices:*

For commercial discount invoices based on quantity or sales revenue, a separate invoice shall be issued. This invoice serves as an adjustment invoice for previously issued invoices, reflects the difference in amounts, and does not declare the recognized sales revenue. Accordingly, in the Electronic Invoice System of the General Department of Taxation (<https://hoadondientu.gdt.gov.vn/>), the line “Total amount without VAT” displays the commercial discount amount, while the line “Total commercial discount amount” displays as nil.

## **15** The use of invoices on a per-transaction basis when the tax authority enforces suspension of invoice usage

---

*OL No. 3924/CT-NVT dated 19 September 2025 issued by the Tax Department regarding the use of invoices on a per-transaction basis when the tax authority enforces suspension of invoice usage:*

In cases where the tax authority applies enforcement measures to suspend the use of invoices, and the Company submits a written request for invoices issuance to secure funds for paying workers' salaries and other necessary expenses to ensure continuous business operations, the tax authority shall permit the taxpayer to issue invoices on a per-transaction basis, provided that the taxpayer immediately pays at least 18% of the revenue stated on the issued invoices into the State Budget.

## **16** Detailed instructions on recording the buyer's name, address, tax identification number (TIN)/ personal identification number (PIN) on e-invoices

---

*OL No. 3955/CT-CS dated 19 September 2025 issued by the Tax Department regarding electronic invoices:*

In cases where the buyer is a business establishment with a tax identification number (TIN), the name, address, and TIN of the buyer on the invoice must be stated accordingly to the Enterprise Registration Certificate, Branch Operation Registration Certificate, Household Business Registration Certificate, Tax Registration Certificate, TIN Notification, Investment Registration Certificate, or Cooperative Registration Certificate. In cases where the buyer is a budgetary unit, the name, address, and budgetary unit code of the buyer on the invoice must be its assigned code.

## **16** Detailed instructions on recording the buyer's name, address, tax identification number (TIN)/ personal identification number (PIN) on e-invoices

---

In cases where the buyer does not have a TIN, the invoice is not required to show the buyer's TIN. Specified cases at Point c, Clause 14, Article 10 are not mandatory to state the name, address, or TIN of the buyer. From 01 June 2025, the invoice must show TIN or PIN as the buyer provided.

For electronic invoices generated from cash registers, the invoice shall display the name, address, TIN/PIN/telephone number of the buyer if requested by the buyer.



# Abbreviations

<b>VAT</b>	Value Added Tax	<b>MOF</b>	Ministry of Finance
<b>PIT</b>	Personal Income Tax	<b>GDT</b>	General Department of Taxation
<b>CIT</b>	Corporate Income Tax	<b>MOIT</b>	Ministry of Industry and Trade
<b>FCT</b>	Foreign Contractor Tax	<b>MOLISA</b>	Ministry of Labor, War Invalids and Social Affair
<b>SCT</b>	Special Consumption Tax	<b>DPI</b>	Department of Planning and Investment
<b>IET</b>	Import and Export Tax	<b>SBV</b>	The State Bank of Vietnam
<b>OTH</b>	Other	<b>EPE</b>	Export processing enterprises
<b>OL</b>	Official Letter	<b>EPZ</b>	Export Processing Zone
<b>INV</b>	Invoice	<b>IZ</b>	Industrial Zone
<b>LAB</b>	Labor		



# September 2025 Newsletter

**KMC CONSULTING COMPANY LIMITED**

Hotline: +84 81 489 4789 (English) | +84 91 988 9331 (Japanese)

URL: [www.kmc.vn](http://www.kmc.vn) | Email: [info@kmc.vn](mailto:info@kmc.vn)

KMC's Newsletter aims to update and summarize the general provisions related to Taxation, Accounting, Investment and Labor in Vietnam. You should seek professional advice before making a decision.





# Connect with us.

## KMC CONSULTING COMPANY LIMITED

### HO CHI MINH OFFICE

Unit 603, 6F, Citilight Tower, 45 Vo Thi Sau Street, Tan Dinh Ward, Ho Chi Minh City, Vietnam

**Tel:** +84 8 3820 5731/ 2 | **Fax:** +84 8 3820 0906

### HA NOI OFFICE

19F, Tower 1, Capital Place Building, 29 Lieu Giai Street, Ngoc Ha Ward, Hanoi city, Vietnam

**Tel:** +84 81 489 4789

### TOKYO OFFICE

Corporate Advisers Inc

Japan Tokyo-to Chiyoda-ku, Kasumigaseki 3-2-5 Kasumigaseki Building 33F

**Tel:** +81 3 3593 3238 | **Fax:** +81 3 3593 3248



**URL:** [www.kmc.vn](http://www.kmc.vn)

**Email:** [info@kmc.vn](mailto:info@kmc.vn)

**Hotline in English:** +84 81 489 4789

**Hotline in Japanese:** +84 91 988 9331

