

CASES EXEMPT FROM WORK PERMIT REQUIREMENTS 2026

Under the Labor Code 2019 & Decree No. 219/2025/ND-CP



As a general rule, foreign employees working in Vietnam **must hold a work permit** (Article 151 of the Labor Code 2019). However, the law sets out a number of cases that are **exempt from the work permit requirement**.



From **7 August 2025, Decree No. 219/2025/ND-CP** replaces Decree No. 152/2020 and redefines the cases not subject to work permit issuance. DEDICA has compiled a **checklist of 21 cases** with the legal basis for each, for easy reference by businesses.

CHECKLIST OF 21 WORK PERMIT EXEMPTION CASES

Foreign employees must hold a work permit, EXCEPT in the cases listed below (Article 154 of the Labor Code 2019 and Article 7 of Decree No. 219/2025/ND-CP).

No.	Category of foreign employee	Legal basis
1	Head of a representative office or project, or person primarily responsible for the activities of an international organization or foreign NGO in Vietnam	Art. 154.3 Labor Code; Art. 7.1 Decree 219/2025
2	Entering Vietnam for less than 03 months to offer services	Art. 154.4 Labor Code
3	Entering Vietnam for less than 03 months to handle complex technical or technological incidents that domestic experts cannot resolve	Art. 154.5 Labor Code
4	Foreign lawyers granted a licence to practise law in Vietnam	Art. 154.6 Labor Code
5	Cases provided for under international treaties to which Vietnam is a party	Art. 154.7 Labor Code; Art. 7.1 Decree 219/2025
6	Foreigners married to Vietnamese citizens and residing in Vietnam	Art. 154.8 Labor Code
7	Owner or capital-contributing member of an LLC with a capital contribution of VND 3 billion or more	Art. 7.2 Decree 219/2025
8	Chairperson or member of the Board of Directors of a joint-stock company with a capital contribution of VND 3 billion or more	Art. 7.3 Decree 219/2025
9	Entering Vietnam to provide professional or technical consultancy, or to serve ODA programmes or projects	Art. 7.4 Decree 219/2025
10	Foreign correspondents engaged in press activities as certified by the Ministry of Foreign Affairs	Art. 7.5 Decree 219/2025
11	Assigned by a competent foreign authority to teach or to act as manager/executive director at an educational institution established at the request of a diplomatic mission or intergovernmental organization	Art. 7.6 Decree 219/2025

CHECKLIST OF 21 WORK PERMIT EXEMPTION CASES

No.	Category of foreign employee	Legal basis
12	Foreign pupils, students or trainees studying in Vietnam, or studying abroad under an internship agreement/job offer letter; trainees on Vietnamese seagoing vessels	Art. 7.7 Decree 219/2025
13	Relatives of members of foreign representative missions in Vietnam permitted to work under international treaties	Art. 7.8 Decree 219/2025
14	Holders of official passports working for state agencies, political organizations or socio-political organizations	Art. 7.9 Decree 219/2025
15	Persons responsible for establishing a commercial presence	Art. 7.10 Decree 219/2025
16	Volunteers working on a voluntary, unpaid basis to implement international treaties, certified by a diplomatic mission or international organization	Art. 7.11 Decree 219/2025
17	Entering Vietnam to implement international agreements signed by central- or provincial-level agencies and organizations	Art. 7.12 Decree 219/2025
18	Managers, executive directors, experts and technical workers entering Vietnam to work for a total of less than 90 days per year	Art. 7.13(a) Decree 219/2025
19	Intra-corporate transferees (11 service sectors under WTO commitments, employed for at least 12 consecutive months beforehand)	Art. 7.13(b) Decree 219/2025
20	Certified by the Ministry of Education and Training to teach, research or transfer international education programmes; or to manage/head an educational institution	Art. 7.14 Decree 219/2025
21	Certified by a ministry or provincial People's Committee to work in finance, science, technology, innovation, national digital transformation or priority sectors	Art. 7.15 Decree 219/2025



Note on the VND 3 billion threshold: an owner or capital-contributing member whose capital contribution is **under VND 3 billion is NOT exempt** - a work permit is still required. This is an easy point to get wrong, as it is often assumed that any owner or capital-contributing member is automatically exempt.

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