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LEGAL NEWSLETTER

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NEWLY ISSUED LEGAL DOCUMENTS

1. Novelties on invoices and documents

On March 20, 2025, the Government issued Decree No. 70/2025/ND-CP (“**Decree 70/2025**”) amending and supplementing a number of articles of Decree No. 123/2020/ND-CP (“**Decree 123/2020**”) regulating invoices and supporting documents. Decree 70/2025 will take effect from June 1, 2025 with many noteworthy new points.

1.1 Foreign suppliers engaging in e-commerce business are allowed to use value-added tax invoices

Articles 1.1, 1.5(a) and 1.11(a) of Decree 70/2025 adds foreign sellers who do not have a permanent establishment in Vietnam as a subject that is allowed to use invoices. These sellers, if they conduct business activities or provide other services on e-commerce or digital platforms, can voluntarily register to use electronic invoices (e-invoices), specifically value-added tax (VAT) invoices on the Electronic Information Portal of the General Department of Taxation (now the Tax Department) for foreign sellers without a permanent establishment in Vietnam.

1.2 Adding types of e-invoices

Articles 1.2(a), 1.5(c), 1.5(d) and 1.8 of Decree 70/2025 add the following 3 types of e-invoices:

- *E-invoices generated from cash registers:* these are invoices generated from the cash registers of sellers and service providers that have their systems connected to transfer electronic data to the tax authority. This type of invoice must have a tax authority code or electronic data so that the buyer can retrieve and declare information. Accordingly, business households and individuals with annual revenue of **VND 1 billion or more** and **enterprises with activities of selling**

goods and providing services, including selling goods and providing services directly to consumers (commercial centers; supermarkets; retailers (except for cars, motorbikes, motorcycles and other motor vehicles); food and beverage; restaurants; hotels; passenger transport services, direct support services for road transport, art services, entertainment, film screening activities, other personal services as prescribed) are required to use e-invoices generated from cash registers.

- *Electronic commercial invoice:* this type of invoice is used by organizations, enterprises, individuals (exporters) engaging in the business of exporting goods and services abroad that meet the conditions for transferring commercial invoice data electronically to tax authorities. If the exporter does not meet the conditions for electronically transmitting commercial invoice data to the tax authority, it can choose to issue an electronic VAT invoice or an electronic sales invoice.
- *E-invoices for sale of public assets* are used when selling or transferring public assets in accordance with the law on the management and use of public assets.

1.3 Enterprises are allowed to issue consolidated invoices for promotional goods and services

Article 1.7(b) of Decree 70/2025 allows enterprises to issue consolidated invoices for the total value of promotional goods and services, donations, and gifts as prescribed by law. The consolidated invoices for donations and gifts can only be issued for activities that are implemented within a registered promotional program and all relevant documents must be maintained. If the customer requests an invoice for each transaction, the seller must issue a separate invoice to the customer.

1.4 Regulations on invoices digitally signed at a different time than when issued

Article 1.7(c) of Decree 70/2025 provides guidance on invoices digitally signed at a different time than when issued. Accordingly, if e-invoices are digitally signed at a different time than when issued, the time of digitally signing and the time of sending invoices to the tax authority for invoices with the tax authority's code or the time of transferring e-invoice data to the tax

authority for e-invoices without the tax authority's code must be **no later than the next business day from the time of invoice creation** (except for cases of sending data according to the summary table). The seller declares tax according to the time of invoice creation; the time of tax declaration for the buyer is the time of receiving the invoice which is correctly and properly issued, and contains all contents as stipulated by law.

1.5 Tax and fee receipts can be integrated into e-invoices

Article 1.3(b) of Decree 70/2025 allows sellers to have taxes, fees, state charges and the prices of goods and services integrated into e-invoices to buyers, instead of issuing separate receipts. To issue an integrated E-invoice, the seller or service provider and the tax, fee and charge collection organization must agree mutually on which party to be responsible for issuing the integrated e-invoice to the customer, which must be notified to the in-charge tax authority.

2. Power generation price bracket in 2025 applicable to solar power plants, hydropower plants and combined-cycle gas turbine thermal power plants using natural gas

On April 10, 2025, the Ministry of Industry and Trade issued decisions on approval of the power generation price bracket for hydropower plants (**Decision No. 982/QD-BCT**), combined-cycle gas turbine thermal power plants using natural gas (**Decision No. 983/QD-BCT**) and the power generation price bracket applicable to solar power plants (**Decision No. 988/QD-BCT**). These decisions are all effective from the date of signing, i.e. April 10, 2025, with the price brackets as follows:

Types of plant		Maximum price in price bracket (VND/kWh)		
		North	Central region	South
Solar power without battery storage system	Ground mounted solar power	1,382.7	1,107.1	1,012.0
	Floating solar power	1,685.8	1,336.1	1,228.2

Solar power with battery storage system	Ground mounted solar power	1,571.98	1,257.05	1,149.86
	Floating solar power	1,876.57	1,487.18	1,367.13
	<p>The parameters of a power storage system (battery storage system) using the maximum price of the power generation price bracket for a solar power plant with battery storage system are as follows:</p> <ul style="list-style-type: none"> ✓ Capacity: minimum 10% of the capacity of the solar power plant. ✓ Storage/discharge time: 2 hours. ✓ Proportion of charging power output: 5% of the solar power output. 			
Hydroelectric	<p>The power generation price bracket is: 0 - 1,110 VND/kWh (<i>excluding water resource tax, forest environmental service fee, water resource exploitation licensing fee and value added tax</i>). The maximum price is 1,110 VND/kWh.</p>			
Combined cycle gas turbine power plant using natural gas	<ul style="list-style-type: none"> ✓ The power generation price bracket is: 0-3,069.38 VND/kWh (<i>excluding value added tax</i>). The maximum price is 3,069.38 VND/kWh. ✓ The parameters using the maximum price of the power generation price bracket are as follows: <ul style="list-style-type: none"> ▪ Net capacity: 1,040.468 kW. ▪ Net heat loss rate at 85% load: 6,516.24 BTU/kWh. ▪ Main fuel price (natural gas): 11.69 USD/million BTU. ▪ Main fuel transportation price to the plant: 1.83 USD/million BTU. ▪ Exchange rate: VND/USD 25,670. 			

Based on the above power price bracket, Vietnam Electricity Group and the power generation unit sign a power purchase contract on the basis of compliance with legal regulations on methods for determining power generation service prices issued by the Ministry of Industry and Trade.

3. Regulations on land use levy reduction in 2024

On April 11, 2025, the Government issued Decree 87/2025/ND-CP ("**Decree 87/2025**") regulating the reduction of land use levy in 2024. Decree 87/2025 will take effect from the date of signing, i.e. April 11, 2025, with specific provisions as follows:

3.1 Applicable subjects

- Land users as prescribed in Article 4 of the Law on Land 2024 who are leasing

land directly from the State according to the Land Lease Decision or Land Lease Contract or Certificate of land use rights, ownership of assets

attached to land that is effective in 2024 in the form of annual land rent payment.

- Land users who have not completed legal procedures on land in 2024 but have completed legal procedures on land by the time of submitting the application for land use levy reduction as prescribed by Decree 87/2025 (*have a Land Lease Decision or Land Lease Contract or Certificate of Land Use Rights, Ownership of Assets Attached to Land in the form of annual land rent payment*).
- Land users who are not eligible for exemption or reduction of land use levy or whose exemption or reduction period has expired.
- Land users who are enjoying land use levy reduction as prescribed by the law on land and other relevant laws.
- Competent authorities handling applications for land use levy reduction; other relevant agencies, organizations and individuals.

3.2 Land use levy reduction levels

The reduction is 30% of the land use levy payable in 2024 for land users eligible for reduction.

Note:

- The land use levy reduction is calculated on the land use levy payable in 2024 as prescribed law.
- The outstanding land use levy of years prior to 2024 and any late payments (if any) will not be reduced.
- In case the land user is enjoying a reduction in land use levy and/or deduction of compensation and site clearance as prescribed by the law on land use levy, the 30% reduction will be calculated on the land use levy payable after being reduced or/and deducted as prescribed by law.

3.3 Submitting applications for land use levy reduction

The land user shall submit 01 set of application for land use levy reduction (by one of the following methods: in person, electronically, by post or by other means as prescribed by the law on tax management) to the tax authority or other authority as prescribed by the law on land and the law on tax management.

Deadline for submitting applications:
From April 11, 2025 to July 31, 2025.

Note: if the application is submitted after July 31, 2025, the land user will not be entitled to a land use levy reduction.

Global Vietnam Lawyers would like to introduce our valued readers to an article by Lawyer **Tran Huu Tien** and Lawyer **Le Thanh Tam** titled **“Unveiled” Beneficial Owners – Are Businesses Ready For Transparency?** published in The Saigon Times, No.15-2025 (1.791) on April 10, 2025.

Beneficial Owners – A Strange Yet Familiar Concept

The concept of “beneficial owner” appeared in Anglo-American law, was initially related to trust management, to distinguish it from a legal owner. In short, the legal owner is only the person whose name is put in the asset instrument, while the beneficial owner is the real owner and the person who actually controls that asset. The asset here could be a normal asset, a company, a financial fund, etc. The agreements between the legal owner and the beneficial owner are private agreements only known about by the two parties.

Beneficial owners may sound strange, but in fact they still exist in Vietnam, through the form of “disguised” or “named-for-others” investment. This structure puts those assets under a vague legal cover, lacking transparency, at least from the public’s perspective.

This is also one of the reasons why the Financial Action Task Force (FATF) issued recommendations on Anti-Money Laundering (AML)

and Combating the Financing of Terrorism (CFT), requiring countries to identify “beneficial owners” to prevent the use of legal entities to conceal illegal activities.

Beneficial owners were introduced in the Anti-Money Laundering Law 2022, but what is fresh here is that this concept will be legalized into the Enterprise Law.

According to the draft Enterprise Law (amended), beneficial owners of legal entities are individuals who: (i) actually directly or indirectly hold 25% or more of the charter capital of the enterprise; or (ii) directly or indirectly enjoy more than 25% of the dividends or profits of the enterprise; or (iii) ultimately have the right to control the operation of the enterprise.

Are businesses ready for transparency through disclosure of beneficial ownership?

The inclusion of beneficial ownership in the Enterprise Law is essential to meet international standards, helping make ownership structures transparent,

preventing money laundering, tax evasion and boosting confidence from international investors. This legalization will have significant impacts on businesses in Vietnam.

The draft Enterprise Law (amended) also involves many compliance requirements for businesses, mainly the obligation to disclose information related to beneficial owners to competent authorities and third parties.

The disclosure of beneficial ownership information, which businesses have never had to do before, aside from adding another procedure to comply with, also exposes internal arrangements, ownership structures, and commercial agreements – secrets that businesses do not want to be widely disseminated. This will impact internal governance as well as external relations, especially in sensitive industries such as finance, real estate or technology.

For enterprises with good and transparent internal governance systems, the disclosure of beneficial ownership information is



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designed for enterprises to better manage internal relations, avoid group interests or abuse of control. This also reduces the risk of enterprises being implicated in legal cases related to money laundering or violations of financial laws, which may cause great

damage to reputation and economy.

However, for enterprises with complex capital structures, especially those with "disguised" owners, transparency will be a troubling problem. According to Decision

194/QD-TTg dated February 23, 2024 of the Prime Minister on promulgating the national action plan to implement the commitments of the Government of Vietnam on preventing and combating money laundering, terrorist financing and financing of proliferation of weapons of mass destruction, the completion of the legal framework on beneficial ownership and its legalization into the Enterprise Law must be done before May 2025. The question is whether or not businesses are ready for transparency.



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1. Determining financial obligations for land use purpose conversion

Articles 119, 120 and 121 of the Law on Land 2024 specifically stipulate cases of land allocation with land use levy collection, land lease, and land use purpose conversion. Accordingly, land for non-agricultural production and business, commercial and service land is subject to land lease and land rent payment; it is not subject to land allocation with land use levy collection. Therefore, Decree No. 103/2024/ND-CP stipulates the calculation of land rent when converting land use purpose from agricultural land to non-agricultural production and business land, commercial and service land (Article 34), failing to regulate the calculation of land use levy in this case.

Tax Department replies to the question of the Tax Branch of Region VI in Official Letter No. No. 555/CT-CS dated April 11, 2025.

2. Determining the affiliated relationship and deductible interest expenses

In 2024, if the total loan of 2023 was carried forward and the additional loan of 2024 equals at least 10% of the owner's capital contribution as prescribed in Article 5.2 of Decree No. 132/2020/ND-CP, the Company is determined to have an affiliated relationship with the owner. The determination of the total deductible interest expenses when calculating taxable income for enterprises with related-party transactions is carried out as prescribed in Article 16.3 of Decree No. 132/2020/ND-CP.

Department of Region XIII replies to the question of Thinh Hung Co., Ltd. in Official Letter No. 195/CCTKV13-QLDN3 dated March 25, 2025.

3. Value Added Tax Policy for Export Processing Enterprises

In case the Company operates under the regulations of an export processing

enterprise with only export activities, it will be not required to submit a value added tax declaration as prescribed in Article 7.3(c) of Decree No. 126/2020/ND-CP.

In case the Company operates under the regulations of an export processing enterprise with purchases of goods and services, and if it meets the conditions as prescribed in Article 9 of Circular No. 219/2013/TT-BTC, the value added tax rate of 10% will apply.

In case the Company implements a new investment project in an industrial park in Thu Dau Mot City (type I urban area) - an industrial park located in an area with favorable socio-economic conditions, it will be not eligible for a 2-year tax exemption and a 50% reduction in taxes payable in the following 4 years for the enterprise's income from implementing a new investment project in the industrial park as prescribed in Article 1.6 of Decree No. 91/2014/ND-CP

Department of Region XIV replies to the question of Asama Japan International Vietnam Co., Ltd. in Official Letter No. 1740/CCTKV4.XVI-QLDN2 dated April 10, 2025.

4. Personal income tax deduction after termination of labor contract

In case the Company makes payments of wages, remuneration, and other payments to employees after termination of labor contracts, these payments will be included in the employee's personal income taxable income as prescribed in Article 2.2 of Circular No. 111/2013/TT-BTC. The Company will deduct taxes as prescribed in Article 25.1 of Circular No. 111/2013/TT-BTC.

Department of Region XVI replies to the question of Kurabe Industrial (Vietnam) Co., Ltd. in Official Letter No. 1189/CCTKV4.XVI-QLDN2 dated April 8, 2025.

1. The Government approved the adjustment of Power Planning VIII

Deputy Prime Minister Bui Thanh Son has signed the approval of the Adjustment of the National Power Development Planning for the 2021-2030 period, with a vision to 2050 (Power Planning VIII) with the goal of reaching 500.4-557.8 billion kWh of commercial power, 560.4-624.6 billion kWh of power produced and imported, and a maximum capacity of 89,655 - 99,934 MW by 2030. By 2050, these targets will be 1,237.7-1,375.1 billion kWh, 1,360.1-1,511.1 billion kWh and 205,732-228,570 MW.

The planning aims to strongly develop renewable energy (excluding hydropower) for power production, reaching a rate of about 28-36% by 2030 and 74-75% by 2050.



Adjusting the Power Plan VIII sets the target of achieving a renewable electricity ratio (excluding hydropower) of 28-36% by 2030. Photo: H.P

In particular, by 2030, 50% of office buildings and households will use self-generated and self-consumed rooftop solar power.

The planning focuses on developing smart grids, effectively integrating large-scale renewable energy, and strengthening links with neighboring countries such as China, Laos, and Cambodia to ensure stable power supply. The planning expects wind power capacity to reach 26,066-38,029 MW by 2030, with the goal of exporting renewable power to Singapore, Malaysia, and regional partners. By 2035, the power

export capacity could reach 5,000-10,000 MW.

Regarding hydropower, the expected capacity will reach 33,294-34,667 MW by 2030, aiming for 40,624 MW by 2050, with maximum exploitation while protecting the environment and resources.

Along with that, biomass power, waste power and other new energy sources such as geothermal are also encouraged to develop to treat the environment and utilize agricultural by-products. In 2030, the total capacity of this group of sources will be around 3,009-4,881 MW and increase to more than 9,000 MW by 2050.

In particular, in the period of 2030-2035, Ninh Thuan 1 and 2 nuclear power plants with a scale of 4,000 - 6,400 MW will be put into operation. By 2050, the system may need to add 8,000 MW of nuclear power to ensure stability.

The planning does not add new coal-fired thermal power plants, only continuing ongoing projects and converting to biomass or ammonia for plants over 20 years old. Plants over 40 years old will be stopped if they cannot be converted.

For gas-fired power, priority will be given to using domestic gas and supplementing LNG when needed, while gradually switching to hydrogen as technology develops. The power storage system will be strongly invested, targeting battery capacity of 10,000-16,300 MW by 2030 and nearly 96,120 MW by 2050.

The Power Planning VIII estimates the total investment capital for power sources and transmission grids at about USD 136.3 billion in the 2026-2030 period and an additional USD 130 billion in the

2031-2035 period. From 2036 to 2050, Vietnam needs to invest an additional USD 569.1 billion

Total investment capital for the power sector in the period 2026-2030 is about USD 136 billion, an average of USD 27 billion per year, with 86% spent on power

sources. In the period 2031-2050, the total investment is about USD 699 billion, an average of USD 35 billion per year, requiring breakthrough mechanisms and solutions to attract capital.

By thesaigontimes.vn

1. Developing platform industries: Proposing 6 priority industries

Platform industries (PI) are the foundational industrial ecosystem, providing important inputs for the industrial production and service system. In the context of many unpredictable developments in the world, in order for Vietnam's economy to develop steadily, economic experts believe that there must be breakthrough solutions to promote the development of PI, increase endogenous capacity, and contribute to creating momentum to realize the double-digit growth target in the coming period.



Digital technology industry, energy, high-tech mechanical engineering, new materials, chemicals, and metallurgy are the areas that need to be prioritized for development in the coming period. Photo: Le Tien.

In that context, based on assessing the current status of PI, forecasting world development trends, and defining potentials and comparative advantages, the Central Policy and Strategy Committee plans to prioritize 6 main industries, including: digital technology industry (chip development, semiconductors, etc.); energy industry (prioritizing renewable energy, nuclear energy, new energy, research and piloting of green hydrogen, etc.);

mechanical engineering towards autonomous mechanical engineering, high technology, automation; new materials industry; chemicals; metallurgy.

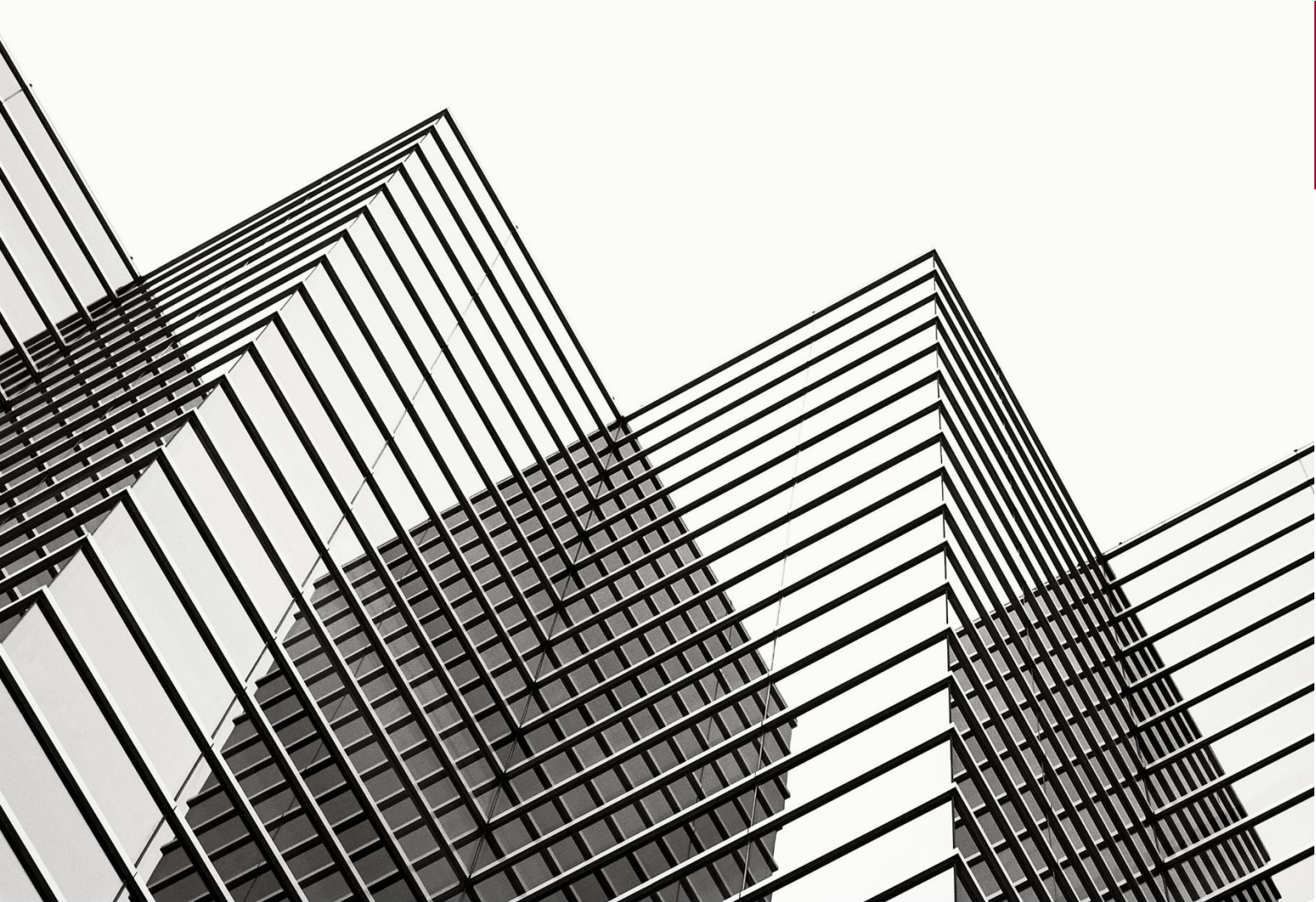
In favor of the view of promoting the development of PI, many opinions say that there should be a breakthrough support policy for "real" enterprises. For example, enterprises in the PI industry that need capital should be supported by the State with interest rates under truly preferential mechanisms. Review and complete regulations on attracting FDI, including mandatory regulations on technology transfer, localization rate, participation and association of domestic enterprises in the supply chain.

At the same time, it is necessary to build and complete the legal framework for the development of digital technology industry, digital industrial models and products; design a legal framework for testing new technologies...

In addition, it is advisable to select a number of large-scale, competitive domestic enterprises to play a leading role, as pillars in a number of PI fields of the country with outstanding policy mechanisms such as granting special credit limits, hiring long-term consultants, placing orders...

By baodauthau.vn

No.	Document name	Issuance date	Effective date
GOVERNMENT			
1	Decree No. 87/2025/ND-CP on reduction of land rent for 2024.	Aptil 11, 2025	Aptil 11, 2025
2	Decree No. 82/2025/ND-CP on extension of deadlines for payment of value-added tax, corporate income tax, personal income tax and land rent in 2025.	Aptil 2, 2025	Aptil 2, 2025
3	Decree No. 81/2025/ND-CP on extension of deadlines for special consumption tax payment for domestically manufactured or assembled automobiles.	Aptil 2, 2025	Aptil 2, 2025
4	Decree No. 75/2025/ND-CP detailing the implementation of the National Assembly's Resolution No. 171/2024/QH15 dated November 30, 2024, on pilot implementation of commercial housing projects through negotiation on acquisition of land use rights or in case of currently having land use rights.	Aptil 1, 2025	Aptil 1, 2025
5	Decree No. 71/2025/ND-CP amending and supplementing a number of articles of Decree No. 35/2021/ND-CP detailing and guiding the implementation of the Law on Investment under the public-private partnership model.	March 28, 2025	March 28, 2025
6	Decree No. 70/2025/ND-CP amending and supplementing a number of articles of the Government's Decree No. 123/2020/ND-CP on invoices and supporting documents.	March 20, 2025	March 20, 2025
7	Decree No. 69/2025/ND-CP amending and supplementing a number of articles of the Government's Decree No. 01/2014/ND-CP on foreign investors' purchase of shares of Vietnamese credit institutions.	March 13, 2025	May 19, 2025
PRIME MINISTER			
1	Decision No. 07/2025/QD-TTg on the average power retail price bracket.	March 31, 2025	March 31, 2025
MINISTRY OF INDUSTRY AND TRADE			
1	Decision No. 988/QD-BCT on approving the power generation price bracket applicable to solar power plants.	Aptil 10, 2025	Aptil 10, 2025
2	Decision No. 983/QD-BCT on the price bracket for power generation of combined-cycle gas turbine thermal power plants using natural gas in 2025.	Aptil 10, 2025	Aptil 10, 2025
3	Decision No. 982/QD-BCT on approving the power generation price bracket for hydropower plants in 2025.	Aptil 10, 2025	Aptil 10, 2025
MINISTRY OF FINANCE			
1	Circular No. 13/2025/TT-BTC stipulating the collection rate, regime of collection, remittance, management and use of service fees for maintaining the system to check the status of digital signature certificates.	March 19, 2025	Aptil 10, 2025
2	Circular No. 10/2025/TT-BTC regulating the collection rates, regime of collection, remittance, management and use of fees for maintaining the use of Internet resources, fees for allocating and granting Internet resources.	March 19, 2025	May 3, 2025



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