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# COMPANY LIMITED TRITHUCVIET

## PROFESSIONAL NEWSLETTER FOR MAY 2026



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## **PART I: TAX POLICIES**

1. Decree No. 144/2026/ND-CP dated 05 May 2026 amending Decree No. 181/2025/ND-CP guiding the Law on Value-Added Tax, as amended by Decree No. 359/2025/ND-CP (Issued on: 05 May 2026; Effective from: 20 June 2026)

## **PART II: ACCOUNTING AND AUDITING POLICIES**

1. Circular No. 58/2026/TT-BTC dated 25 May 2026 providing guidance on the Accounting Regime for Micro-Enterprises issued by the Ministry of Finance (Issued on: 25 May 2026; Effective from: 01 July 2026)

## **PART III: LABOR AND INSURANCE POLICIES**

1. Decree No. 85/2026/ND-CP dated 25 March 2026 on Supplementary Pension Insurance (Issued on: 25 March 2026; Effective from: 10 May 2026)

## **PART IV: ENTERPRISE AND INVESTMENT POLICIES**

1. Decree No. 187/2026/ND-CP dated 27 May 2026 guiding the Law on Rehabilitation and Bankruptcy regarding the replacement of the legal representative of a state-owned enterprise after the Court accepts an application for rehabilitation procedures; and the operation and supervision of enterprises and cooperatives after a decision to commence bankruptcy proceedings (Issued on: 27 May 2026; Effective from: 27 May 2026)

2. Resolution No. 66.17/2026/NQ-CP dated 15 May 2026 on the reduction and amendment of conditional business investment sectors and trades issued by the Government (Issued on: 15 May 2026; Effective from: 01 July 2026; Valid until: 28 February 2027)

3. Circular No. 55/2026/TT-BTC dated 15 May 2026 prescribing forms and reports related to investment activities and investment promotion in Vietnam issued by the Minister of Finance (Issued on: 15 May 2026; Effective from: 15 May 2026)



## PART I: TAX POLICIES

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### ***1. Decree No. 144/2026/ND-CP dated 05 May 2026 amending Decree No. 181/2025/ND-CP guiding the Law on Value-Added Tax, as amended by Decree No. 359/2025/ND-CP (Issued on: 05 May 2026; Effective from: 20 June 2026)***

New regulations on non cash payment documents for deferred and installment payments exceeding VND 5 million  
Deferred and installment payments exceeding VND 5 million that are not yet due for payment are still eligible for input VAT deduction Specifically

- For goods and services purchased on deferred or installment terms with a value of VND 5 million or more business establishments may rely on a written purchase contract VAT invoice and non cash payment documents for such deferred or installment purchases to claim input VAT deduction
- In cases where non cash payment documents are not yet available because the payment due date under the contract or contract appendix has not been reached the business establishment may still claim input VAT deduction
- When the payment due date under the contract or contract appendix arrives and the business establishment does not have non cash payment documents it must declare and adjust downward the amount of input VAT previously deducted corresponding to the value of goods and services lacking non cash payment documents in the tax period when the payment obligation arises
- If after making such adjustment the business establishment subsequently obtains non cash payment documents it may declare and deduct the corresponding input VAT amount for the value of goods and services supported by non cash payment documents in the tax period when such documents are obtained.

## PART II: ACCOUNTING AND AUDITING POLICIES

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### ***1. Circular No. 58/2026/TT-BTC dated 25 May 2026 providing guidance on the Accounting Regime for Micro-Enterprises issued by the Ministry of Finance (Issued on: 25 May 2026; Effective from: 01 July 2026)***

Guidance on the accounting regime for micro-enterprises effective from 01 July 2026 is as follows:

(i) Micro-enterprises shall maintain accounting books based on their value added tax VAT and corporate income tax CIT payment methods in accordance with VAT and CIT regulations and in line with the cases prescribed in Articles 5 6 7 and 8 of Circular No 58/2026/TT-BTC and prepare financial statements in accordance with Article 10 of Circular No 58/2026/TT-BTC

Where a micro-enterprise changes its VAT or CIT payment method in accordance with tax regulations it shall apply the accounting book system prescribed under Circular No 58/2026/TT-BTC corresponding to its applicable tax payment method

(ii) If during a financial year a micro-enterprise no longer meets the criteria for application of Circular No 58/2026/TT-BTC it may continue applying the Circular until the end of the current financial year and shall adopt the appropriate accounting regime in accordance with applicable laws from the following financial year

(iii) A micro-enterprise may choose to apply the accounting regime for small and medium sized enterprises if it is more suitable for its business operations and management requirements provided that such regime is applied consistently throughout the financial year Any change in the applied accounting regime may only be made at the beginning of the next annual accounting period.

## PART II: ACCOUNTING AND AUDITING POLICIES

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### ***1. Circular No. 58/2026/TT-BTC dated 25 May 2026 providing guidance on the Accounting Regime for Micro-Enterprises issued by the Ministry of Finance (Issued on: 25 May 2026; Effective from: 01 July 2026)***

(iv) Where a household business or individual business chooses to apply the accounting regime under Circular No. 58/2026/TT-BTC it must apply such regime consistently throughout a financial year. Any change to the applied accounting regime may only be made at the beginning of the next annual accounting period.

(v) To suit their business operations and management requirements micro-enterprises may design additional accounting vouchers and accounting books or amend and supplement the forms prescribed under Circular No. 58/2026/TT-BTC.

Any amended or supplemented accounting voucher and accounting book forms must comply with Article 16 and Clauses 1 2 3 and 4 of Article 24 of the 2015 Accounting Law and must fully timely accurately and transparently reflect the enterprise's assets and capital sources to facilitate inspection control and reconciliation. Where an enterprise uses accounting documents governed by other laws it must comply with the relevant legal regulations.

(vi) Where a micro-enterprise uses electronic invoices and receives support from the tax authority's tax management information system in determining and notifying the amount of VAT CIT and other taxes payable if any the enterprise shall use the accounting book forms prescribed in Circular No. 58/2026/TT-BTC to monitor and reconcile the taxes payable with the amounts notified by the tax authority.

## PART III: LABOR AND INSURANCE POLICIES

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### *1. Decree No. 85/2026/ND-CP dated 25 March 2026 on Supplementary Pension Insurance (Issued on: 25 March 2026; Effective from: 10 May 2026)*

The procedure for participating in a supplementary pension insurance program from 10 May 2026 is as follows:

- The employer shall prepare a participation agreement and notify and consult employees. After reaching agreement the employer shall sign a supplementary pension insurance participation agreement with each employee or sign with the Trade Union Chairperson after obtaining collective employee opinions based on the principles of voluntariness equality goodwill cooperation and honesty. The main contents of the agreement must comply with Appendix II issued together with Decree No. 85/2026/ND-CP.
- The employer shall enter into a contract for participation in the supplementary pension insurance program with a pension fund management company. Based on the list of participating employees the pension fund management company shall open an individual pension account for each employee.
- Based on the registered supplementary pension insurance program and the agreement with employees the employer shall contribute the employer's contribution portion if any and the employee contributions entrusted to the employer for payment if any into the supplementary pension insurance fund and notify the pension fund management company of the contribution amount for each employee in accordance with regulations.
- The contribution amount credited to each participant's individual pension account as prescribed in Clause 3 Article 6 of Decree No. 85/2026/ND-CP includes
  - + Contributions made by the employer on behalf of the employee if any
  - + Contributions made by the employee if any.

## **PART IV: ENTERPRISE AND INVESTMENT POLICIES**

### ***1. Decree No. 187/2026/ND-CP dated 27 May 2026 guiding the Law on Rehabilitation and Bankruptcy regarding the replacement of the legal representative of a state-owned enterprise after the Court accepts an application for rehabilitation procedures; and the operation and supervision of enterprises and cooperatives after a decision to commence bankruptcy proceedings (Issued on: 27 May 2026; Effective from: 27 May 2026)***

A legal representative of an enterprise or cooperative shall be deemed incapable of managing the enterprise or cooperative in any of the following circumstances:

(1) The legal representative of the enterprise or cooperative is absent from Vietnam for more than 30 days without authorizing another person to exercise his or her rights and perform his or her obligations.

(2) The legal representative of the enterprise or cooperative is deceased missing subject to criminal prosecution under temporary detention serving an imprisonment sentence undergoing compulsory administrative measures at a compulsory drug rehabilitation facility or compulsory educational institution absconding from the place of residence having limited or lost legal capacity having difficulties in cognition and behavioral control or being prohibited by a court from holding certain positions practicing certain professions or performing certain jobs.

(3) The legal representative of a state owned enterprise who is also the direct owner's representative or the representative of state capital is deemed incapable of managing the enterprise based on the assessment of the owner's representative agency in accordance with its functions duties and powers under the laws governing the management and investment of state capital in enterprises and the laws governing the management of office holders position holders and representatives of state capital.

(4) Other cases as determined by the Judge.

*(Tiếp theo)*

## PART IV: ENTERPRISE AND INVESTMENT POLICIES

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### ***2. Resolution No. 66.17/2026/NQ-CP dated 15 May 2026 on the reduction and amendment of conditional business investment sectors and trades issued by the Government***

***(Issued on: 15 May 2026; Effective from: 01 July 2026; Valid until: 28 February 2027)***

List of conditional business investment sectors and trades effective from 01 July 2026

- Seal manufacturing
- Trading in supporting tools and equipment including repair services
- Trading in fireworks excluding firecrackers
- Trading in disguised devices and software used for audio recording video recording positioning mobile signal jamming and signal blocking
- Trading in military uniforms military equipment and supplies for armed forces military weapons specialized technical equipment military and police vehicles components spare parts materials specialized equipment and technologies used for their manufacture
- Pawnshop services
- Massage services
- Security services
- Legal practice
- Notarial practice
- Judicial expertise services
- Audit services
- Operation of bonded warehouses and less than container load cargo consolidation facilities
- Operation of customs clearance locations cargo gathering inspection and customs supervision sites
- Securities business.

*(Tiếp theo)*

## PART IV: ENTERPRISE AND INVESTMENT POLICIES

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*(Issued on: 15 May 2026; Effective from: 01 July 2026; Valid until: 28 February 2027)*

- Securities registration depository clearing and settlement services and support services for trading on the domestic carbon exchange
- Insurance business activities excluding insurance auxiliary services
- Valuation services
- Lottery business
- Prize winning gaming business including electronic gaming for foreigners casinos and betting activities
- Credit rating services
- Voluntary pension fund management services
- Petroleum trading
- Industrial explosives business including destruction and disposal activities
- Explosive precursors business
- Business activities involving the use of industrial explosives and explosive precursors
- Blasting services
- Manufacturing and trading of chemicals except for chemicals and minerals listed as prohibited under Appendix II of the 2025 Law on Investment chemical storage services and specialized chemical consultancy services
- Trading in tobacco products tobacco materials machinery and equipment used in the tobacco industry excluding electronic cigarettes and heated tobacco products
- Food business activities subject to specialized management by the Ministry of Industry and Trade the Ministry of Agriculture and Environment and the Ministry of Health.

*(Tiếp theo)*



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## **PART IV: ENTERPRISE AND INVESTMENT POLICIES**

### ***3. Circular No. 55/2026/TT-BTC dated 15 May 2026 prescribing forms and reports related to investment activities and investment promotion in Vietnam issued by the Minister of Finance***

***(Issued on: 15 May 2026; Effective from: 15 May 2026)***

Effective from 15 May 2026 all 29 new forms relating to investment activities in Vietnam applicable to investors shall be officially adopted including

Form I.1.1 Application for implementation of an investment project

Form I.1.2 Investment project proposal for projects subject to investment policy approval prepared by the competent authority

Form I.1.3 Investment project proposal

Form I.1.4 Application for investor approval

Form I.1.5 Application for issuance of an Investment Registration Certificate

Form I.1.6 Investor's request form for adjustment of project implementation schedule or project operating term in cases where land handover is delayed pursuant to Clause 5 Article 28 of Decree No. 96/2026/ND-CP

Form I.1.7 Investor's request form for updating information on the project location following the reorganization of administrative units and the two tier local government structure

Form I.1.8 Application for amendment of an investment project in general cases

Form I.1.8a Application for amendment of an investment project in cases involving the transfer of part or all of an investment project

Form I.1.8b Application for amendment of an investment project where the investor acquires a project as secured collateral

Form I.1.8c Application for amendment of an investment project in cases of project division separation or merger

Form I.1.8d Application for amendment of an investment project in cases of division separation consolidation merger conversion of the type of economic organization or establishment of an economic organization to implement the project.

***(Tiếp theo)***

## **PART IV: ENTERPRISE AND INVESTMENT POLICIES**

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***(Issued on: 15 May 2026; Effective from: 15 May 2026)***

Form I.1.8e Application for amendment of an investment project in cases where land use rights and assets attached to land belonging to the investment project are contributed as capital to an enterprise

Form I.1.8g Application for amendment of an investment project in cases where land use rights and assets attached to land belonging to the investment project are used for business cooperation arrangements

Form I.1.8h Application for amendment of an investment project in cases where the project is amended pursuant to a court judgment decision or arbitral award

Form I.1.9 Report on the implementation status of an investment project

Form I.1.10 Application for extension of the operating term of an investment project

Form I.1.11 Notice of voluntary suspension of an investment project

Form I.1.12 Notice of voluntary termination of an investment project

Form I.1.13 Registration form for capital contribution share purchase or acquisition of capital contributions by a foreign investor

Form I.1.14 Registration form for establishment of an executive office by a foreign investor under a business cooperation contract

Form I.1.15 Application for amendment of the Certificate of Registration for the operation of an executive office

Form I.1.16 Notice of termination of the operation of an executive office of a foreign investor under a business cooperation contract

Form I.1.17 Application for re issuance of an Investment Registration Certificate

Form I.1.18 Application for correction of information on an Investment Registration Certificate

Form I.1.19 Application for return of an Investment Registration Certificate

Form I.1.20 Application for replacement of an Investment Registration Certificate

Form I.1.21 Application for the application of investment guarantee measures

Form I.1.22 Document for reporting difficulties and submitting recommendations.

*(Tiếp theo)*



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# SUMMARY

In May 2026, several notable legal developments were introduced in the areas of taxation, accounting, insurance, and investment. Key highlights include new regulations allowing input VAT deductions for deferred and installment purchases that have not yet reached the payment due date, the introduction of a new accounting regime for micro-enterprises effective from 01 July 2026, and guidance on the implementation of supplementary pension insurance schemes. In addition, new forms and templates for investment procedures were issued, together with updated regulations on conditional business investment sectors and trades. Overall, these legal updates aim to support businesses, simplify administrative procedures, and enhance the effectiveness of state management.

## **Note:**

*This newsletter is for reference only – businesses or individuals should review the full text and, if necessary, consult legal experts to ensure proper compliance with procedures and forms.*

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