

wts



Grünkorn & Partner

Construction Projects in Vietnam

August 2018

wts

WTS Tax Vietnam Co., Ltd
Tel.: +84 28 7302 5771
Email: info@wtsvietnam.com
www.wtsvietnam.com



Grünkorn & Partner Law Co., Ltd.
Tel.: +84 28 7302 5772
Email: info@lawyer-vietnam.com
www.lawyer-vietnam.com

Both: 12th floor TMS Building, 172 Hai Ba Trung Street, District 1, Ho Chi Minh City, Vietnam

Table of Contents

1.	Executive Summary.....	1
2.	Legal Framework	1
2.1	<i>Applicable Law and Contract Type</i>	1
2.1.1	Law governing Construction Projects.....	1
2.1.1.1	<i>Operating Licence for Construction (OLC)</i>	2
2.1.1.2	<i>Project Management Office (PMO)</i>	3
2.1.2	Use of International Standard Agreements	4
2.1.3	Government Contracts	4
2.1.4	Consortium	5
2.1.5	Joint Venture	5
2.2	<i>Taxation.....</i>	5
2.2.1	Foreign Contractor Withholding Tax	5
2.2.2	Personal Income Tax.....	7
2.3	<i>Establishing a Legal Presence in Vietnam.....</i>	8
2.3.1	Representative Office.....	8
2.3.2	Branch.....	8
2.3.3	Limited Liability Company	8
2.4	<i>Labor, Work Permit and Visa.....</i>	9
2.4.1	Labor Law.....	9
2.4.2	Work Permit and Visa	9
2.4.2.1	<i>Work Permit.....</i>	9
2.4.2.2	<i>Visa</i>	9
2.5	<i>Dispute Resolution.....</i>	10
2.5.1	State Courts.....	10
2.5.2	Arbitration.....	11
2.5.3	Enforceability of State Court Decisions and Arbitral Awards	12

2.5.3.1 <i>Enforceability of State Court Decisions</i>	12
2.5.3.2 <i>Enforceability of Arbitral Awards</i>	12
3. General information	13
4. Disclaimer	13

Dear Reader,

Keeping brochures up to date involves a lot of effort and considerable cost.

The complete version of this brochure is therefore complimentary for our clients, associations and public organisations only. To all other users we charge a cost contribution of 50 EUR. Thank you for your understanding.

If this brochure is interesting to you, please contact us by sending an e-mail to: info@lorenz-partners.com naming the brochure(s) you would like to obtain.

Thank you.

Best regards,
Lorenz & Partners