

**LEGAL NEWSLETTER  
JANUARY 2026**



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**A - NEW STATE DOCUMENTS**

**On November 6, 2025, the Government issued Decree 292/2025/ND-CP providing detailed regulations and guidance on the implementation of Resolution 216/2025/QH15 on extending the exemption period for agricultural land use tax.**

Subjects Exempt from Agricultural Land Use Tax from January 1, 2026

Based on Article 2 of Decree 292/2025/ND-CP, the subjects exempted from agricultural land use tax from January 1, 2026 are as follows:

Subjects exempted from agricultural land use tax shall comply with the provisions of Article 1 of Resolution 55/2010/QH12 on exemption and reduction of agricultural land use tax (amended and supplemented by Resolution 28/2016/QH14), specifically as follows:

(1) Exemption from agricultural land use tax for the entire area of agricultural land used for research and experimental production; the area of land for annual crops as prescribed by land law; and the area of land for salt production.

(2) Exemption from agricultural land use tax for the entire area of agricultural land allocated or recognized by the State for poor households.

The determination of poor households is based on the poverty line issued by the Government Decree.

In cases where the People's Committees of provinces and centrally-administered cities have specific regulations on the poverty line according to the law applicable in the locality, the poverty line prescribed by the People's Committees of provinces and centrally-administered cities shall be used to determine poor households.



(3) Exemption from agricultural land use tax for the entire area of agricultural land for the following subjects:

- Households and individuals to whom the State has allocated or recognized the right to use land for agricultural production, or who have received the transfer of the right to use agricultural land (including receiving inheritance or gifts of the right to use agricultural land).
- Households and individuals who are members of agricultural production cooperatives and cooperative unions;
- Households, individuals, and communities that have received stable land allocation from cooperatives, cooperative unions, state-owned farms, state-owned forestry enterprises, and households, individuals, and communities that have received stable land allocation from agricultural and forestry companies for agricultural production in accordance with the law.
- Households and individuals engaged in agricultural production contribute their agricultural land use rights to establish agricultural production cooperatives and cooperative unions in accordance with the Law on Cooperatives 2023.

(4) Exemption from agricultural land use tax for agricultural land areas allocated by the State to economic organizations, political organizations, socio-political organizations, professional social organizations, public service units, and other units that are directly using land for agricultural production.

For agricultural land areas that the State has allocated to economic organizations, political organizations, socio-political organizations, professional social organizations, public service units and other units that are managing but not directly using the land for agricultural production, but instead lease it to other organizations or individuals under contract for agricultural production, the land shall be reclaimed in accordance with the provisions of the 2024 Land Law; during the period before the State reclaims the land, 100% of the agricultural land use tax must be paid.

(5) Procedures and documents for declaration and tax exemption in Article 2 of Decree 292/2025/ND-CP shall be implemented in accordance with the provisions of the law on tax management.

See details in Decree 292/2025/ND-CP effective from January 1, 2026.





**On December 15, 2025, the Minister of Finance issued Circular 115/2025/TT-BTC amending Circular 118/2020/TT-BTC guiding the content on offering and issuing securities, public tender offers, share buybacks, registration of public companies, and deregistration of public companies.**

Amendments to regulations on share buybacks by public companies:

(i) Public companies are not allowed to change their intention or plan to buy back shares as reported and disclosed to the public, except in cases of force majeure (natural disasters, epidemics, war, fire) and other cases approved by the General Meeting of Shareholders.

(ii) Within 24 hours of making the decision to change the share buyback plan, the public company must send a notice of the change in the share buyback plan to the State Securities Commission, and simultaneously publish the information on the company's website, the information disclosure channels of the State Securities Commission, and the stock exchange regarding the notice of change in the share buyback plan according to the Form in Appendix No. 38 issued with Circular 115/2025/TT-BTC.

The public company may change the share buyback after publishing the information as stipulated in (ii).

Reporting and Disclosure of Treasury Share Sales

Public companies that repurchase their own shares in the cases stipulated in Clause 6 and points b and c of Clause 7, Article 36 of the Securities Law shall sell the shares as follows:



(1) Public companies may sell treasury shares at least 24 hours after submitting the Report on the results of the share repurchase transaction, the Report on the results of the issuance of shares to pay dividends, and the issuance of shares to increase share capital from equity capital to the State Securities Commission and publicly disclosing the information.

(2) Public companies must complete the sale of treasury shares within 20 working days from the date of reporting to the State Securities Commission and publicly disclosing information on the sale of treasury shares according to the Form in Appendix No. 36 issued with Circular 115/2025/TT-BTC.

(3) Within 10 days from the date of completion of the treasury stock sale transaction as prescribed in Clause 1 of this Article, the public company must send the Report on the results of the treasury stock sale transaction to the State Securities Commission and disclose the information to the public according to the Form in Appendix No. 39 issued with Circular 115/2025/TT-BTC. See details in Circular 115/2025/TT-BTC effective from January 28, 2026.

**B - OFFICIAL GUIDANCE  
DOCUMENTS**



**On December 12, 2025, the Tax Department issued Official Dispatch 5938/CT-CS regarding value-added tax policy, according to which:**

In principle, if a business has an investment project that was invested in before July 1, 2025, and is still in the investment phase from the effective date of Decree 181/2025/ND-CP (July 1, 2025), then the provisions for tax refund for investment as stipulated in Article 30 of Decree 181/2025/ND-CP shall apply.

Businesses currently operating with investment projects eligible for value-added tax refunds must prepare a separate value-added tax declaration for the investment project (on form 02/GTGT) in accordance with tax management laws.

**On December 15, 2025, the Tax Department issued Official Dispatch 6008/CT-CS 2025 on value-added tax policy, according to which:**

In principle, in cases where banking, insurance, consulting, and security services are services provided directly to organizations within the non-taxable zone and consumed within the non-taxable zone, directly serving export production activities and not serving other activities not related to export production, and not falling under the cases exempt from the 0% tax rate as stipulated in Clause 4, Article 17 of Government Decree No. 181/2025/ND-CP, then the 0% VAT rate shall apply.





**On December 11, 2025, the Quang Ngai Provincial Tax Department issued Official Dispatch 3544/QNG-QLDN1 providing guidance on tax policy, accordingly:**

From October 1, 2025, the Corporate Income Tax Law No. 67/2025/QH15 will come into effect. This law stipulates that in cases where an enterprise expands an existing project, if the existing project is still enjoying corporate income tax incentives, the additional income from the expansion will be subject to the same tax incentives as the existing project for the remaining period. The additional income from the expansion does not need to be separately accounted for from the income from the existing project.

In cases where an operating project has exceeded its tax incentive period, the additional income from the expanded investment project that meets the criteria specified in Clause 6, Article 14 of the Corporate Income Tax Law No. 67/2025/QH15 shall be exempt from or subject to tax reduction, and shall not be entitled to preferential tax rates. The tax exemption and reduction period for additional income from expanded investment shall be the same as the tax exemption and reduction period applied to new investment projects in the same industry, profession, and geographical area eligible for corporate income tax incentives, and shall be calculated from the year the investment project completes its registered investment capital.

**On December 15, 2025, the Tax Department issued Official Dispatch 6006/CT-CS regarding tax policy on land lease expenses during the land lease contract conversion period due to business separation, accordingly:**

- In cases where the company being split or separated has been leased land by the State with annual land lease payments or a one-time land lease payment for the entire lease period, the company using the land after the split or separation inherits the rights and obligations related to the land use rights of the split or separated company and is responsible for carrying out the procedures for registering changes in land and assets attached to the land.
- Regarding corporate income tax (CIT) policy: expenses of the enterprise are deductible when calculating CIT if these expenses are related to production and business activities and have complete invoices and documents as prescribed by law. Accordingly, if a company, after being divided or split, incurs expenses related to land use fees under a fixed-term land lease contract, but the documents proving the right to lease the land are still in the name of the company being divided or split, then these expenses related to land lease payments are not eligible to be deductible when determining taxable income.



**On December 16, 2025, the Tax Department issued Official Dispatch 6030/CT-NVT regarding the registration of new tax codes and dependent tax codes, accordingly:**

(1) Regarding issues related to the registration of new tax codes and the use of personal identification numbers or old tax codes:

From July 1, 2025, the personal identification number of citizens will be used instead of the individual's tax code. Taxpayers can use the personal identification number when the individual's tax registration information matches the individual's information stored in the national database on population. At that time, the taxpayer will record the personal identification number in the "Tax Code" field on tax declarations, tax payment documents, invoices, personal income tax deduction records, and other records, documents, and materials that require the declaration of the tax code.

Therefore, from July 1, 2025, businesses register new tax codes for employees when they start working or register new tax codes for new employees/dependents who do not yet have tax codes as prescribed in point b, clause 1, Article 22 of Circular No. 86/2024/TT-BTC. After successful tax registration (i.e., the taxpayer's tax registration data matches the personal information stored in the National Database on Population), businesses use the personal identification number for tax deduction, declaration, and payment in accordance with the law.

(2) Regarding difficulties related to self-registering tax codes for dependents when changing workplaces:

Taxpayers can self-register dependents to receive family allowance deductions when calculating personal income tax through electronic portals such as: National Public Service portal: <https://dichvucong.gov.vn>; Information system for resolving administrative procedures: <https://dichvucong.gdt.gov.vn>; e-Tax portal <https://thuedientu.gdt.gov.vn>, "individual" subsystem, or register directly with the tax authority.

Taxpayers only need to register and submit supporting documents for each dependent once during the entire period for which the family allowance deduction is calculated (as stipulated in point i, clause 1, Article 9 of Circular No. 111/2013/TT-BTC). However, when changing workplaces, there is no connection between income-paying agencies to share information, so the new workplace will not have a basis to calculate the family allowance deduction for dependents for the taxpayer. Taxpayers must re-register their dependents to be eligible for the family allowance deduction in the tax declaration period of the year at the new workplace.

**On December 17, 2025, the Tax Department issued Official Dispatch 6043/CT-CS regarding the re-determination of personal income tax allocated to provinces other than where the taxpayer's head office is located after personal income tax final settlement, accordingly:**

In principle, the amount of personal income tax to be allocated to income from salaries and wages of individuals working in each province must be based on the actual tax withheld from each individual; the personal income tax determined for each province is monthly or quarterly corresponding to the personal income tax declaration period and is not re-determined during personal income tax final settlement.

Supplementary tax declarations are made in accordance with the provisions of Clause 1, Article 47 of Law No. 38/2019/QH14 (amended and supplemented by Clause 6, Article 6 of Law No. 56/2024/QH15).

Regarding tax declaration, tax calculation, allocation of personal income tax, and supplementary tax filing: the centralized tax management application (TMS) currently meets the operational requirements.





**On December 26, 2025, the Department of Tax Policy Management and Supervision issued Official Dispatch 2759/CST-GTGT regarding tax policy on foreign currency sales activities of enterprises, accordingly:**

In the case of ordinary manufacturing, trading, and service enterprises (not credit institutions or foreign exchange trading agents) that have foreign currency income from abroad (from exporting goods, providing services, or receiving payments in foreign currency) and then resell (convert) the foreign currency into Vietnamese Dong at commercial banks, the difference due to exchange rate fluctuations is not subject to VAT regulations and no invoice needs to be issued for activities other than the sale of goods or provision of services. Income from foreign currency sales activities is determined according to the provisions of corporate income tax law at the time of occurrence.



**On December 31, 2025, the Customs Sub-Department of Region XVIII issued Official Dispatch 2243/HQKV18-NV regarding the implementation of the Special Consumption Tax Law No. 66/2025/QH15 dated June 1, 2025, accordingly:**

The Customs Sub-Department of Region XVIII would like to draw the attention of businesses as follows:

1. The tax rate and absolute tax amount of special consumption tax for goods shall be implemented according to the provisions of Article 8 of the Special Consumption Tax Law No. 66/2025/QH15, effective from January 1, 2026.

2. Some notes:

- Taxable subjects (Article 2)

+ The Special Consumption Tax Law adds several goods to the list of taxable subjects, including: Helicopters, gliders; Soft drinks according to National Standards (TCVN) with a sugar content exceeding 5g/100ml.

+ Adjusting and narrowing the scope of excise tax liability for air conditioners with a capacity of over 24,000 BTU up to 90,000 BTU.

- Tax refund (Clause 1, Article 9)

Excise tax payers are entitled to a refund of excise tax paid in cases where the goods are imported raw materials for the production and processing of goods exported abroad.

The excise tax refund only applies to the actual quantity of goods exported abroad.

Businesses can access the website of the Customs Department of Region 18 to download Law No. 66/2025/QH15 on Excise Tax, address: <https://kv18.customs.gov.vn>.

**On December 31, 2025, the Tax Department issued Official Dispatch 6471/CT-CS regarding the determination of corporate income tax incentives for high-tech agricultural enterprises, accordingly:**

For the supplementary project portion of a high-tech agricultural enterprise, only the corporate income tax incentives under the initial investment project conditions for the remaining period will be applied.

If the enterprise chooses the high-tech agricultural enterprise incentive and the incentive period expires, it will not be allowed to switch to the 15% tax rate for agricultural product processing activities.

**On January 7, 2026, the Customs Department issued Official Dispatch 344/CHQ-GSQL of 2026 providing guidance on customs procedures when changing the company name without changing the tax code, accordingly:**

After completing the company name change procedure, if the documents in the customs dossier for imported goods are shown under the old company name, the company is requested to contact the relevant units to adjust the company name to the new name in order to proceed with the import procedures.

For Import Licenses and Specialized Inspection Certificates that were issued under the old company name, the company is requested to contact the specialized inspection agency that issued the above documents for guidance within their authority.



**On January 7, 2026, the Tax Department issued Official Dispatch 63 CT CS year 2026 regarding the declaration of personal income tax on salaries and wages exempted under Resolution 136/2024/QH15. Specifically:**

In cases where organizations or individuals paying income are subject to monthly or quarterly personal income tax declarations, if there is any personal income tax withholding during the period, the organization or individual paying the income is responsible for submitting the monthly or quarterly personal income tax declaration and declaring the full amount of tax withheld during the period; if no personal income tax withholding occurred in that month or quarter, they are not required to submit the monthly or quarterly personal income tax declaration. For tax finalization, organizations and individuals paying income from salaries and wages are responsible for filing the personal income tax finalization declaration, regardless of whether or not tax withholding occurred.

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