

**DECREE ON VALUE ADDED TAX**  
**TABLE OF CONTENTS**

<b>CHAPTER I .....</b>	<b>1</b>
<b>GENERAL PROVISIONS.....</b>	<b>1</b>
<i>Article 1</i> <i>Applicable scope .....</i>	<i>1</i>
<i>Article 2</i> <i>Taxpayers.....</i>	<i>1</i>
<i>Article 3</i> <i>Non-taxable objects.....</i>	<i>2</i>
<b>CHAPTER II .....</b>	<b>4</b>
<b>BASIS AND METHOD OF TAX ASSESSMENT .....</b>	<b>4</b>
<i>Article 4</i> <i>Taxable prices .....</i>	<i>4</i>
<i>Article 5</i> <i>Point of time for fixing VAT.....</i>	<i>4</i>
<i>Article 6</i> <i>Tax rates .....</i>	<i>5</i>
<i>Article 7</i> <i>Tax credit method.....</i>	<i>6</i>
<i>Article 8</i> <i>Calculation of tax directly on the basis of added value .....</i>	<i>7</i>
<b>CHAPTER III .....</b>	<b>8</b>
<b>TAX CREDIT AND TAX REFUND .....</b>	<b>8</b>
<i>Article 9</i> <i>Credit of input value added tax .....</i>	<i>8</i>
<i>Article 10</i> <i>Cases in which tax shall be refunded.....</i>	<i>10</i>
<i>Article 11</i> <i>Payment of tax.....</i>	<i>11</i>
<b>CHAPTER IV .....</b>	<b>11</b>
<b>IMPLEMENTING PROVISIONS.....</b>	<b>11</b>
<i>Article 12</i> <i>Effectiveness and implementing guidelines .....</i>	<i>11</i>

**DECREE  
ON  
VALUE ADDED TAX**

**Making detailed provisions for implementation of  
the Law on Value Added Tax**

**The Government**

Pursuant to the *Law on Organization of the Government* dated 25 December 2001;

Pursuant to the *Law on Value Added Tax* dated 3 June 2008;

Having considered the proposal of the Minister of Finance,

**Decrees:**

**CHAPTER I**

**General Provisions**

**Article 1** *Applicable scope*

This Decree provides detailed regulations and guidelines for implementation of a number of articles of the *Law on VAT*<sup>1</sup>.

**Article 2** *Taxpayers*

1. Value added taxpayers shall be organizations and individuals engaging in manufacturing and/or conducting business in value added taxable goods and services (hereinafter all referred to as *business establishments*) and organizations and individuals importing value added taxable goods (hereinafter all referred to as *importers*).
2. Value added taxpayers shall also include organizations and individuals purchasing services when such purchasers are entities engaging in manufacturing and/or conducting business in Vietnam (including cases of purchase of services associated with goods) from foreign organizations without a resident establishment in Vietnam or from individuals overseas who are non-residents of Vietnam.

Purchasers of services shall be deemed not to be value added taxpayers when the services purchased are repair of transport vehicles or of machinery or equipment; advertising and marketing; investment and commercial promotion; brokerage for sales of goods; training; and sharing fees and

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<sup>1</sup> Allens Arthur Robinson footnote: "Value added tax" is hereinafter abbreviated to "VAT" for easy reference.

charges for international post and telecommunications services between Vietnam [the Vietnamese party] and the foreign party where such services are provided outside Vietnam.

The provision in this clause on resident establishments and non-resident individuals shall be implemented in accordance with the law on corporate income tax and the law on personal income tax.

The Ministry of Finance shall provide specific guidelines on the provisions in this clause.

### **Article 3** *Non-taxable objects*

Non-taxable objects shall be determined in accordance with article 5 of the *Law on VAT*.

1. Products which have only been subject to conventional [normal] preliminary treatment as stipulated in article 5.1 of the *Law on VAT* means products which have only been cleaned, sun-dried, industrially dried, unshelled, de-seeded, cut and sliced, salted and/or refrigerated or which have been otherwise preserved by conventional [normal] methods.
2. Salt products stipulated in article 5.4 of the *Law on VAT* means products whose main component has the chemical formula NaCl.
3. Life insurance stipulated in article 5.7 of the *Law on VAT* includes health insurance and personal accident insurance within a general life insurance package.
4. A number of services stipulated in article 5.8 of the *Law on VAT* shall be regulated as follows:
  - (a) Credit services comprise lending; discounting negotiable instruments and other valuable papers; providing guarantees; finance leasing and other forms of providing credit as stipulated by law and as supplied by finance and credit institutions in Vietnam.
  - (b) Securities business comprises securities broking, securities self-trading, underwriting issues of securities, securities investment consultancy, securities depository, management of securities investment funds, management of securities investment portfolios, and services of organizing a market supplied by Stock Exchanges or Securities Trading Centres, and other business operations stipulated in the law on securities.
  - (c) Capital transfers comprise the transfer of a part or the entire amount of capital already invested, including sale of an enterprise to another enterprise in order to conduct production and/or business, transfers of securities and other forms of capital transfers stipulated by law.
5. Medical examination and treatment services stipulated in article 5.9 of the *Law on VAT* also includes transportation, tests, screening and x-rays, and blood and blood products used for patients.
6. If the activities of maintenance, repair and construction of buildings or works stipulated in article 5.12 of the *Law on VAT* are funded by sources other than public contributions from citizens (comprising capital contributions and aid from organizations and individuals) and humanitarian aid, and such other funding sources do not exceed 50% of the total amount of capital used for such buildings or works, then the entire buildings or works shall be non-taxable objects.

People entitled to social welfare comprise people whose work has contributed to the State in accordance with the relevant law; people who receive social benefits or allowances funded by the State budget; and people belonging to poor households and people close to the poverty line and other cases stipulated by law.

7. Public passenger transportation as stipulated in article 5.16 of the *Law on VAT* comprises public passenger transport by bus and electrical vehicles [trams] on internal provincial routes [routes within a province], urban routes [routes within an urban area] and neighbouring routes outside the province as stipulated in regulations of the competent State Authority.

8. Aircraft stipulated in article 5.17 of the *Law on VAT* also includes aircraft engines.

The Ministry of Planning and Investment shall preside over co-ordination with the relevant bodies to issue a list of machinery, equipment and supplies in the category of able to be produced domestically in order to provide the basis for distinguishing items unable to be produced domestically and which therefore need to be imported to be used directly for scientific research and technological development activities; and a list of machinery, equipment, replacement accessories, specialized transport vehicles and supplies in the category of unable to be produced domestically in order to provide the basis for distinguishing items unable to be produced domestically and which therefore need to be imported to carry out prospecting, exploration and development of oil and gas fields; and a list of aircraft, drilling rigs and watercraft in the category of able to be produced domestically in order to provide the basis for distinguishing items unable to be produced domestically and which therefore need to be imported to create fixed assets of enterprises and which are leased from overseas for use in production and/or business and for leasing out.

9. The Ministry of Defence and the Ministry of Public Security shall, after reaching agreement with the Ministry of Finance, provide specific regulations on what constitutes specialized arms and weaponry required for national defence and security as stipulated in article 5.18 of the *Law on VAT*.

10. Imported goods as stipulated in article 5.19 of the *Law on VAT* shall be regulated in detail as follows:

(a) Humanitarian aid goods and non-refundable aid goods which are imported must have approval from the competent State authority.

(b) The import of gifts to State bodies, political organizations, socio-political organizations, socio-political-professional organizations, social organizations, socio-professional organizations and units of the people's armed forces must be implemented in accordance with the law on gifts and donations.

(c) The fixed levels [i.e. the limits on value] of imported goods being donations or gifts to individuals in Vietnam must comply with the law on gifts and donations.

11. If a technology transfer or intellectual property right transfer as stipulated in article 5.21 of the *Law on VAT* also includes a transfer of machinery or equipment, then the non-taxable object shall be calculated as a ratio of the value of the technology transfer or intellectual property right transfer; and if it is impossible to make a separation in order to calculate this ratio, then VAT tax must be calculated not only on the value of the technology transfer or intellectual property right transfer but also on the value of the machinery or equipment.

12. Natural resources and mined minerals which have not yet been processed as stipulated in article 5.23 of the *Law on VAT* means items which have not yet been processed to become another product.

## CHAPTER II

### Basis and Method of Tax Assessment

#### Article 4 *Taxable prices*

Taxable prices shall be determined in accordance with article 7 of the *Law on VAT*.

1. In the case of purchase of services stipulated in article 2.2 of this Decree, taxable price shall be the payment price recorded in the contract for purchase of the services excluding VAT.
2. In the case of goods and services used for exchange, for internal consumption, or for a gift or donation, taxable price shall be the taxable price of goods or services of the same type as at the time of such exchange, gift or donation.

Goods and services for internal consumption as stipulated in this clause means goods or services which the business establishment releases or provides for consumption purposes, and does not include any goods or services directly used during the production and/or business operation of such establishment.

3. Taxable price in the case of real property business activities shall be the price of a transfer less the actual price of the land at the time of the transfer. If the actual price of the land at the time of the transfer is less than the price stipulated by the provincial people's committee, then the land price to be deducted shall be such price stipulated by the provincial people's committee at the time of the transfer.

In the case of construction and/or commercial operation of infrastructure, or construction of housing for sale, for transfer or to let, taxable price shall be the proceeds receivable according to the schedule for implementation of the project or the schedule for receipt of moneys stipulated in the contract.

4. In the case of electricity of any hydroelectric plant which conducts dependent accounting under the Vietnam Electricity Group, value added taxable price for calculating the amount of VAT payable in the locality where such plant is situated shall equal 60% of the average selling price of the electricity commodity during the previous year excluding VAT.
5. In the case of casino services, electronic games with prizes and other betting entertainment businesses, taxable price shall be the proceeds from such operation including special sales tax, less sums paid as prizes to customers.
6. Value added taxable prices of goods and services stipulated in article 7.1 of the *Law on VAT* shall include additional levies and supplementary fees [on top of the price of the goods or services] to which the business establishment is entitled.

The Ministry of Finance shall provide specific guidelines on taxable prices stipulated in this article.

#### Article 5 *Point of time for fixing VAT*

1. The point of time for fixing VAT on goods shall be the time when ownership of the goods or the right to use the goods is transferred to the purchaser, irrespective of whether or not money has been received.

2. The point of time for fixing VAT on services shall be the time when the services provided to the purchaser are completed or when an invoice is issued for provision of the services, irrespective of whether or not money has been received.
3. The Ministry of Finance shall provide specific guidelines on the point of time for determining VAT in other cases.

**Article 6** *Tax rates*

Tax rates shall be determined in accordance with article 8 of the *Law on VAT*.

1. The tax rate of zero per cent (0%) shall apply to export goods and services, to international transportation, and to goods and services not subject to VAT as stipulated in article 5 of the *Law on VAT* when they are exported, except for the goods and services stipulated in sub-clause (dd) below.
  - (a) [The tax rate of zero per cent (0%) shall apply to] goods which are exported abroad or which are sold to a non-tariff zone and other cases deemed to be export goods pursuant to the commercial law.
  - (b) Export services shall include services directly provided to offshore organizations and individuals or to organizations and individuals in non-tariff zones.

*An offshore organization* means an organization without a resident establishment in Vietnam and which is not a value added taxpayer in Vietnam.

*An offshore individual* means a person who is a non-resident of Vietnam, a Vietnamese who resides overseas, or a Vietnamese during the period while he or she is providing services.

*An organization or individual in a non-tariff zone* means any such entity who has registered business or other cases as stipulated in regulations of the Prime Minister of the Government.

- (c) Export goods and services as stipulated in sub-clauses (a) and (b) above must satisfy the following conditions in order for the tax rate of 0% to apply:
  - There must be a contract of sale or a contract for processing goods for export or a contract authorizing processing of goods for export, or a service provision contract signed with an offshore organization or offshore individual or with an organization or individual in a non-tariff zone;
  - There must be vouchers for payment of the export goods or services via a bank and other source vouchers required by law; and there must be a customs declaration for exported goods.

Payment for exported goods or services by way of set-off of the value of imported goods or services, or by way of set-off of a State debt shall also be deemed to be payment via a bank.

- (d) International transportation as stipulated in this clause includes carriage of passengers, luggage and cargo on an international stage from Vietnam to a foreign country or vice versa. If an international transportation contract includes an internal [domestic] transport stage, then international transportation shall be deemed to include such internal stage.
- (dd) The tax rate of 0% shall not apply to offshore reinsurance; to a transfer of technology or transfer of an intellectual property right to overseas; to a capital transfer to overseas, a supply

of credit to overseas, or to offshore securities investment; to derivative financial services; to post and telecom services; to export products being exploited natural resources and mined minerals which have not yet been processed as defined in article 3.12 of this Decree, nor to goods and services supplied to individuals without business registration in a non-tariff zone.

2. The tax rate of 5% shall apply to goods and services stipulated in article 8.2 of the *Law on VAT*, and a number of specific cases shall be regulated as follows:
- (a) Clean water for manufacturing and for living purposes as stipulated in article 8.2(a) of the *Law on VAT* shall not include bottled drinking water, or various types of beverages and refreshments to which the tax rate of 10% shall apply.
  - (b) The items stipulated in article 8.2(b) of the *Law on VAT* comprise:
    - Both organic and non-organic fertilizers, nitrogenous fertilizer and all other types of fertilizer;
    - Ores used for production of fertilizers being all types of raw material ores used to produce fertilizers;
    - Pesticides and all types of growth stimulants for animals and crops.
  - (c) Feed for cattle, poultry and other animals as stipulated in article 8.2(c) of the *Law on VAT* comprises all types of unprocessed or processed feed such as bran, offal, mill cake of all types, fish powder and bone powder.
  - (d) The semi-processing and preserving services stipulated in article 8.2(d) of the *Law on VAT* comprise sun-drying, industrial drying, un-shelling, de-seeding, cutting and slicing, husking, refrigerating, salting and other normal preservative methods.
  - (dd) Fresh food produce as stipulated in article 8.2(g) of the *Law on VAT* comprises all types of uncooked foodstuffs or foodstuffs which have not yet been processed into another product.

Unprocessed forestry products as stipulated in article 8.2(g) of the *Law on VAT* comprise other products exploited from natural forests in the categories of rattan, bamboo, mushrooms; roots, leaves, flowers and plants used to produce medicines; and resin and other types of forestry products.
  - (e) Pharmaceutical products and pharmaceutical materials which are raw materials used for producing preventive and curative medicine as stipulated in article 8.2(l) of the *Law on VAT* shall be determined in accordance with the list promulgated by the Ministry of Health after reaching agreement with the Ministry of Finance.

#### **Article 7** *Tax credit method*

The tax credit method shall be implemented in accordance with article 10 of the *VAT*.

1. The amount of VAT payable pursuant to the tax credit method shall equal the amount of output VAT less the amount of creditable input VAT<sup>2</sup>.

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<sup>2</sup> Allens Arthur Robinson footnote: An alternative translation is "deductible input VAT".

2. The amount of output VAT shall equal the total VAT of the goods or services sold as recorded on the added value invoice.

VAT recorded on the added value invoice shall equal the taxable price of the VAT taxable goods or services sold, multiplied by the VAT tax rate of such goods or services.

If a payment voucher recording the payment price as VAT inclusive is used, then output VAT shall equal the payment price less the taxable price determined in accordance with article 7.2(k) of the *Law on VAT*.

3. Creditable input VAT shall be determined as follows:

- (a) The amount of VAT recorded on the VAT invoice for purchase of the goods or services; on the voucher paying VAT on the imported goods, or on the voucher paying tax in a case of purchase of services as stipulated in article 2.2 of this Decree.

In respect of input purchased goods or services which use payment vouchers recording the payment price as VAT inclusive, the amount of creditable input VAT shall equal the payment price less the taxable price stipulated in article 7.1(k) of the *Law on VAT*.

- (b) The conditions for VAT to qualify as creditable input VAT shall be implemented in accordance with article 9.2 of this Decree.

#### **Article 8** *Calculation of tax directly on the basis of added value*

The method of calculating tax directly on the basis of added value shall be implemented in accordance with article 11 of the *Law on VAT*.

1. The amount of VAT payable by this method shall equal the added value of the taxable goods or services sold, multiplied by the tax rate applicable to such goods or services.

- (a) The added value of goods or services shall equal the sale payment price of the goods or services less their corresponding input purchase payment price.

The sale payment price of goods or services means the actual selling price recorded on the invoice for the sale of the goods or services, including VAT and any additional levies and supplementary fees to which the seller is entitled.

The input purchase payment price of goods or services shall equal the value of the input purchased or imported goods or services including VAT, as used for production and/or business in the corresponding VAT taxable goods or services which were sold.

- (b) In the case of any business establishment selling goods or services with complete invoices and source vouchers as required by law and which is able to correctly ascertain its turnover from such sales but does not have complete invoices for the input purchase of such goods or services, added value shall equal turnover multiplied by a value added ratio of turnover.

The value added ratio (%) of turnover as the basis for calculating added value shall be regulated as follows:

- Trade or commerce (distribution and/or supply of goods): 10%;



- Services and construction (except where the tender for construction included raw materials and supplies): 50%;
  - Manufacturing, transportation, services associated with sale of goods, and construction where the tender included provision of raw materials and supplies: 30%.
- (c) In the case of business operations or activities of business households which do not implement or fully implement the regime on accounting, invoices and source documents stipulated by law, VAT shall be paid on the basis of a fixed level of turnover as stipulated in article 38 of the *Law on Tax Management*.

The Ministry of Finance shall provide specific guidelines on payment of tax on the basis of a fixed level of turnover as stipulated in this clause.

2. VAT shall be calculated directly on the basis of added value in the case of the following taxpayers:
- (a) Business establishments, business individuals and family households which do not implement or fully implement the regime on accounting, invoices and source documents stipulated by law.
  - (b) Foreign organizations and individuals conducting business in Vietnam other than pursuant to the *Law on Investment* and other organizations which do not implement or fully implement the regime on accounting, invoices and source documents stipulated by law.
  - (c) Business being the purchase and sale of gold, silver, and precious stones.

Where business establishments in the category of those paying tax by the tax credit method also trade in the purchase and sale of gold, silver, precious stones and/or create products containing gold, silver or precious stones, they must account separately for such activities in order to apply the method of paying VAT directly on the basis of added value.

## CHAPTER III

### Tax Credit and Tax Refund

#### **Article 9** *Credit of input value added tax*

Credit of input value added tax shall be implemented in accordance with article 11 of the *Law on VAT*.

1. Business establishments which pay VAT in accordance with the tax credit method shall be permitted a credit of input VAT as follows:
- (a) Input VAT levied on goods and services used for production [or manufacture] of and business in value added taxable goods and services shall be fully credited.
  - (b) In the case of input VAT levied on goods and services used for manufacture of and business in both value added taxable goods and services and non-taxable goods and services, only the amount of input VAT levied on the goods and services used for manufacture of and business in taxable goods and services shall be credited. Business establishments must separately account for creditable input VAT and for non-creditable input VAT, and if they fail to do so then creditable input VAT shall be calculated as a ratio (%) being VAT taxable turnover over total turnover from goods and services sold.

Input VAT levied on fixed assets used for manufacture of and/or business in both value added taxable goods and services and non-taxable goods and services shall be fully credited.

In the following cases, input VAT of fixed assets shall not be creditable but shall only be included in the original cost of the fixed assets: specialized fixed assets which are used in production of arms and weaponry required for national defence and security; fixed assets being housing used as offices and other specialized equipment serving the credit operation of credit institutions, re-insurers, life insurers, securities business establishments, hospitals and schools; and civilian aircraft and yachts not used for the business purpose of transportation of passengers and cargo or for business in the tourism and hotel sector.

In the case of fixed assets being passenger vehicles with nine or less seats (excluding vehicles used for the business purpose of transportation of passengers and cargo or for business in the tourism and hotel sector) which are valued at above 1.6 billion dong, then input VAT corresponding to the value of the vehicle exceeding 1.6 billion dong shall not be creditable.

- (c) Input VAT levied on goods and services used for manufacture of and/or business in non-taxable goods and services shall not be credited, except for the cases stipulated in sub-clauses (d) and (dd) below.
- (d) VAT on goods and services purchased by a business establishment in order to manufacture and/or conduct business in goods or services to be supplied to foreign organizations or individuals or to international organizations as humanitarian aid or non-refundable aid as stipulated in article 5.19 of the *Law on VAT* shall be fully credited.
- (dd) Input VAT levied on goods and services used for operations being prospecting, exploration and/or development of oil and gas fields shall be fully credited.
- (e) Input VAT arising in any one month shall be declared and deducted when the amount of tax payable for such month is determined. Any business establishment which discovers that an amount of input VAT which it declared and credited was erroneous shall be permitted to conduct a supplementary declaration and credit within a time-limit of a maximum of six (6) months from the date of discovery of its error.
- (g) A business establishment shall account for its non-creditable input VAT as expenses for the purposes of assessing its corporate income tax or shall account for non-creditable input VAT in the original cost of the fixed asset.

2. The following conditions must be satisfied for entitlement to a credit of input VAT:

- (a) There is an added value invoice for purchase of the input goods and services or a receipt for payment of VAT at the import stage, or a receipt for payment of VAT in the cases of purchase of services prescribed in article 2.2 of this Decree.
- (b) There is a receipt for payment via a bank for the input purchased goods and services, except in the case of purchase of goods and services on each occasion with a value below twenty (20) million dong.

In the case of goods and services purchased by instalments or on deferred payment and valued above 20 million dong, a business establishment shall rely on the contract for the purchase of such goods and services, on the added value invoice and on the receipt for

payment for such goods or services via a bank in order to declare and deduct its input VAT. The business establishment may still declare and deduct input VAT even if there is not yet any receipt for payment via a bank because the time stipulated in the contract for payment has not yet arrived. If the stipulated contractual time for payment arrives and there is still no voucher for payment via a bank, then the input VAT shall not be creditable and the business establishment must re-declare and amend the previous amount of input VAT which it credited. Goods or services purchased by the method of setting off the value of such purchase against the value of goods or services sold shall also be deemed to be payment via a bank; but if after the set-off the residual value paid by cash is twenty (20) million dong or more, then input VAT shall only be creditable with respect to the amount which has a voucher for payment via a bank.

In a case of purchasing goods or services from a supplier at a value below 20 million dong, but there are a number of occasions of purchase within the same day from the same supplier at a total value above 20 million dong, then input VAT shall only be creditable for the occasions on which there is a voucher for payment via a bank.

- (c) Export goods and services, in addition to satisfying the conditions stipulated in sub-clauses (a) and (b) above, must also satisfy the conditions stipulated in article 6.1(c) of this Decree.

**Article 10** *Cases in which tax shall be refunded*

VAT shall be refunded in accordance with article 13 of the *Law on VAT*.

1. Any business establishment paying tax in accordance with the tax credit method and which has creditable input tax which has not been fully credited in three (3) or more consecutive months shall be entitled to a VAT refund.
2. In the case of any newly established business establishment from an investment project which has business registration and which has registered to pay tax in accordance with the tax credit method, or a project for prospecting, exploration and development of an oil and gas field which is currently in the investment phase and has not yet commenced operation, and if the investment duration is one or more years, then such business establishment or project shall be entitled to a VAT refund on goods and services used for such investment in accordance with each year. If the amount of the accumulated VAT on input purchased goods or services used for the investment is 200 million dong or more, then such VAT shall be refunded.
3. A VAT refund shall be granted to any currently operating business establishment (except for an enterprise conducting accounting on an industry wide basis<sup>3</sup>) in the category of a taxpayer which may pay tax in accordance with the tax credit method, and which has an investment project to establish a new manufacturing establishment in a province or city other than that in which the business establishment has its head office, and if the project is currently in the investment stage and has not yet commenced operation and business registration or tax registration has not yet been conducted [for the new manufacturing establishment], and there is an amount of VAT for input purchased goods or services to be used for the investment of 200 million dong or more. The business establishment must prepare a separate application file and lodge it in order to claim the VAT refund in this case.

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<sup>3</sup> Allens Arthur Robinson footnote: An example of such an enterprise would be Electricity Vietnam (EVN) which is in charge of the electricity industry and conducts accounting for its business operations on an industry wide basis.

4. Any business establishment which within one month has exported goods and services with an amount of input tax which has not yet been credited of two hundred (200) million dong or more, shall be entitled to a VAT refund for the month.
5. A business establishment conducting tax finalization on its division, de-merger, dissolution, bankruptcy or conversion of ownership; or in the case of allocation, leasing out or contractual management of a State owned enterprise, [shall be entitled to a refund] if it has an excess amount of VAT already paid or an amount of input tax which has not been fully credited.
6. A VAT refund shall apply as follows to programs and projects using non-refundable Official Development Aid (ODA) or non-refundable aid or humanitarian aid:
  - (a) In the case of projects using non-refundable ODA, the owner of the program, the project investor, the head contractor or the organization appointed by the foreign donor to manage the program or project shall be entitled to a refund of the amount of VAT already paid on goods or services purchased in Vietnam for use in such program or project.
  - (b) An organization in Vietnam using humanitarian aid funds of a foreign organization or individual in order to purchase goods or services servicing a non-refundable aid or humanitarian aid program or project in Vietnam shall be entitled to a refund of the VAT already paid on such goods or services.
7. Any entity entitled to diplomatic immunity in accordance with the Ordinance on Diplomatic Immunity and which purchases goods or services in Vietnam for use, shall be entitled to a refund of the VAT already paid and recorded on the value added invoice or recorded on the payment voucher showing payment price inclusive of VAT.
8. Any business establishment which has a decision from a competent authority processing a tax refund in accordance with law [shall be entitled to such VAT refund].

**Article 11** *Payment of tax*

1. Taxpayers shall declare and pay VAT in the locality where they conduct production and/or business.
2. Any taxpayer declaring and paying tax in accordance with the tax credit method and which has a dependently accounting production establishment in a province or city other than that in which it has its head office must pay VAT both in the locality where it has its production establishment and in the locality where it has its head office.

The Ministry of Finance shall provide specific guidelines on the provisions in this article.

## CHAPTER IV

### Implementing Provisions

**Article 12** *Effectiveness and implementing guidelines*

1. This Decree shall be of full force and effect as from 1 January 2009 and shall replace the following Decrees of the Government namely Decree 158-2003-ND-CP dated 10 December 2003 and Decree 148-2004-ND-CP dated 23 July 2004, and the provisions on VAT in Decree 156-2005-ND-CP dated 15 December 2005.

2. Any business establishment which signed a ship building contract with a client prior to the date on which this Decree takes effect and the contractual price included VAT at the rate of five per cent and the contract had not been completed nor the ship tested and handed over as at 31 December 2008, shall continue to apply the tax rate of five per cent.
3. The Ministry of Finance shall provide guidelines for implementation of this Decree.

Ministers, heads of ministerial equivalent bodies and Government bodies, chairmen of people's committees of provinces and cities under central authority, and organizations and individuals involved shall be responsible for implementation of this Decree.

For the Government  
Prime Minister  
NGUYEN TAN DUNG