

Legal Update:

Assignment of Departments of Home Affairs as Key Authorities for Foreign Labour Management

Alitium
Level 5, L'Mak Signature Building
147 Hai Ba Trung, District 3
Ho Chi Minh City
Vietnam

P: +84 (28) 3535 6460
E: vietnam@alitium.com

Contact

Phuong Vo
Managing Partner
phuong.vo@alitium.com

Phung Nguyen
Accounting & Tax Partner
phung.nguyen@alitium.com

Matthew Lourey
Chairman & Advisor
mlourey@alitium.com

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Authorities for Issuance of Work Permits under Decree No. 219/2025/ND-CP

The management of foreign employees in Vietnam has entered a new phase with the implementation of Decree No. 219/2025/ND-CP, which came into force earlier this month. While the Decree provides a unified framework, its practical application depends on how local authorities organize and assign responsibilities. In Ho Chi Minh City, the People's Committee had already issued decisions earlier in 2025 assigning the Department of Home Affairs and the industrial/hi-tech zone Management Boards as the competent authorities. Since these delegations were based on independent legal grounds, they remain valid and continue to govern the handling of work permit and related filings without the need for further adjustments under the new Decree. By contrast, Hanoi has recently issued new guidance to assign the Department of Home Affairs as the key authority for implementation.

Hanoi: Department of Home Affairs Assigned as Key Authority

On 27 August 2025, the Hanoi People's Committee issued Decision No. 4464/QĐ-UBND, authorizing the Hanoi Department of Home Affairs (DOHA) to perform state management tasks relating to foreign employees under Decree No. 219/2025/ND-CP.

Until 31 December 2025, DOHA will be responsible for:

- Issuing, renewing, and re-issuing work permits and work permit exemption certificates;
- Handling revocation of these documents where necessary;
- Receiving employer notifications in cases such as:

1. A foreign worker already holding a valid work permit/work permit exemption works for the same employer across multiple provinces/cities; and
2. Foreign workers falling under cases where no work permit exemption application is required, but employers must notify the competent authority at least 3 working days in advance, for instance: (i) foreign individual married to Vietnamese citizens and living in Vietnam, or (ii) entering Vietnam for less than 3 months to offer services.

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Work Permit: Delegated Authorities in Vietnam

It is important to note that this authorization applies to employers whose headquarters, branches, or representative offices are outside Hanoi's industrial and hi-tech zones.

The authorization will remain in place until 31 December 2025, marking Hanoi as one of the first localities to react promptly to the new Decree and provide clarity for employers navigating the transition.

Ho Chi Minh City: Earlier Delegation Continues to Apply

In Ho Chi Minh City, the framework had already been established earlier in the year. Under Decision 27/2025/QĐ-UBND, effective 1 March 2025, the city's Department of Home Affairs was entrusted with the authority to approve the demand for foreign workers, issue and manage work permits, and confirm cases of exemption. This was followed by Decision No. 64/2025/QĐ-UBND on 29 April 2025, which transferred certain responsibilities to the Management Board of Export Processing and Industrial Zones and the Management Board of the Hi-Tech Park. From 15 May 2025, enterprises operating in these zones have been required to liaise directly with the relevant Management Board for their work permit and exemption procedures, while other companies remain under the jurisdiction of the Department of Home Affairs.

Practical Implications for Employers

For employers, these recent developments signal that the implementation of Decree 219/2025 is moving toward greater uniformity nationwide. In Ho Chi Minh City, existing authorizations remain valid and continue to provide a clear basis for filings. In Hanoi, new guidance has recently been issued to designate the Department of Home Affairs as the competent authority, helping align local practice with the Decree.

Companies should take this opportunity to review their filing procedures, ensure that they are engaging with the right local authority, and stay attentive to further guidance from other provinces. Early attention to these updates will help businesses maintain compliance and avoid disruptions as the new framework takes shape.

For any further questions you may have, please reach out to us at vietnam@alitim.com


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