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LAW BULLETIN

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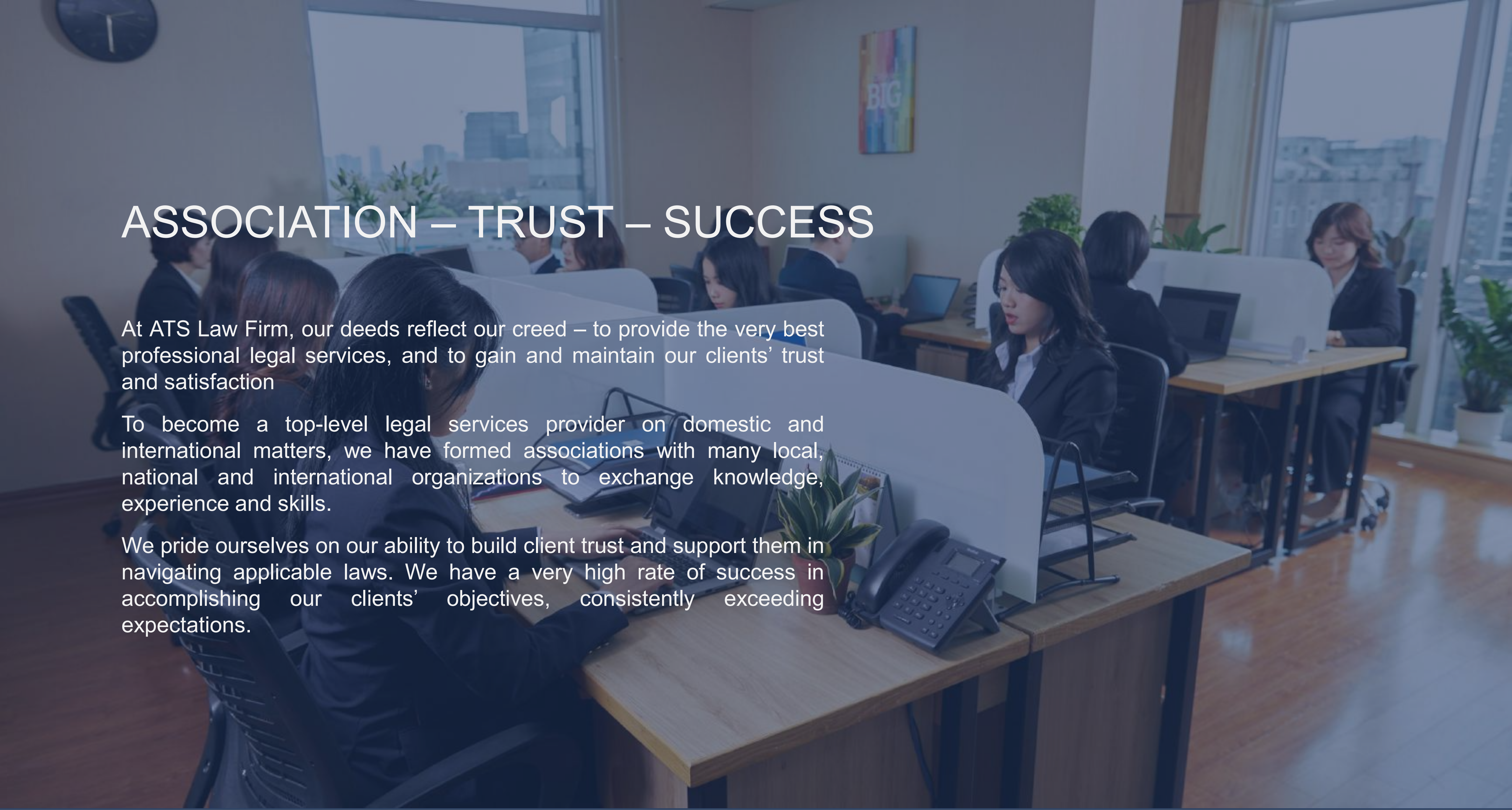
We strive to do whatever it takes in order to resolve the legal issues that face clients, allowing them to minimize administrative overheads and focus on their core business activities.



ASSOCIATION – TRUST – SUCCESS

At ATS Law Firm, our deeds reflect our creed – to provide the very best professional legal services, and to gain and maintain our clients' trust and satisfaction

To become a top-level legal services provider on domestic and international matters, we have formed associations with many local, national and international organizations to exchange knowledge, experience and skills.

We pride ourselves on our ability to build client trust and support them in navigating applicable laws. We have a very high rate of success in accomplishing our clients' objectives, consistently exceeding expectations.

INDEX

Monthly Updates

1. ECONOMIC

- Sustainable business support programme for 2026-2030 approved

2. BANKING - FINANCE

- Changes to procedures for granting BINs to card issuers from July 1, 2026
- Decree No. 198/2026/ND-CP amending the organizational structure of the State Bank of Vietnam
- Banks are allowed to increase long-term lending from July 1st: will borrowers have easier access to money?

3. ENVIRONMENT

- Coal mining regulations eased to ensure national energy security

INDEX

Monthly Updates

4. TAX – FEE – CHARGE

- Vietnam plans tax incentives to boost mineral processing industry
- First-time registration fee for EVs remains at 0% through 2030

5. INFORMATION – COMMUNICATION

- 04 telecommunications services subject to mandatory quality management

6. COMMERCE

- MOIT issues regulations on product traceability

7. IMPORT – EXPORT

- Many imported products to undergo food safety inspections from July 17

Sustainable business support programme for 2026-30 approved

Vietnam will support around 25,000 enterprises, business households and cooperatives under a new programme to promote sustainable business models during 2026-30. A new business support programme was approved under Government Decision 926/QD-TTg dated May 25, 2026, aiming to support 25,000 enterprises, business households and cooperatives and develop at least 20 sustainable business models by 2030.

Under the programme, enterprises, business households and cooperatives may receive support if they meet one of the set five conditions. They must possess international, national or provincial awards or ISO certifications relating to green transition, circular economy, environmental, social, and governance (ESG) or corporate social responsibility (CSR); qualify as social enterprises under law; have ongoing green projects or circular economy initiatives or applying ESG frameworks; meet the sustainable business criteria published on the National Small- and Medium-Sized Enterprise Support Portal; or comply with the framework criteria for evaluation of sustainable business models.

The programme identifies three main types of sustainable business models: circular economy models, inclusive business models and models applying ESG frameworks. Other models may also be supported if they satisfy the programme's requirements.

The programme will focus on three main areas.

- The first area is ecosystem development.
- The second area is direct support for eligible entities, covering consultancy on development strategies, corporate governance, investment capital mobilisation, and training on sustainable business models at home and overseas.
- The third area is implementation, monitoring and evaluation, which is intended to ensure that the programme is carried out effectively and produces measurable results.

Through these measures, the programme is expected to help create jobs, improve living conditions for low-income and vulnerable groups, strengthen climate resilience and support environmental protection

➢ Decision 926/QD-TTg

BANKING - FINANCE

Back to index

Changes to procedures for granting BINs to card issuers from July 1, 2026

Circular No. 12/2026/TT-NHNN of the State Bank of Vietnam amending and supplementing a number of articles of Decision No. 38/2007/QD-NHNN of the Governor of the State Bank of Vietnam on issuance of the Regulation on grant, use and management of bank identification numbers was promulgated on May 19, 2026.

Under Article 6 of Circular No. 12/2026/TT-NHNN, procedures for grant of BINs are prescribed as follows:

(i) Upon having demand for grant of the BIN, the card issuer shall send an application (made according to Form No. 01 to this Regulation) to the State Bank of Vietnam (the Payment Department) by either of the following methods:

- Direct submission at the Single-window section of the State Bank of Vietnam;
- Submission via postal service;
- Online submission via the National Public Service Portal.

(ii) Within 03 working days from the receipt of the valid application for grant of BIN, the State Bank of Vietnam (the Payment Department) shall notify the BIN grant result to the card issuer. In case of refusal, the State Bank of Vietnam (the Payment Department) shall issue a written reply, clearly stating reasons. The State Bank of Vietnam (the Payment Department) shall return the result of grant or refusal to grant BIN to the card issuer in electronic form through the National Public Service Portal. Upon request of the card issuer, the result shall be sent in paper form via postal services or directly at the Single-window section of the State Bank of Vietnam.

(iii) The State Bank of Vietnam shall grant one unique BIN to each eligible card issuer.

➢ Circular No. 12/2026/TT-NHNN

BANKING-FINANCE

Back to index

Decree No. 198/2026/ND-CP amending the organizational structure of the State Bank of Vietnam

On June 3, 2026, the Government issued Decree No. 198/2026/ND-CP amending and supplementing Article 3 of Decree No. 26/2025/ND-CP dated February 24, 2025 of the Government stipulating the functions, tasks, powers and organizational structure of the State Bank of Vietnam.

The organizational structure of the State Bank of Vietnam comprises 20 units, including: Monetary Policy Department; Payment Department; Credit Department; Forecasting and Statistics Department; International Cooperation Department; Legal Department; Finance and Accounting Department; Department of Personnel and Organization; Administration Office; State Bank Inspectorate; Operation Center; Information Technology Bureau; Issuance and Vault Bureau; Foreign Exchange Management Bureau; Anti-Money Laundering Bureau; Credit Institution Management and Supervision Bureau; Credit Institution System Safety Bureau; State Bank branches in various regions; Vietnam National Credit Information Center; and Banking Times.

According to Decree No. 198/2026/ND-CP, the Exchange and Regional State Bank branches are administrative organizations equivalent to departments under the State Bank of Vietnam. The Decree also stipulates the number of divisions within several departments of the State Bank of Vietnam, including 6 divisions for the Forecasting and Statistics Department; 5 divisions for the Monetary Policy Department; 4 divisions for the Credit Department, Personnel and Organization Department, and Finance and Accounting Department; 3 divisions for the Payment Department and International Cooperation Department; and 2 divisions for the Legal Department.

The Governor of the State Bank of Vietnam shall submit to the Prime Minister a list of other public service units under the State Bank of Vietnam; and simultaneously issue a decision stipulating the functions, tasks, powers, and organizational structure of the organizations and units under the State Bank of Vietnam in accordance with the law.

- Decree No. 198/2026/ND-CP

BANKING-FINANCE

▶ Back to index

Banks are allowed to increase long-term lending from July 1st: will borrowers have easier access to money?

From July 1, 2026, banks will have more room to expand medium and long-term credit as the State Bank of Vietnam officially raises the maximum ratio of short-term funds used for medium and long-term lending from 30% to 40%.

According to Circular No. 25/2026/TT-NHNN, recently issued, the new regulations amend some provisions of Circular 22/2019 on safety ratios in banking operations. This is the most notable change after many years of the regulatory authority continuously tightening the ratio of short-term capital used for medium and long-term lending to control liquidity risk.

Raising the ratio from 30% to 40% is expected to provide credit institutions with more resources to finance long-term loans, especially for home purchases, business investments, infrastructure, and projects requiring medium- and long-term capital. Banks will also face less pressure to significantly increase long-term deposit mobilization or issue securities to balance their funding sources.

According to financial experts, the new regulations could contribute to improving access to capital for individuals and businesses, given the continued high demand for medium- and long-term credit. However, whether access to capital becomes easier depends on many factors such as repayment capacity, capital utilization plans, collateral, and the credit policies of each bank. Therefore, not all customers will automatically have their loan conditions relaxed.

Besides expanding credit availability, some opinions also note that using more short-term funds for long-term lending could increase liquidity management pressure on the banking system. This is also why the regulatory body previously implemented a roadmap to gradually reduce this ratio from 40% to 30%.

Nevertheless, in the context of an economy needing more growth momentum, raising the ratio to 40% is expected to create more room for banks to boost lending, support businesses in expanding production and business, and stimulate investment demand in the economy from the second half of 2026.

➢ Circular 25/2026/TT-NHNN

ENVIRONMENT

Back to index

Coal mining regulations eased to ensure national energy security

Under Resolution No. 28/2026/NQ-CP, organizations and individuals, who have licences for coal mining, are allowed to mine beyond 15 per cent of the capacity stipulated in their coal mining licence without having to amend the mining licence, provided they meet all the required conditions.

HÀ NỘI — A new Government resolution allows coal mines to increase output beyond their licensed capacity without requiring licence amendments, with the aim of meeting rising demand for coal-fired power generation and ensuring national energy security.

Under Resolution No. 28/2026/NQ-CP, organizations and individuals holding coal mining licences may increase production by up to 15 per cent above the capacity specified in their licences without applying for licence adjustments, provided they meet all stipulated conditions.

They must fulfil all financial obligations to the State and comply with regulations on environmental protection, occupational safety and health.

According to the resolution, the special mechanism is intended to safeguard national energy security in urgent situations, while ensuring a stable coal supply for electricity generation and other key industries. Additional output must not exceed the reserves approved by competent authorities, and any coal produced beyond the licensed capacity may only be used for electricity production.

The policy will remain in effect until the end of 2027. After that, mining activities must comply with the capacity limits specified in existing licences and relevant legal regulations.

The Ministry of Agriculture and Environment said the resolution is expected to help increase domestic coal supply more rapidly, meeting the economy's growing energy demand and contributing to national energy security.

The policy is also expected to improve the utilisation of existing equipment, technology and infrastructure at operating coal mines.

➢ Resolution No. 28/2026/NQ-CP

TAX – FEE – CHARGE

Back to index

Vietnam plans tax incentives to boost mineral processing industry

The new policy is designed to encourage businesses to invest in advanced processing technologies, enhance added value and support the development of high-tech industries.

Hanoi (VNS/VNA) – The Government has issued a decree amending export tax rates for several mineral products under the Export Tariff Schedule.

The new policy is designed to encourage businesses to invest in advanced processing technologies, enhance added value and support the development of high-tech industries.

Under Decree 201/2026/ND-CP, the export tax rate on fluorite containing more than 97% calcium fluoride by weight (HS code 2529.22.00) will be reduced from 10% to 5%.

The decree also revises export tax rates for bismuth and products made from bismuth, including waste and scrap, classified under HS code 81.06.

Specifically, the existing category has been subdivided into several 10-digit HS codes, including cement bismuth in cake form and cement bismuth products containing more than 70% and up to 99.99% bismuth by weight. These products will be subject to a new export tax rate of 0%.

The Ministry of Finance stated that the proposed adjustments are intended to encourage businesses to invest in technology, expand deep processing activities and make more efficient use of mineral resources.

These changes are also aligned with a development orientation for high-tech and key industrial sectors, as well as the economy's sustainable development strategy.

According to the ministry, the adjustments are consistent with the Party's and the State's policy of improving the management, exploitation and use of mineral resources in a resource-efficient and sustainable manner, while ensuring environmental protection and promoting the development of industries with high added value.

➢ Decree 201/2026/ND-CP

▶ Back to index

First-time registration fee for EVs remains at 0% through 2030

On June 8, 2026, the Government issued Decree No. 202/2026/ND-CP amending Decree No. 10/2022/ND-CP on registration fee. Notably, the Decree further extends the preferential registration fee policy for battery-powered electric automobiles.

According to Article 1 of Decree No. 202/2026/ND-CP, Point c Clause 5 Article 8 of Decree No. 10/2022/ND-CP is amended as follows:

"Battery-powered electric automobiles: From the effective date of this Decree through December 31, 2030, the first-time registration fee rate shall be 0%."

Accordingly, from March 1, 2027 through December 31, 2030, purchasers of battery-powered electric automobiles registering their vehicles for the first time will continue to enjoy a registration fee rate of 0%.

In addition to extending the registration fee exemption policy, the new Decree also provides that the classification of battery-powered electric automobiles for the application of incentives shall comply with regulations of the Minister of Construction.

Compared to the previous regulations, this is a notable change. Under Point c Clause 5 Article 8 of Decree No. 10/2022/ND-CP, battery-powered electric automobiles were entitled to preferential treatment according to the following roadmap: during the first three years from the effective date of the Decree, the first-time registration fee rate was 0%; during the subsequent two years, the rate was equal to 50% of the registration fee rate applicable to petrol- or diesel-fueled automobiles with the same number of seats.

Under the previous regulations, the 100% exemption from the first-time registration fee would no longer apply after the preferential period expired. However, Decree No. 202/2026/ND-CP extends the full exemption from the first-time registration fee for nearly four more years.

Decree No. 202/2026/ND-CP takes effect on March 1, 2027, and replaces Decree No. 51/2025/ND-CP amending and supplementing a number of articles of Decree No. 10/2022/ND-CP

➢ Decree 202/2026/ND-CP

INFORMATION – COMMUNICATION

▶ Back to index

04 telecommunications services subject to mandatory quality management

The Ministry of Science and Technology has just issued Circular No. 28/2026/TT-BKHCN stipulating the List of telecommunications services subject to mandatory quality management.

According to Circular No. 28/2026/TT-BKHCN, there are four telecommunications services that are subject to mandatory quality management, including:

- Fixed-line broadband internet access service (using FTTH/xPON technology and cable TV modem);
- Telephone services on terrestrial mobile telecommunication networks;
- Internet access service on 4G terrestrial mobile telecommunications network;
- Internet access service on 5G terrestrial mobile telecommunications network.

The Circular stipulates that, in the event that the legal documents and national technical standards cited in this Circular are amended, supplemented, or replaced, the provisions of the amended, supplemented, or replacement document shall apply.

Circular No. 28/2026/TT-BKHCN takes effect from July 15, 2026. Circular No. 32/2020/TT-BTTTT dated November 4, 2020, issued by the Minister of Information and Communications , stipulating the List of telecommunications services subject to mandatory quality management, ceases to be effective from the date this Circular takes effect.

In the case of providing Internet access services on 5G terrestrial mobile telecommunications networks, telecommunications enterprises are responsible for completing the service quality declaration procedures within 60 days from the effective date of this Circular.

➢ Circular No. 28/2026/TT-BKHCN

MOIT issues regulations on product traceability

On June 11, 2026, the Ministry of Industry and Trade issued Circular No. 31/2026/TT-BCT defining the traceability of products and goods under the management of the Ministry. This Circular takes effect on July 1, 2026.

- The traceability of products and goods is compulsory for high-risk products and goods. For other products and goods, traders may voluntarily implement traceability. Traders may choose to declare information on the Goods Traceability System of the Ministry of Industry and Trade or develop their own internal traceability systems, provided that such systems are capable of connecting with the Ministry's system.
- Traders are required to declare basic information, including product name, origin, images, manufacturing entity, traceability code, and applicable standards. For imported goods, additional information on the importing entity and the official distributor in Vietnam must be provided.
- Consumers are entitled to access basic product information free of charge through the Goods Traceability System of the Ministry of Industry and Trade and may provide feedback on the authenticity of such information.
- Traceability data must be retained for at least 12 months for goods with an expiry date and 60 months for goods without an expiry date. Traders' internal traceability systems must ensure connectivity and data sharing with the Ministry's system while maintaining information safety and security.
- The system is operated at verigoods.vn, where traders may create accounts and update information. The Ministry of Industry and Trade is responsible for managing and operating the system and ensuring its capability to connect and share data with the national traceability portal.
- Traders who voluntarily implement traceability are eligible for incentive policies, including a verified badge, technical support, and product promotion. The Ministry of Industry and Trade will also implement programs to support traders in carrying out traceability activities.

➢ Circular No. 31/2026/TT-BCT

IMPORT - EXPORT

▶ Back to index

Many imported products to undergo food safety inspections from July 17

On June 2, the Ministry of Industry and Trade (MoIT) announced that a wide range of imported products under its management will be subject to state food safety inspections starting July 17.

According to Circular No. 28/2026/TT-BCT, signed by Deputy Minister Truong Thanh Hoai on June 1, product groups subject to state food safety inspections are identified based on a list accompanied by Harmonized System (HS) codes.

The inspection list includes beverages, soft drinks, alcoholic beverages, beer, food-grade alcohol, processed milk products, vegetable oils, flour and starch products, cakes, jams and confectionery, processed fruits and vegetables, as well as several other food categories.

The circular will take effect on July 17, 2026, replacing Circular No. 11/2022/TT-BCT dated April 6, 2022.

Clause 1 Article 2 and Appendix 2 to the Minister of Industry and Trade's Decision No. 1182/QD-BCT dated April 06, 2021, on the promulgation of the List of imports (with HS codes) subject to specialized inspection under the management of the Ministry of Industry and Trade, cease to be effective from the effective date of this Circular.

For applications for state food safety inspection submitted before the circular takes effect, processing will continue under the regulations in force at the time of submission, unless organizations or individuals voluntarily choose to apply the new regulations.

➢ Circular 28/2026/TT-BCT

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