



LAC DUY & ASSOCIATES

NEWSLETTER

OCTOBER 2025



NOTICE NO. 11410/TB-SXD-QLN&TTBĐS ON COMPLIANCE WITH LEGAL REGULATIONS ON DISCLOSURE OF REAL ESTATE INFORMATION, REAL ESTATE PROJECTS PUT INTO BUSINESS OPERATIONS IN HO CHI MINH CITY (FOR REAL ESTATE BUSINESSES AND PROJECTS)



SIGNIFICANT FEATURES OF THE LAW ON EMPLOYMENT 2025

DECREE 274/2025/ND-CP DETAILING A NUMBER OF ARTICLES OF THE LAW ON SOCIAL INSURANCE REGARDING LATE PAYMENT, EVASION OF PAYMENT OF COMPULSORY SOCIAL INSURANCE, UNEMPLOYMENT INSURANCE; COMPLAINTS, DENUNCIATIONS IN RELATIONS TO SOCIAL INSURANCE



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CONTACT WITH US

 : <http://lacduy-associates.com>

 : lacduy@lacduy-associates.com

 : +84917275572/+842836221603

 : 6th Floor, Centec Tower, 72-74 Nguyen Thi Minh Khai Street, Xuan Hoa Ward, Ho Chi Minh



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Dear Clients,

Lac Duy & Associates would like to send you the legal newsletter of October 2025 with some notable updates and articles as follows:

- Significant features of the Law on Employment 2025
- Notice No.11410/TB-SXD-QLN&TTBĐS on compliance with legal regulations on disclosure of real estate information, real estate projects put into business operations in ho chi minh city (for real estate businesses and projects)
- Decree 274/2025/ND-CP detailing a number of articles of the law on social insurance regarding late payment, evasion of payment of compulsory social insurance, unemployment insurance; complaints, denunciations in relations to social insurance
- Legal documents in 10/2025





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SIGNIFICANT FEATURES OF THE LAW ON EMPLOYMENT 2025



The Law on Employment No. 74/2025/QH15 was passed by the National Assembly on June 16, 2025, and officially comes into effect on January 1, 2026 (“**Law on Employment 2025**”). The Law on Employment 2025 includes several notable new provisions as follows:

1. Inclusion of provisions on job creation support policies for elderly employees

Article 13 of the Law on Employment 2025 stipulates the policies on job creation for employees who are elderly as follows:

“1. Taking out loans for supporting job creation, employee retention, employment expansion as prescribed by this Law.

2. Receiving support in training and enhancing vocational skills, as well as to receiving assistance in participating in assessments and obtaining national vocational skills certificates in accordance with the provisions of this Law

3. Based on the socio-economic conditions in each period and the capacity of the budget balance, the State has policies to support job

creation, retraining, and vocational change for employees in order to adapt to an aging population.”

2. Supplement of provisions on contents and support in vocational skill development

Clause 1 Article 22 of the Law on Employment 2025 sets out provisions regarding the contents and support in vocational skill development, including:

“a) Build, manage and implement the national vocational skill level framework;

b) Develop and publish national vocational skill standards according to the national vocational skill level framework to meet labour market demands and to be updated with the vocational skill standards and levels of the region and the world

🌐: <http://lacduy-associates.com>

✉: lacduy@lacduy-associates.com

☎: +84917275572/+842836221603



create and develop evaluation tools to recognize and issue national vocational skill certificates.

c) Issue a list of occupations and jobs that require a national vocational skill certificate;

d) Provide training, refresher training in enhancing vocational skill levels of employees in accordance with the provisions of the law;

đ) Enhance the capacity of the vocational skill assessment organization system;

e) Grant mutual recognition and acknowledgment of national vocational skill certificates between Vietnam and other countries;

g) Ensure the rights and obligations of employees and employers in terms of the enhancement of employees' vocational skills as stipulated by law;

h) Establish a database on the contents of vocational skill development."

Additionally, employees belonging to the entities specified in Clause 3 Article 22 are supported by the State when participating in training, refresher training in enhancing vocational skill levels, and carrying out evaluations and granting national vocational skill certificates, specifically:

"a) Revolutionary contributors and their relatives;

b) Individuals from poor and near-poor households;

c) Persons with disabilities;

d) The elderly;

đ) Ethnic minority people;

e) Persons who have fulfilled their military service obligations and their duties in the People's Police;

g) Youth volunteers who have fulfilled their duties in implementing economic and social development programs and projects;

h) Voluntary young intellectuals after completing their mission at economic-defense zones.

i) Other entities decided by the Government on the basis of the socio-economic conditions."

3. Addition of participants who are subject to unemployment insurance and those who are not subject to unemployment insurance

Clause 1 Article 31 of the Law on Employment 2025 supplements participants eligible for unemployment insurance as follows:

"a) An employee working under an indefinite-term labour contract, or a labour contract with a fixed term of at least one month, including cases where the employee and employer agree to use another different name of agreement but it contains provisions demonstrating that the employee is doing a paid work and under the management, operation and supervision by one party;

b) Employees specified in point a of this clause who work part-time and have a monthly salary equal to or higher than the minimum salary used as a basis for compulsory social insurance payment as prescribed by the Social Insurance Law;

c) Employees working under working contracts;

d) Business managers, controllers, representatives of the enterprise's equity as prescribed by law; members of the Board of Directors, General Directors, Directors, members of the Supervisory Board or inspectors, and other elected managerial positions of cooperatives and cooperative unions as stipulated by the Cooperative Law who are entitled to receive salaries."

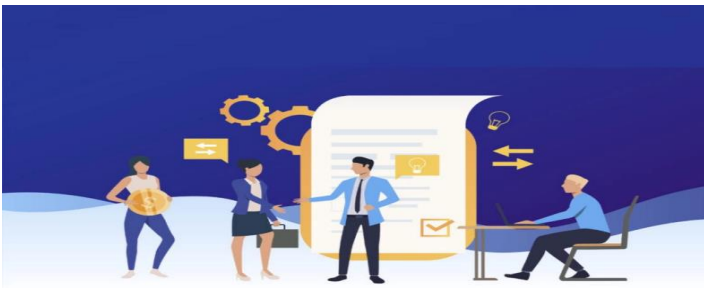
In the event that an employee simultaneously falls under multiple categories of unemployment insurance participants as stipulated in this clause, both the employee and the employer are responsible for participating in unemployment



insurance in conjunction with mandatory social insurance.

Clause 2 Article 31 sets out categories of employees not subject to unemployment insurance, specifically: “Employees defined in clause 1 of this Article who are receiving pensions, social insurance benefits, or monthly allowances as stipulated by the Government, or who are eligible for pension benefits; employees who are employed under probationary contracts in accordance with labour law; and domestic workers are not subject to unemployment insurance.”

4. Supplement of provisions on employee registration information and database



The information on labour registration is stipulated in Article 17 of the Law on Employment 2025 as follows:

“1. The employee registration information of an employee includes:

- a) Basic information group: surname, middle name, and birth name; personal identification number (PIN); date, month, year of birth; gender; ethnicity; current residence;*
- b) Group of information on general education, vocational education, higher education, skill certification, and other certificates;*
- c) Group of information on employment status*

and employment needs;

d) Group of information on social insurance and unemployment insurance;

đ) Group of information on characteristics and specific traits of the registrant.”

Employers and employees shall register and adjust employee registration information when registering or adjusting social insurance participation information. Employee registration information shall be connected, updated, synchronized, and shared from the national comprehensive database, national database, specialized databases, and other databases in accordance with the provisions of this Law, data laws, and other relevant legal regulations.

Additionally, Article 18 stipulates the rights and obligations of employees when registering information as follows:

“1. Employees shall have the following rights:

- a) Have their employee registration information protected in accordance with personal data protection laws and other relevant laws;*
- b) Extract personal information from the employee database;*
- c) Have their employee registration information in the employee database adjusted or updated by competent authorities;*
- d) Use personal information in the employee database in transactions, approach and benefit from job creation support policies; be evaluated and issued with national vocational skill certificates; be provided with job consultancy and placement services; receive unemployment insurance in accordance with the provisions of this Law.*

2. Employees shall have the following obligations:



- a) Carry out the employee registration in accordance with the provisions of this Law;*
- b) Provide complete, accurate, truthful, and timely information regarding employee registration to the competent state authorities and employers, and be responsible for the information provided;*
- c) Promptly adjust information in the employee database when there are changes as stipulated in point c, clause 1 of Article 17 of this Law.”*

5. Amendment and supplementation of provisions on unemployment insurance contributions

Points a and b of Clause 1 Article 33 of the Law on Employment 2025 amend the provisions regarding the unemployment insurance contribution rates for employees and employers as follows:

- The unemployment insurance premium of an employee shall be **capped** at 1% of their monthly salary;
- The unemployment insurance premium of an employer shall be **capped** at 1% of the monthly salary fund of the employee participating in unemployment insurance;

Additionally, Article 33 supplements several provisions regarding the employer's responsibilities for contributing to unemployment insurance for employees as follows:

- For the employee specified in point a of clause 1 of Article 31 of this Law who is paid by the product (piecework) or by lump-sum at an

enterprise, cooperative, cooperative union, or household business operating in the field of agriculture, forestry, fisheries or salt production, the employer must register with the social security authority and pay unemployment insurance monthly, or every three or six months. The deadline for payment is the last day of the following month after the closing period.

- Employees who do not receive salaries for 14 or more working days in a month are not required to pay unemployment insurance for that month.

- Employers are responsible for fully paying unemployment insurance. The handling of the late payment or evasion of unemployment insurance shall comply with the provisions of the Social Insurance Law.

- Employers are entitled to a reduction in the unemployment insurance premiums that they are required to pay for employees who are persons with disabilities for a period not exceeding 12 months when hiring and employing new workers who are persons with disabilities

- Employers are responsible for fully paying unemployment insurance as stipulated for employees upon the termination of labour contracts or employment contracts, in order to ensure the timely processing of unemployment insurance benefits for the employees. In the event that an employer does not fully pay unemployment insurance for an employee, they must pay an amount corresponding to the unemployment insurance benefits that the employee is entitled to according to the law.



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NOTICE NO. 11410/TB-SXD-QLN&TTBĐS ON COMPLIANCE WITH LEGAL REGULATIONS ON DISCLOSURE OF REAL ESTATE INFORMATION, REAL ESTATE PROJECTS PUT INTO BUSINESS OPERATIONS IN HO CHI MINH CITY (FOR REAL ESTATE BUSINESSES AND PROJECTS)



In order to facilitate and guide real estate businesses and real estate projects in Ho Chi Minh City, on October 10, 2025, the Ho Chi Minh City Department of Construction ("**Department of Construction**") issued Notice No. 11410/TB-SXD-QLN&TTBĐS ("**Notice 11410**") regarding compliance with legal regulations on disclosure of real estate and real estate project information prior to entering into business operations in the city. Accordingly, real estate businesses and real

estate project developers must fully comply with the requirements on public disclosure of real estate and project information, and must report transaction status in order to ensure transparency and protect investors' rights. Key highlights of Notice 11410 are as follows:

1. Disclosure and Reporting Are No Longer Merely Formalities

According to Article 26 of Decree No. 94/2024/ND-CP detailing certain provisions of the Law on Real Estate Business regarding the construction and management of housing and real estate market information systems ("**Decree 94**"), since **the unified software system has not yet been completed as of the effective date of Decree 94**, agencies, organizations, and individuals **must submit reports** on real estate and real estate project information before commencing business, and also report on the transaction status of such projects using **hardcopy documents** in accordance with **Forms No. 09 and 11** attached to the Appendix of Decree 94. These paper reports must be sent to the Department of Construction at 60 Truong Dinh Street, Xuan Hoa Ward, Ho Chi Minh City. However, in the near future, when the Ministry of Construction completes the housing and real estate market information system, reports may be submitted in electronic data file format.



In addition to strictly complying with the above regulations, real estate businesses and project developers **are strictly prohibited by the Department of Construction from authorizing** other organizations or individuals to sign deposit, sale, transfer, or lease-purchase contracts for houses, buildings, constructed floor areas, or land use rights with completed infrastructure within real estate projects. Before signing any contract for transferring, selling, or lease-purchasing off-plan housing, the project developer **must submit written** notice to the relevant state management agency confirming that the project is eligible for sale or lease-purchase.

2. Violations in Real Estate Business Activities

In cases where real estate businesses or projects violate real estate business regulations as stipulated in Article 58 of Decree No. 16/2022/ND-CP on administrative sanctions in construction ("**Decree 16**"), monetary fines ranging from VND 100,000,000 to VND 1,000,000,000 shall be imposed depending on the nature and severity of each violation, as specifically set forth in Article 58 of Decree 16.



Note: For violations specified at **points a, b, and e, Clause 3, Article 58 of Decree 16** (*i.e. conducting real estate business with properties that do not meet legal requirements or are not permitted to be marketed, operating outside of licensed business scope, or authorizing/involving third parties in contracts for sale, transfer, or lease-purchase of real estate through partnerships, joint ventures, or capital contributions*), in addition to monetary fines ranging from VND 400,000,000 to VND 600,000,000, businesses may also be subject to supplementary penalties, including suspension of real estate business operations for 03 to 06 months.



DECREE 274/2025/ND-CP DETAILING A NUMBER OF ARTICLES OF THE LAW ON SOCIAL INSURANCE REGARDING LATE PAYMENT, EVASION OF PAYMENT OF COMPULSORY SOCIAL INSURANCE, UNEMPLOYMENT INSURANCE; COMPLAINTS, DENUNCIATIONS IN RELATIONS TO SOCIAL INSURANCE

On 16 October 2025, Decree 274/2025/ND-CP (“**Decree 274**”) detailing a number of Articles of the Law on Social Insurance regarding late payment, evasion of payment of compulsory social insurance (“**CSI**”), unemployment insurance (“**UI**”); complaints, denunciations in relations to social insurance (“**SI**”) was issued by the Government and will take effect on 30 November 2025. Highlights of this Decree include:



1. Subject of application

With regards to subject of application, Article 2 Decree 274 stipulates the following subjects:

- (i) Employees who are subject to participating in CSI as prescribed in Article 2.1, Article 2.2, and Article 2.5 Law on Social Insurance 2024 (“**SI Law**”);
- (ii) Employers who are subject to participating in CSI as prescribed in Article 2.3 SI Law;
- (iii) Employees and employers who are subject to participating in UI as prescribed in Article 43 Law on Employment 2013;
- (iv) Other agencies, organizations, individuals who are related to the late payment, evasion of payment of CSI, UI; complaints, denunciations as prescribed in Decree 274.

2. Cases which are not considered as evasion of payment of CSI, UI

Under Article 4 Decree 274, the cases of evasion of payment of CSI, UI as prescribed by Article 39.1 SI Law will not be considered as evasion of payment of CSI, UI if there is one of the following reasons as announced by the competent authority on natural disaster prevention and control, emergency situations, civil defense and disease prevention and control, including:

- (i) Storms, floods, inundations, earthquakes, major fires, prolonged droughts and other natural disasters that directly and seriously affect production and business activities;
- (ii) Dangerous epidemics announced by competent agencies, seriously affecting production and business activities and financial capacity of agencies, organizations, and employers;
- (iii) Emergency situations as prescribed by law that suddenly and unexpectedly affect the operations of agencies, organizations, and employers; and



(iv) Other force majeure events as prescribed by civil law.

3. Amount, number of days of late payment of CSI, UI

Article 5.1 Decree 274 stipulates how to determine the amount of late payment of CSI, UI as follows:

(i) In case of late payment due to not paying or not paying in full the amount required according to the registered CSI, UI participation file from the latest payment date:

- The late payment amount of CSI is determined as the amount under the responsibility of the employer as prescribed in Article 13.4 SI Law that must still be paid as registered after the latest CSI payment period as prescribed in Article 34.4 SI Law;

- The late payment amount of UI is the amount under the responsibility of the employer that must still be paid as registered after the latest UI payment period as prescribed by the law on UI.

(ii) In case of late payment due to not registering or not registering in full the number of people required to participate in CSI, UI within 60 days from the end of the registration period:

- The late payment amount of CSI is determined as the amount under the responsibility of the employer as prescribed in Article 13.4 SI Law that must be paid for employees who have not been registered to participate in SI within 60 days from the end of the period specified in Article 28.1 SI Law;

- The late payment amount of UI is the amount under the responsibility of the employer that must be paid for employees who have not been

registered to participate in UI within 60 days from the end of the participation period as prescribed by the law on UI.

(iii) In case after 60 days from the end of the registration period, the employer does not register or does not register in full the number of people required to participate in CSI, UI but is not considered as evasion of payment according to Article 4 Decree 274:

- The late payment amount of CSI is determined as the amount under the responsibility of the employer as prescribed in Article 13.4 SI Law that must be paid for employees during the period of not participating in SI;

- The late payment amount of UI is the amount under the responsibility of the employer that must be paid for employees as prescribed by the law on UI during the period of not participating in UI.

(iv) In case of the salary registered as the basis for paying CSI, UI being lower than the required amount; not paying or not paying in full the registered amount for CSI, UI after 60 days from the latest payment date and having been urged by the competent authority; and other cases of evasion of payment of CSI, UI but not considered as evasion of payment according to Article 4 Decree 274: The late payment amount of CSI, UI is determined under Article 5.1.a Decree 274.

In addition to the above late payment amount, the SI authority calculates interest at 0.03%/day for the late payment amount for the entire number of late payment days, based on Article 7.2 Decree 274.

According to Article 5.2 Decree 274, the number of days of late payment of CSI, UI is calculated from the day after the registration period to



participate in SI and the latest SI payment period as prescribed in Article 28.1, Article 28.2, and Article 34.4 SI Law or after the latest UI payment period as prescribed by the law on UI.

4. Amount, number of days of evasion of payment of CSI, UI

Article 6.1 Decree 274 stipulates how to determine the amount of CSI, UI evaded as follows:

(i) In case of evasion of payment because after 60 days from the registration period, the employer does not register or does not register in full the number of people required to participate in CSI, UI:

- The evaded payment amount of CSI is determined as the amount under the responsibility of the employer as prescribed in Article 13.4 SI Law that must be paid for employees who have not been registered to participate in SI after 60 days from the end of the period specified in Article 28.1 SI Law;

- The evaded payment amount of UI is the amount under the responsibility of the employer that must be paid for employees who have not been registered to participate in UI after 60 days from the end of the participation period as prescribed by the law on UI.

(ii) In case of evasion of payment because the salary registered as the basis for paying CSI, UI is lower than the required amount:

- The evaded payment amount of CSI is determined as the amount under the responsibility of the employer as prescribed in Article 13.4 SI Law that must be paid into the SI fund because the salary registered as the basis for paying CSI is lower than the required amount in Article 31.1 SI Law;

- The evaded payment amount of UI is the amount under the responsibility of the employer that must be paid into the UI fund because the salary registered as the basis for paying compulsory UI is lower than the required amount as prescribed by the law on UI.

(iii) In case of evasion of payment because of not paying or not paying in full the registered amount for CSI, UI after 60 days from the latest payment date and having been urged by the competent authority:

- The evaded payment amount of CSI is determined as the amount under the responsibility of the employer as prescribed in Article 13.4 SI Law that must be paid as registered after 60 days from the latest CSI payment date as prescribed in Article 34.4 SI Law and was urged by the competent authority under Article 35 SI Law, Article 3 Decree 274;

- The evaded payment amount of UI is the amount under the responsibility of the employer that must be paid as registered after 60 days from the latest UI payment date as prescribed by the law on UI and was urged by the competent authority under Article 35 SI Law, Article 3 Decree 274.



In addition to the above evaded payment amount, the SI authority calculates the amount the



employer must pay at 0.03%/day for the evaded payment amount for the entire number of evaded payment days, based on Article 7.2 Decree 274.

Article 6.2 Decree 274 stipulates the number of days of evasion of payment of CSI, UI as follows:

- The number of days of evasion of payment of CSI, UI is calculated from the day after the latest SI payment period specified in Article 28.1, Article 28.2, and Article 34.4 SI Law or after the latest UI payment period as prescribed by the law on UI.

- In case of evasion of payment because the salary registered as the basis for paying CSI, UI is lower than the required amount, the number of days of evasion of payment of CSI, UI is as follows:

- For monthly payment methods: The number of days of evasion of payment starts after the last day of the month following the month in which the registered salary as the basis for paying CSI is lower than the required amount.

- For the payment method of 3 months at a time or 6 months at a time: The number of days of evasion of payment is calculated from the last day of the month immediately following the payment cycle registered as the basis for paying CSI that is lower than the required amount.

- In case of evasion of payment because of not paying or not paying in full the registered amount for CSI, UI after 60 days from the latest payment date, the number of days of evasion of payment of CSI, UI is as follows:

- For employers that have been urged by the competent authority according to regulations within 45 days from the latest SI payment period: The number of days of evasion of payment is calculated from 60 days after the latest CSI, UI payment period.

- For employers that have been urged by the competent authority according to regulations after 45 days from the latest SI payment period: The number of days of evasion of payment is calculated from the 15th day from the date of issuance of the urging document by the competent authority.

5. Authority to resolve complaints, denunciations in relations to SI

Article 8.1 Decree 274 stipulates that the authority to resolve complaints belongs to the Chief of the SI authority. In addition, Article 12 Decree 274 stipulates that the authority to resolve denunciations in relation to SI belongs to the head of the SI authority. In case of denunciations against agencies and organizations in the performance of tasks and public duties related to SI, the authority to resolve denunciations belongs to the head of the agency or organization directly superior to that agency or organization.

6. Procedures for handling complaints, denunciations in relations to SI

Article 9 Decree 274 stipulates that the procedures for handling complaints about decisions or actions related to SI are implemented in accordance with the law on complaints. Meanwhile, the procedures for handling denunciations of violations of the law on SI are implemented in accordance with the law on denunciations, based on Article 14 of this Decree.



NEW LEGAL DOCUMENTS IN 10/2025

NO.	EFFECTIVE DATE	NAME
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ENTERPRISE

1.	October 01, 2025	Circular No. 83/2025/TT-BTC annuls Circular No. 138/2012/TT-BTC guiding the allocation of business advantage values to joint-stock companies transformed from state-owned companies promulgated by the Minister of Finance
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TRADE

1.	October 30, 2025	Decree No. 247/2025/ND-CP amending Decree No. 171/2016/ND-CP on registration, deregistration and purchase, sale and construction of ships has been amended by Decree No. 86/2020/ND-CP issued by the Government
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IMPORT & EXPORT

1.	October 12, 2025	Circular 86/2025/TT-BTC regulating the collection rates, regime of collection, remittance, management and use of customs fees and fees for goods and means of transport in transit promulgated by the Minister of Finance
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CURRENCY - BANKING

1.	October 15, 2025	Law on Credit Institutions amended 2025 promulgated by the National Assembly
2.	October 01, 2025	Circular 81/2025/TT-BTC regulating the management and use of payment accounts of the State Treasury opened at the State Bank of Vietnam and commercial banks issued by the Minister of Finance
3.	October 01, 2025	Circular 23/2025/TT-NHNN amending Circular 30/2019/TT-NHNN regulating the implementation of compulsory reserves of credit institutions and foreign bank branches issued by the Governor of the State Bank of Vietnam



4.	October 15, 2025	Circular 24/2025/TT-NHNN amending Circular 63/2024/TT-NHNN regulating dossiers and procedures for revocation of licenses and liquidation of assets of credit institutions and foreign bank branches; dossiers and procedures for revocation of licenses of Vietnam-based representative offices of foreign credit institutions and other foreign organizations engaged in banking activities issued by the Governor of the State Bank of Vietnam
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TAXES – FEES

1.	October 01, 2025	Law on Corporate Income Tax 2025 promulgated by the National Assembly
2.	October 12, 2025	Circular 86/2025/TT-BTC regulating the collection rates, regime of collection, remittance, management and use of customs fees and fees for goods and means of transport in transit promulgated by the Minister of Finance
3.	October 15, 2025	Decree 236/2025/ND-CP elaboration of some articles of the national assembly's resolution No. 107/2023/QH15 dated november 29, 2023 on application of top-up tax under the global anti-base erosion rules issued by the Government

INSURANCE

1.	October 16, 2025	Circular 98/2025/TT-BQP guiding the implementation of Decree 188/2025/ND-CP guiding the Law on Health Insurance for subjects under the management of the Ministry of National Defense
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LABOUR – WAGES

1.	October 01, 2025	Circular 09/2025/TT-BYT on National Technical Regulations - Permissible exposure limits for 70 chemical elements in the workplace issued by the Minister of Health
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CIVIL RIGHTS

1.	October 01, 2025	Circular 68/2025/TT-BCA amending Circular 31/2023/TT-BCA regulating passport forms, laissez-passer forms and related forms issued by the Minister of Public Security
2.	October 01, 2025	Circular 22/2025/TT-BYT regulating the issuance and use of birth certificates issued by the Minister of Health