THE GOVERNMENT OF VIETNAM -------	SOCIALIST REPUBLIC OF VIETNAM Independence - Freedom – Happiness ---------------
No. 181/2025/ND-CP	*Hanoi, July 01, 2025*

DECREE

ELABORATION OF SOME ARTICLES OF THE LAW ON VALUE-ADDED TAX

Pursuant to the Law on Government Organization dated June 19, 2015 dated February 18, 2025;

Pursuant to the Law on Value-added Tax dated November 26, 2024;

Pursuant to the Law dated June 25, 2025 on Amendments to some Articles of the Law on Bidding, the Law on Public-Private Partnership Investment, the Law on Customs, the Law on Value-added Tax, the Law on Export and Import Duties, the Law on Investment, the Law on Public Investment, the Law on Management and Use of Public Property

At the request of the Minister of Finance;

The Government promulgates a Decree on elaboration of some Articles of the Law on Value-added Tax.

Chapter III

VAT DEDUCTION AND REFUND

Section 3. VAT REFUND

Article 29. Refund of VAT on exports

1. If residual input VAT credit on exports of a business establishment in a month/quarter is 300 million VND or more, it will be refunded by month/quarter, unless the goods are imported and then exported to another country. To be specific:

a) Certain cases of eligibility for VAT refund upon exportation: The business establishment that has goods exported through entrustment; the business establishment that sign export processing contracts with foreign parties; the business establishment that has goods exported for execution of overseas construction works.

b) Goods that are imported and then exported to another country are goods imported into Vietnam by a business establishment from a foreign country, then exported directly or through entrustment, excluding goods that are raw materials imported for manufacture or processing of exports.

2. If a business establishment has both goods/services for export and goods/services for domestic sale in a month/quarter, input VAT for production/sale of the goods/services for export must be separately recorded. Otherwise, input VAT on goods/services for export will be determined according to ratio of revenue from exported goods/services to total revenue from goods/services subject to VAT of the tax refund period. Tax refund period is the continuous period of time from the tax period having the residual input VAT to the tax period in which VAT refund is claimed. After input VAT on exported goods and services (including the input VAT separately recorded

and the input VAT determined according to aforementioned ratio) has been deducted from VAT on goods and services sold domestically, if residual input VAT on exported goods and services is 300 million VND or more, it will be refunded to the business establishment. The refunded VAT on exported goods and services shall not exceed 10% of the revenue from such exported goods and services in the tax refund period. Residual input VAT on exported goods and services that exceeds 10% of revenue from exported goods and services in the tax refund period and thus is not refundable may be deducted in the next tax period to determine refundable VAT on goods and services exported in the next tax period. The Ministry of Finance shall promulgate regulations on determination of refundable VAT on exported goods and services.

MINISTRY OF FINANCE

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No. 25/2018/TT-BTC

Hanoi, March 16, 2018

CIRCULAR

ON GUIDELINES FOR THE GOVERNMENT'S DECREE NO. 146/2017/ND-CP DATED DECEMBER 15, 2017 AND AMENDMENTS TO SOME ARTICLES OF THE CIRCULAR NO. 78/2014/TT-BTC DATED JUNE 18, 2004 OF THE MINISTRY OF FINANCE AND CIRCULAR NO. 111/2013/TT-BTC DATED AUGUST 15, 2013 OF THE MINISTRY OF FINANCE

Pursuant to the Law on Securities No. 70/2006/QH11 dated June 29, 2006 and Law No. 62/2010/QH12 on amendments to some articles of the Law on Securities dated November 24, 2010;

Pursuant to the Law on Personal Income Tax No. 04/2007/QH12 dated November 21, 2007 and Law on amendments to some articles of the Law on Personal Income Tax No. 26/2012/QH13 dated November 22, 2012;

Pursuant to the Law on Enterprises No. 68/2014/QH13 dated November 26, 2014;

Pursuant to the Law on amendments to some articles of the Law on Tax No. 71/2014/QH13 dated November 26, 2014;

Pursuant to the Law No. 106/2016/QH13 dated April 06, 2016 on amendments to some articles of the Law on Value Added Tax, Law on Special Excise Tax and Law on Tax Administration;

Pursuant to the Government's Decree No. 65/2013/ND-CP dated June 27, 2013 on elaboration of some articles of the Law on Personal Income Tax and Law on amendments to some articles of the Law on Personal Income Tax;
Pursuant to the Government's Decree No. 12/2015/ND-CP dated February 12, 2015 on elaboration of the Law on amendments to some articles of the Laws on taxation and amendments to some articles of Degrees on taxation;
Pursuant to the Government's Decree No. 100/2016/ND-CP dated July 01, 2016 on guidelines for the Law on amendments to certain articles of the Law on Value Added Tax, Law on Special Excise Tax and Law on Tax Administration;
Pursuant to the Government's Decree No. 146/2017/ND-CP dated December 15, 2017 on amendments to some articles of the Government's Decree No. 100/2016/ND-CP dated July 01, 2016 and Government's Decree No. 12/2015/ND-CP dated February 12, 2015;

Pursuant to the Government's Decree No. 87/2017/ND-CP dated July 26, 2017 defining functions, tasks, entitlements and organizational structure of the Ministry of Finance;

At the request of the Director General of General Department of Taxation,

The Minister of Finance hereby promulgates a Circular on guidelines for the Government's Decree No. 146/2017/ND-CP dated December 12, 2017 on amendments to some articles of the

Circular No.78/2014/TT-BTC dated June 18, 2014 of the Ministry of Finance and Circular No.111/2013/TT-BTC dated August 15, 2013 of the Ministry of Finance. To be specific:

Article 2. Amendments to Clause 4 Article 18 of the Circular No. 219/2013/TT-BTC dated December 31, 2013 of the Ministry of Finance (amended by the Circular No. 130/2016/TT-BTC dated August 12, 2016 of the Ministry of Finance):

“4. Refund of tax on exported goods/services

a) In a month (in case of monthly declaration) or quarter (in case of quarterly declaration), if the input VAT on exported goods/services (including goods that are imported and subsequently exported to non-tariff areas and the goods that are imported and subsequently exported to other countries) of a business establishment remains at least 300 million dong after being offset against, it shall be refunded by month or quarter. If such input VAT is less than 300 million dong, it shall be offset against in the next month/quarter.

In a month/quarter, if a business establishment has both exported goods/services and goods/services sold domestically, input VAT on purchases used for manufacturing of exported goods/services shall be separately recorded. Otherwise, input VAT shall be determined according to the ratio of revenue from exported goods/services to total revenue from goods/services accrued from the tax period succeeding the period in which tax is refunded to the current period in which tax refund is claimed.

If the input VAT on exported goods and services (including the input VAT separately recorded and the input VAT determined through the aforementioned ratio) remains at least 300 million dong after having been deducted from VAT on goods and services sold domestically, the business establishment shall receive a refund of VAT on exported goods and services. The refunded amount of VAT on exported goods and services shall not exceed the revenue from such exported goods and services multiplied by (x) 10%.

Certain cases of eligibility for tax refund upon exportation: The business establishment that has goods exported through entrustment; the business establishment that processes exports for foreign principals on a contract basis; the business establishment that has goods and materials exported for overseas construction works; and the business establishment whose exports are delivered to other domestic entities as requested by the importers.

b) VAT will not be refunded if the goods are imported and then exported outside a customs controlled area in accordance with regulations of law on customs or the goods are exported outside the customs control area in accordance with regulations of law on customs.

c) The tax authority shall grant a refund before inspection if the taxpayer who is a manufacturer of exports has not incurred any penalty for smuggling, illegal cross-border transport of goods, tax evasion, tax fraud, trade fraud for two consecutive years or the taxpayer does not pose a high risk according to the Law on Tax Administration and its instructional documents.”