

2026 TAX NEWLETTER



JANUARY 2026



+84 28 2245 8787



jpa.vn



No 06 – 07, Phan Ton Street,
Tan Dinh Ward, HCMC, Vietnam



clientcare@jpa.vn

CONTENT

01 RESOLUTION NO.265/2025/QH15 1-4

The National Assembly formally adopted Resolution No. 265/2025/QH15 on the session's outcomes, approving the Law on Tax Administration, the Law on Personal Income Tax, and the Law on amendments and supplements to several articles of the Law on Value Added Tax.

02 DECREE NO. 320/2025/ND-CP 5-7

Decree No. 320/2025/ND-CP provides detailed regulations on several articles and measures for the organization and implementation of the Law on Corporate Income Tax.

03 THE LAW ON SPECIAL CONSUMPTION TAX NO. 66/2025/QH15 8

Law No. 66/2025/QH15 on Special Consumption Tax introduces significant changes to the tax rates applicable to specific goods and services.

04 CIRCULAR NO. 99/2025/TT-BTC 9-10

Circular No. 99/2025/TT-BTC comprehensively supersedes Circular No. 200/2014 and related regulations for accounting periods beginning from 2026 onwards, while expanding the application options to include small and medium-sized enterprises (SMEs)

04 DECREE NO. 359/2025/ND-CP 11

Decree No. 359/2025/ND-CP, issued on December 31, 2025, amends and supplements a number of articles of Decree No. 181/2025/ND-CP to ensure consistency with Law No. 149/2025/QH15 on Amending and Supplementing a Number of Articles of the Law on Value Added Tax.

RESOLUTION NO. 265/2025/QH15



At the closing of the 10th Session of the 15th National Assembly (December 2025), the National Assembly officially ratified Resolution No. 265/2025/QH15 on the session's outcomes. Notably, Resolution No. 265/2025/QH15 approved the Law on Tax Administration, the Law on Personal Income Tax, and the Law on amendments and supplements to several articles of the Law on Value Added Tax.

RESOLUTION NO. 265/2025/QH15

Adoption of Law No. 109/2025/QH15 on Personal Income Tax

RAISING THE TAX-EXEMPT REVENUE THRESHOLD FOR BUSINESS HOUSEHOLDS

Adjusting the tax-exempt revenue threshold for business households and individuals from VND 200 million/year to VND 500 million/year, and allowing this amount to be deducted before calculating tax based on a percentage of revenue. Simultaneously, the revenue threshold for Value Added Tax (VAT) exemption is also adjusted to VND 500 million/year.

SUPPLEMENTING TAX CALCULATION METHODS FOR BUSINESS HOUSEHOLDS AND INDIVIDUALS

Applying tax rates similar to the new corporate income tax (CIT) rates.

ADJUSTING TAX CALCULATION METHODS

Supplementing a tax calculation method based on actual income (instead of being solely based on revenue) for large-scale business households to ensure tax equity.

INCREASING FAMILY CIRCUMSTANCES DEDUCTIONS

- Personal deduction for the taxpayer: VND 15.5 million/month.
- Dependent deduction: VND 6.2 million/month per dependent.

REFORMING THE PARTIALLY PROGRESSIVE TAX TARIFF

Consolidating the tax brackets for income from salaries and wages from 7 brackets down to 5 brackets.

| Tax Bracket | Taxable Income (VND million/month) | New Tax Rate (%) |
|-------------|------------------------------------|------------------|
| 1 | Up to 10 | 5 |
| 2 | Over 10 to 30 | 10 |
| 3 | Over 30 to 60 | 20 |
| 4 | Over 60 to 100 | 30 |
| 5 | Over 100 | 35 |

RESOLUTION NO. 265/2025/QH15

Adoption of Law No. 149/2025/QH15 on amendments and supplements to several articles of the Law on Value Added Tax



SYNCHRONIZING THE TAX-EXEMPT THRESHOLD

The revenue threshold for VAT exemption for business households and individuals is also raised to VND 500 million/year, consistent with the Law on Personal Income Tax.

EASING VAT REFUND CONDITIONS

Removing the requirement for VAT refunds to be contingent upon the verification of the seller's tax declaration and payment compliance.

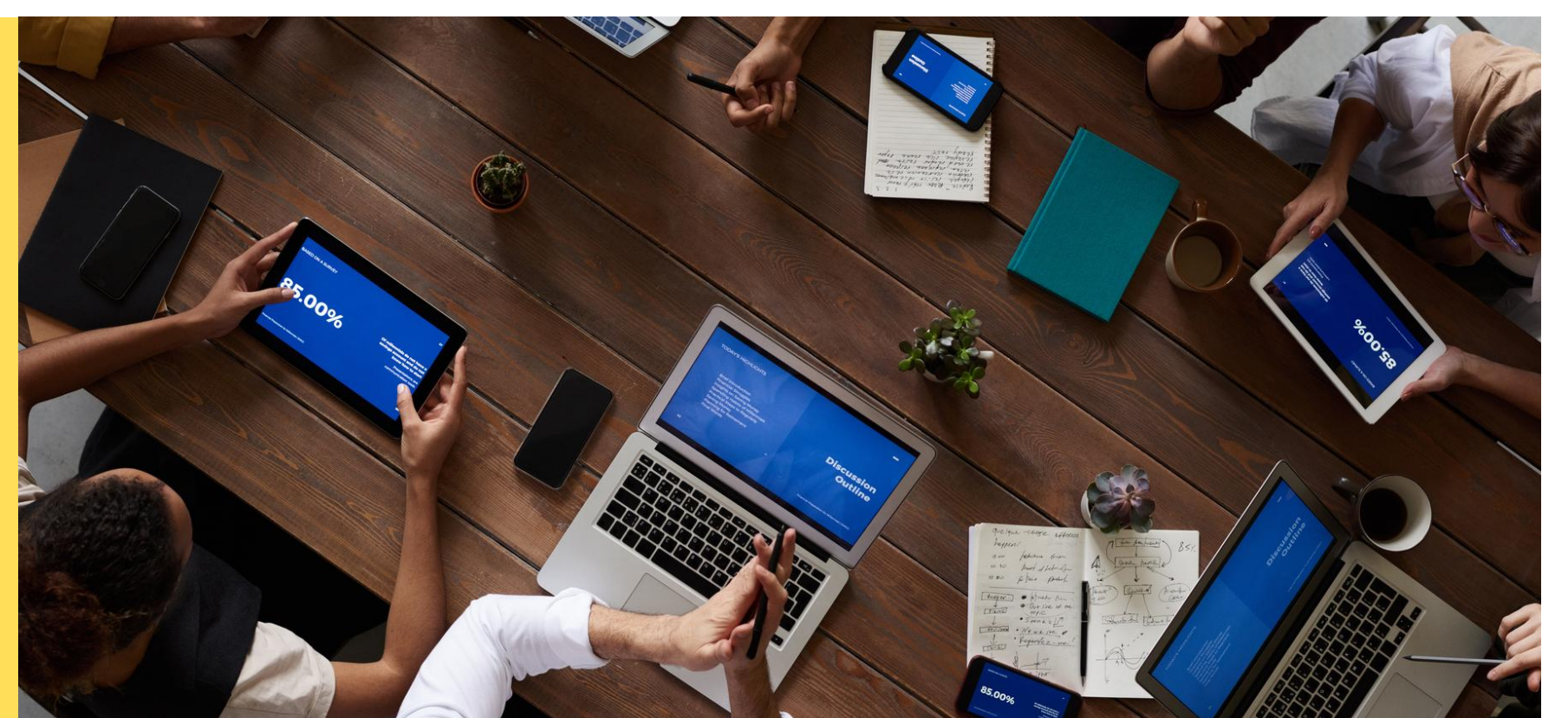


TAX INCENTIVES FOR UNPROCESSED AGRICULTURAL PRODUCTS

Enterprises and cooperatives purchasing agricultural, livestock, and aquatic products that are unprocessed or only preliminary processed for sale to other enterprises/cooperatives are not required to declare and pay VAT but are allowed to deduct input VAT.

TAX RATES FOR BY-PRODUCTS AND SCRAP MATERIALS

Various types of by-products and scrap materials collected during the production process will be subject to a tax rate corresponding to that of the primary goods.



RESOLUTION NO. 265/2025/QH15

Adoption of the Law on Tax Administration (Law No. 108/2025/QH15)

Article 13 and Article 26 of the Law on Tax Administration No. 108/2025/QH15 take effect from January 1, 2026. The Law on Tax Administration No. 38/2019/QH14 remains effective until June 30, 2026, except for the provisions in Article 51 which take effect until the end of December 31, 2025.

ARTICLE 13: TAX DECLARATION, CALCULATION, AND DEDUCTION FOR BUSINESS HOUSEHOLDS AND BUSINESS INDIVIDUALS

- Business households and individuals shall self-determine their annual revenue to identify whether they are subject to tax and shall notify the tax authorities of the actual revenue generated.
- For units using e-invoices generated from point-of-sale (pos) systems with electronic data transfer connectivity, the tax management information system will automatically generate tax returns based on e-invoice data and other information sources to support taxpayers.
- Business households and individuals shall self-determine their tax identification number (tin), other taxable incomes, and perform tax declaration according to each corresponding tax type for the tax period.

ARTICLE 26: E-INVOICES

- Regulations on using e-invoices from pos systems become a mandatory requirement for business households and business individuals from the effective date of the law.
- Promoting the implementation of e-invoices generated from pos systems with electronic data transfer connectivity to tax authorities.
- Data connectivity from pos systems helps record actual revenue at the time of the transaction, reducing incorrect declarations.
- E-invoice data under article 26 is the sole input information source for the tax management system to automatically generate tax returns and support taxpayers in calculating tax according to the provisions of article 13.

DECREE NO. 320/2025/ND-CP

Decree 320/2025/ND-CP, issued on December 15, 2025, provides detailed regulations and measures for the implementation of the Law on Corporate Income Tax (CIT) 2025 (Law No. 67/2025/QH15), superseding Decrees No. 218/2013/ND-CP, No. 91/2014/ND-CP, No. 12/2015/ND-CP, No. 146/2017/ND-CP, and No. 57/2021/ND-CP.

HIGHLIGHTS

DECREE 218/2013 & AMENDMENTS

DECREE 320/2025/ND-CP

Effective Date

Applied for tax periods from 2014 to December 14, 2025.

Effective from December 15, 2025, and applied immediately for the 2025 tax period. Enterprises have the flexibility to choose the start date for new regulations (revenue, expenses, incentives, loss carry-forward) among three milestones:

- Start of 2025 period;
- Effective date of Law on CIT 2025;
- Effective date of Decree 320 (Dec 15, 2025).

Determining Taxpayers

Foreign enterprises pay tax based on revenue sourced from Vietnam.

Expanding the concept of Non-physical Permanent Establishment (PE). Explicitly defining foreign enterprises doing business on e-commerce and digital platforms as direct taxpayers.

DECREE NO. 320/2025/ND-CP

| HIGHLIGHTS | DECREE 218/2013 & AMENDMENTS | DECREE 320/2025/ND-CP |
|--|---|---|
| Foreign Income | Allowed declaration in the tax period when income is transferred back to Vietnam (for countries with Double Taxation Avoidance Agreements). | Mandatory inclusion in taxable income immediately upon earning the income abroad, regardless of whether it has been transferred back to Vietnam. |
| Tax Rates for SMEs | General tax rate of 20% for all enterprises (except for oil, gas, and rare resources). | Progressive tax rates based on revenue scale: <ul style="list-style-type: none"> Under 3 billion VND: 15% From 3 billion to 50 billion VND: 17% Over 50 billion VND: 20% |
| Deductible vs. Non-deductible Expenses | Non-cash payment vouchers required for invoices from VND 20 million. Cash payments for salaries/wages allowed (no limit) if supported by labor contracts/files. | Invoices from VND 5 million must have non-cash payment vouchers. Salary/wage payments from VND 5 million/time must be via non-cash methods to be deductible. Stricter documentation requirements. |

DECREE NO. 320/2025/ND-CP

| HIGHLIGHTS | DECREE 218/2013 & AMENDMENTS | DECREE 320/2025/ND-CP |
|---------------------------------------|---|--|
| Research & Development (R&D) Expenses | Enterprises allowed to set aside an R&D Fund (maximum 10% of taxable income). | Enterprises can deduct up to 200% of actual R&D and innovation expenses from taxable income. |
| Tax-Exempt Income | No specific regulations on green financial tools or emission reduction. | Tax exemption for: <ul style="list-style-type: none">Income from the first-time transfer of Carbon Credits (CERs).Income from interest and the first-time transfer of Green Bonds after issuance. |
| Incentives for New Tech Products | Long-term incentives based on new investment projects. | Income from the sale of new technology products is now tax-exempt for 3 years. |
| Capital Transfer Tax | Various tax rates depending on the entity (domestic vs. foreign enterprises). | Uniform tax rate of 2% on the transfer price for foreign contractors performing capital transfers in Vietnam. |

The Law on Special Consumption Tax No. 66/2025/QH15



BROADENING THE SCOPE OF TAXABLE OBJECTS

- Sugar-sweetened beverages (SSBS): beverages meeting national standards (TCVN) with a sugar content exceeding 5g/100ml are added to the list of taxable objects. An 8% tax rate for this category will be applicable starting from January 1, 2027.
- Air conditioners: Only air conditioning units with a capacity ranging from over 24,000 BTU to 90,000 BTU are subject to Special Consumption Tax (at a 10% tax rate). Units with a capacity below 24,000 BTU are no longer within the scope of this tax.

TAX RATE INCREASE ROADMAP

- 2026 status quo: during 2026, tax rates for alcohol, beer, and tobacco products will remain at their current levels (tobacco: 75%; alcohol/beer: 65% or 35% depending on alcohol content).
- Annual incremental increases (2027–2031): starting from 2027, tax rates will undergo an annual incremental increase of 5% until 2031. Notably, the tax rate for beer and alcohol with an alcohol content of over 20% is projected to reach 90% by 2031.
- Hybrid Tax Mechanism for Tobacco: Effective from 2027, a hybrid tax calculation method will be implemented for tobacco products, combining a percentage-based rate with a specific (absolute) tax amount per pack/cigarette.

CIRCULAR NO. 99/2025/TT-BTC

Circular No. 99/2025/TT-BTC officially takes effect from 1 January 2026, fully replacing Circular No. 200/2014/TT-BTC and related regulations applicable to accounting periods starting in 2026 (except for certain provisions applicable to micro-enterprises). In addition, the Circular expands enterprises' discretion in selecting accounting regimes for small and medium-sized enterprises, requires enhanced consistency in financial statements, and introduces major regulatory reforms. Enterprises are required to implement data comparability in financial statements and provide detailed explanations in the Notes to the Financial Statements to ensure information continuity and transparency.

| COMPARISON CRITERIA | Circular NO. 200/2014/TT-BTC (FORMER) | CIRCULAR NO. 99/2025/TT-BTC (NEW) |
|--------------------------------------|---|---|
| Name of Primary Financial Statements | Balance Sheet | Statement of Financial Position |
| Document and Bookkeeping Management | Mandatory use of accounting vouchers and accounting books prescribed by the Ministry of Finance | Enterprises are permitted to design their own vouchers and accounting books in line with their characteristics and internal management software |
| Chart of Accounts (COA) | Standardized chart of accounts prescribed and uniformly applied to all enterprises | Enterprises may develop their own chart of accounts (account codes and names) to better serve internal management needs |
| Minimum Global Tax (Pillar Two) | No specific accounting guidance provided | Introduction of Account 8212 to separately recognize corporate income tax subject to the 15% minimum global tax |
| Simplification of Accounts | Retention of accounts such as 1562 (purchase costs), 611, 612, etc. | Elimination of redundant accounts (e.g., 1562, 611, etc.) |

CIRCULAR NO. 99/2025/TT-BTC

| COMPARISON CRITERIA | CIRCULAR NO. 200/2014/TT-BTC (FORMER) | CIRCULAR NO. 99/2025/TT-BTC (NEW) |
|----------------------------|---|---|
| Dependent Units (Branches) | Separate financial statements are required to be prepared and submitted to the local tax authorities. | Separate financial statements are not mandatory if the dependent units do not have independent legal status (subject to the enterprise’s management model). |
| Approach | Combination of substance and form. | Closer alignment with IFRS (International Financial Reporting Standards), emphasizing the economic substance of transactions. |
| Accounting Currency | Strict conditions are prescribed for the selection of a foreign currency as the accounting currency. | Greater flexibility is granted to FDI enterprises and enterprises with foreign-currency revenues and expenditures in selecting the accounting currency. |



DECREE NO. 359/2025/ND-CP

Decree No. 359/2025/ND-CP, issued on December 31, 2025, amends and supplements several articles of Decree No. 181/2025/ND-CP. This Decree aims to ensure consistency with and provide implementation guidance for Law No. 149/2025/QH15, which amends and supplements the Law on Value Added Tax and was ratified by the National Assembly on December 11, 2025

NEW TAX MECHANISM FOR AGRICULTURAL - FORESTRY - FISHERY PRODUCTS

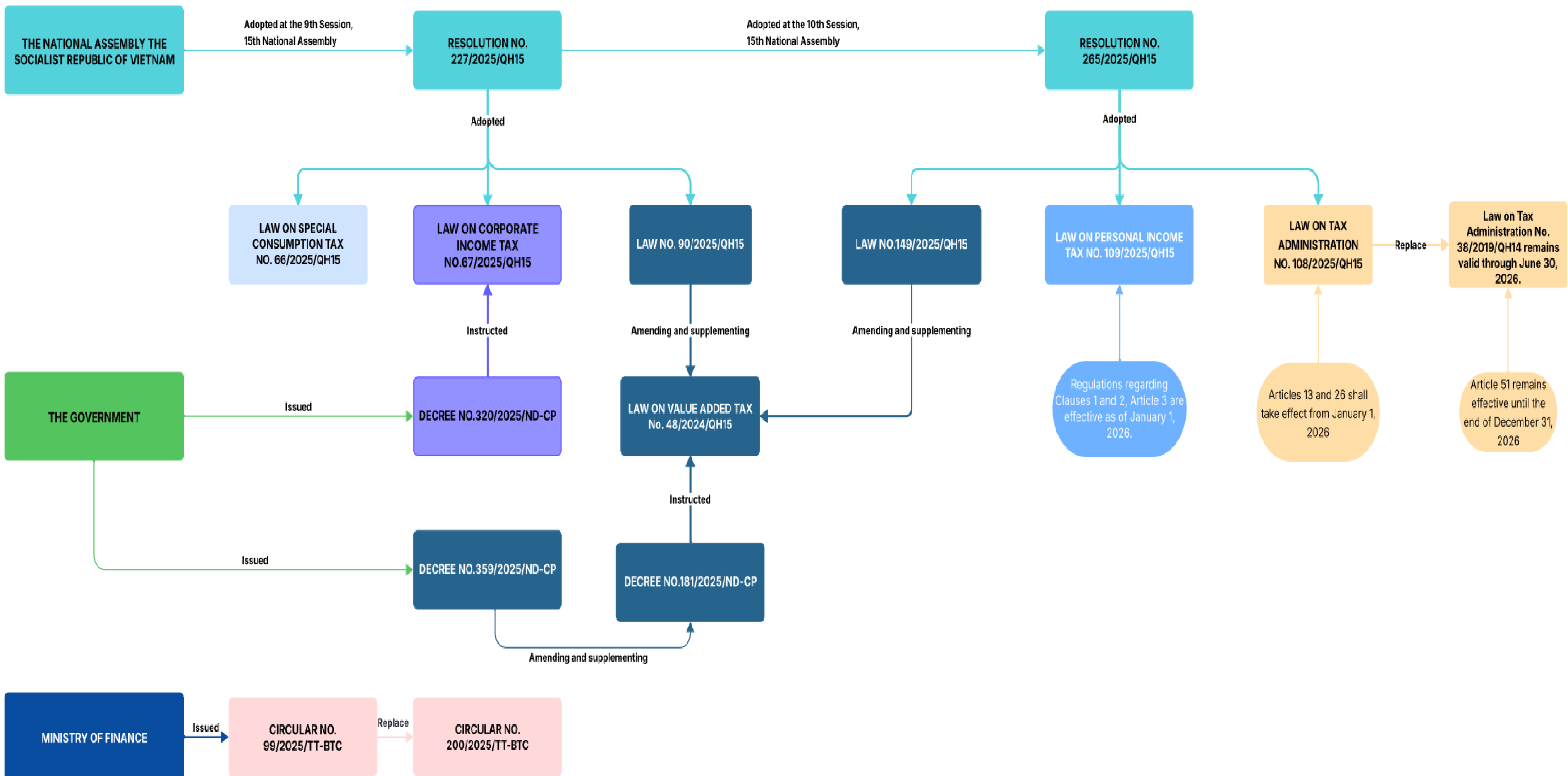
| TRANSACTION TYPE | APPLICABLE SUBJECTS | VAT RATE | DEDUCTION BENEFITS |
|------------------|---|-------------------------|----------------------|
| B2B | Enterprises, Cooperatives applying the deduction method | No declaration required | Input VAT deductible |
| B2C | Enterprises, Cooperatives applying the deduction method | 5% | Input VAT deductible |
| DIRECT | Business households, organizations applying the direct method | 1% of revenue | None |

REPEAL OF CLAUSE 3, ARTICLE 37 AND CLAUSE 3, ARTICLE 39 OF DECREE NO. 181/2025/ND-CP

Effective from the July 2025 tax period, businesses are no longer required to wait for the seller to declare and pay VAT to meet VAT refund conditions



Framework of Tax Regulations Applicable from the 2026 Tax Period





JPA VIETNAM



“Create prestige and sustainable value by high quality expertise and customer understanding”

OUR SERVICES

01

Audit and Assurance

02

Accounting and Financial Reporting (VAS and IFRS)

03

Tax Compliance and Advisory

04

Financial and Tax Due Diligence (FTDD)

05

Payroll services

06

Tax Compliance and Advisory

For more details, please scan the QR code below

