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SOME NOTABLE POINTS REGARDING VALUE-ADDED TAX

To amend and supplement some regulations on value-added tax (VAT) in Decree 181/2025/ND-CP on guiding the Law on VAT, amended by Decree 359/2025/ND-CP (**Decree 181**), the Government has issued Decree 144/2026/ND-CP (**Decree 144**). Taking effect from June 20, 2026, Decree 144 has the following key contents:

Firstly, Decree 144 supplements the subjects exempt from VAT, including:

- Life insurance, health insurance, student insurance, and other human-related insurance services;
- Livestock insurance, crop insurance, and other agricultural insurance services;
- Insurance for vessels, boats, equipment, and other necessary tools directly serving fishing activities;
- Reinsurance in accordance with the law on insurance business;
- Insurance for oil and gas facilities, equipment, and foreign-flagged oil tankers leased by oil and gas contractors or foreign subcontractors for operation in Vietnamese maritime zones, and overlapping maritime areas where Viet Nam and neighboring or opposite coastal countries have agreed on joint exploitation;

In addition, Decree 144 also supplements “revenue from insurance brokerage commissions that are not subject to VAT” as one of the cases for which VAT is not required to be calculated when determining the taxable price for agency and brokerage activities involving the trading of goods and services on a commission basis. This is additional to revenue from trading goods and services, and commission revenue earned from agency activities of selling goods and services that are not subject to VAT, and agency activities of selling at the price stipulated by the principal and receiving service commission (e.g., postal services, telecommunications, sale of lottery tickets, airline tickets, or cars).



Secondly, Decree 144 amends and supplements the regulations on VAT deduction as follows:

- Abolishing the method of determining revenue from foreign currency trading and securities trading previously provided in Decree 181, namely: *“For foreign currency trading and securities trading, revenue is the difference between the selling price and the buying price (except in case of a negative difference (-))”*.
- Supplementing regulations on determining revenue for credit institutions, branches of foreign banks, securities and stock market activities, and insurance businesses. Accordingly, the revenue of these sectors will be determined under the specialized laws.
- Supplementing the regulation that revenue from VAT-taxable goods and services as specified in clause 2, Article 23, Decree 181 regarding deductible input VAT will include revenue from cultivation crops, planted forests, livestock, aquaculture and caught fishery products that have not been processed into other products or have only undergone ordinary preliminary processing, which are sold by the producing or harvesting organizations and individuals themselves, and at the importation stage (if any).

Thirdly, Decree 144 supplements the regulations on non-cash payment documents for goods and services purchased via deferred payment or installment plans with a value of at least 5 million Vietnamese Dong. Previously, according to Decree 181, at the time of payment under a contract or contract annex, if there are no non-cash payment documents, the relevant business establishment must declare for adjusting the amount of deductible input VAT downwards with regard to the value of goods and services without non-cash payment documents in the tax period that the payment obligation arises under such contract or contract annex. Currently, Decree 144 has supplemented a provision stating that where an enterprise obtains non-cash payment documents after making the aforementioned adjustment, it is *entitled to declare and deduct input VAT amount on the value of goods and services with the non-cash payment documents in the tax period in which such documents are submitted*.

Decree 144 introduces significant changes related to VAT, such as the supplementation of tax-exempt subjects and provisions on VAT deduction when businesses submit sufficient non-cash payment documents after the payment due date specified in contracts or contract annexes. Enterprises and organizations should update and study the regulations of this Decree for application in VAT declaration and also in their production and business activities. In the case that our valued Clients and readers need further information on regulations of Decree 144 or other tax-related issues, NHQuang&Associates is willing to support with your questions and provide specific legal opinions.

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