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DECREE 152/2026/ND-CP AND NOTEWORTHY NEW REGULATIONS IN CIVIL JUDGMENT ENFORCEMENT

At the end of 2025, the National Assembly promulgated the Law on Civil Judgment Enforcement 2025 with a view to further improving the legal framework governing civil judgment enforcement after nearly two decades of implementation of the Law on Civil Judgment Enforcement 2008. To provide guidelines for the implementation of a number of provisions of this Law, on May 13, 2026, the Government promulgated Decree 152/2026/ND-CP (**Decree 152**), which is expected to take effect on July 01, 2026, concurrently with the effective date of the Law on Civil Judgment Enforcement 2025. In this Legal Newsletter, NHQuang&Associates will introduce and analyze several noteworthy new provisions of Decree 152 that may affect individuals and organizations during civil judgment enforcement.

Firstly, detailed regulations on the state of emergency, objective obstacles and force majeure events in civil judgment enforcement. Previously, Decree 62/2015/ND-CP providing guidelines for the implementation of the Law on Civil Judgment Enforcement 2008 (**Decree 62**) only addressed force majeure events and objective obstacles. Decree 152, however, supplements provisions governing the state of emergency and amends the regulations on force majeure events and objective obstacles as follows:

- A state of emergency, determined in accordance with the Law on Emergency Situations 2025, means a social situation declared or proclaimed by competent authorities in one or multiple localities or nationwide upon the occurrence of, or the imminent risk of, a disaster seriously threatening human life, health, or assets of the State, agencies, organizations, and individuals, or upon circumstances posing a serious threat to national defense, national security, or social order and safety.
- An objective obstacle is further clarified under Decree 152 through the specification of a number



of circumstances, including where a litigant fails to receive a judgment or decision through no fault of their own; where an organization undergoes consolidation, merger, division, separation, dissolution, *termination of operation, or restructuring (the last two circumstances were not given in Decree 62)*, and the new organization or individual entitled to request judgment enforcement has not yet been identified; where it is due to the fault by the adjudicating authority, the civil judgment enforcement authority, or other competent agencies or individuals that a litigant cannot submit a timely request for judgment enforcement.

- A force majeure event is defined as a natural disaster, fire, or epidemic that does not constitute a state of emergency (*whereas, under Decree 62, a force majeure event was defined as a natural disaster, fire, or enemy-inflicted disaster*).

Accordingly, where a litigant entitled to request judgment enforcement can prove that he/she is unable to submit such request within the statutory time limit due to a state of emergency, an objective obstacle, or a force majeure event, the duration of occurrence of such state of emergency, objective obstacle, or force majeure event shall not be included in the statute of limitations for requesting judgment enforcement.

Secondly, the application of digital transformation in civil judgment enforcement activities. According to Article 5 of Decree 152, digital means used in civil judgment enforcement include: (i) the Civil Judgment Enforcement Digital Platform; (ii) the National Public Service Portal; (iii) the Centralized Information System for Administrative Procedure Settlement of the Ministry of Justice; (iv) the National Identification Application (VNelD); (v) the portals and websites of the civil judgment enforcement management authorities and civil judgment enforcement authorities; and (vi) email and other means as prescribed by law.

Accordingly, organizations and individuals may submit requests for judgment enforcement through the means specified in items (ii), (iii), and (iv) above, in addition to conventional methods such as direct submission or submission via postal services. Notices relating to judgment enforcement shall likewise be served through the VNelD application (except in certain cases where notices are served through the civil judgment enforcement office, by public posting, or via the mass media). The date on which the VNelD application records a notice as having been sent shall be deemed the valid date of service for the litigants and other persons having related rights and obligations to determine the time limits for exercising

their rights and obligations in accordance with the contents of such notices. Furthermore, the delivery and receipt of judgments and enforcement decisions, the sending and receipt of documents, dossiers and other materials, as well as the verification of conditions for civil judgment enforcement, shall also be carried out electronically. Overall, Decree 152 has established a comprehensive and detailed legal framework for implementing digital transformation in civil judgment enforcement, thereby reducing both the time and costs incurred by organizations and individuals in carrying out judgment enforcement procedures.

Thirdly, the order for payment of judgment enforcement proceeds. Decree 152 provides that where a judgment or decision awards an interest for delayed judgment enforcement, the civil judgment enforcement authority shall, upon recovering the enforcement proceeds, make payments in the following order:

- The amount awarded under the judgment or decision in accordance with the judgment enforcement decision.
- The interests for delayed judgment enforcement upon request, corresponding to the period during which the judgment or decision remains unenforced, unless otherwise agreed by the parties or otherwise provided in the judgment or decision.

The following regulations on calculation of interests for delayed judgment enforcement should also be noted:

- In calculating interests for delayed judgment enforcement, interests shall be calculated only on the outstanding amount remaining payables under the judgment enforcement decision, and no interest shall be calculated on any unpaid interests.
- The commencement date to calculate interests for delayed judgment enforcement shall be determined in accordance with the judgment or decision. Where the judgment or decision does not specify any commencement date, the interests shall be calculated from the date on which the request for judgment enforcement is submitted.
- Interests for delayed judgment enforcement shall be calculated up to the time when the civil judgment enforcement authority recovers the enforcement proceeds. Where assets are sold or transferred to the judgment creditors for setting off against the enforcement amount, such interests shall be calculated up to the date on which the assets are delivered to the purchaser or received by the judgment creditors for such set-off.

Decree 152 is expected to facilitate organizations and individuals in carrying out judgment enforcement procedures, particularly through digital transformation in civil judgment enforcement activities. Accordingly, organizations and individuals should proactively study and update the provisions of Decree 152 to ensure prompt compliance with the applicable legal framework. Should our valued clients and readers request further information or seek legal advice regarding the new provisions of Decree 152 or other matters relating to the civil judgment enforcement laws, NHQuang&Associates stands ready to provide clarification and relevant legal opinions.

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