Step by Step How To Outbound Investment From Vietnam

Outbound investment from Vietnam includes direct investment and indirect investment. Both of them require certain steps to be taken. Vietnamese government is in an effort to facilitate outbound investment from Vietnam.
The most important Vietnamese legal legislations on outbound investment include Investment law, Decree No. 83/2015/ND-CP on outbound investment and Decree No. 135/2015/ND-CP on outbound indirect investment. Accordingly, Vietnamese investors could decide on one of the following forms to outbound investing:

- Establishing a business organisation in accordance with the law of the host country;
- Executing a business cooperation contract overseas;
- Purchasing part or all of charter capital of an overseas business organisation to participate in the management and business investment overseas;
- Trading in securities, valuable papers, or making investments via securities investment funds and other intermediate financial institutions overseas; and
- Other forms of investments prescribed by law of the host country.

Once investors have decided the form of **outbound investment from Vietnam**, they must obtain the decision on outbound investment policy which is issued by the National Assembly or the Prime Minister (if necessary) and then the Certificate of outbound investment registration.
Transfer of money from Vietnam to abroad and vice versa pertaining to outbound investment must be made via a separate account opened at a permissible credit institution in Vietnam and registered at the State bank of Vietnam in accordance with regulations of law on foreign exchange management. Hence Vietnamese investors need to open accounts of outbound investment capital to conduct their offshore business.
Within 06 months from the day on which the annual tax declaration or an equivalent document is available as prescribed by the host country's law, the investor transfer the entire profit and other incomes derived from overseas investment to Vietnam, unless profit is used for overseas investment.

If the profit and other incomes are not transferred to Vietnam within the time limit prescribed in Clause 1 of this Article, the investor shall submit a written report to the Ministry of Planning and Investment and the State bank of Vietnam. The deadline for transferring profit to Vietnam shall be extended not more than twice, each extension shall not exceed 06 months and must be approved in writing by the Ministry of Planning and Investment.

Investors using profit derived from **outbound investment from Vietnam** to increase capital, expand outbound investment shall follow procedures for adjusting the Certificate of outward investment registration and submit a report to the State bank of Vietnam. If profit derived from the overseas project is used for another overseas project, the investor shall follow procedures for the Certificate of outward investment registration of such project; register a capital account and monetary capital transfer schedule with the State bank of Vietnam.

*If you are in need of assistance with matters regarding **Outbound Investment in Vietnam**, please contact us: P & Associates is a **professional law firm established in Vietnam** and currently has nearly 100 members working at three offices in Ho Chi Minh City, Hanoi and Da Nang. P & Associates are also considered to be one of **the leading law firms specialising in law on business in Vietnam**, which has a number of notable practice fields in the legal market such as **Labour and Employment**, **Banking Law**, **Taxes**, **Purchases, Selling and Merging**, **Litigation**, **IPO advisory services** and **Intellectual Property**. We are confident to provide you with effective legal services regarding Outbound Investment in Vietnam.*