

## **20 LAWS EVERY EXPAT IN VIETNAM NEEDS TO KNOW**

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Every country has its own sets of laws and regulations, and while most of them are there to ensure the country doesn't descend into chaos, there are some laws that are highly questionable. Vietnam is no exception to this, with some laws that are similar to most other countries in the world, but also a select few that may seem strange to some.

Before we delve into this, take note that Vietnamese society operates on the Confucian concept of 'Asian values' and some of these laws run parallel with this ideology. So what may seem strange to an American or European may be very normal to an Asian. With that in mind, let's move on to the list.

### **1. Register Yourself!**

Whether you're an expat or just a tourist, as long as you're a foreign citizen, you are required to register with the local police when you move into a residence. As a tourist, your hotel/hostel usually takes care of this for you. (That is why they ask for your passport.) But for expats who are here for the long haul, your landlord is required to do it. Why? Simply so they know you live in that place and that you're accounted for.

Also, stay out of trouble. If you're the only foreigner in the neighbourhood, you'll stick out like a lighthouse in a dark sea in the middle of the night.

## 2. Having More Than Two People on a Bike



This should be more of a common sense entry than anything, but if you're walking down the street and see a motorbike with an entire family of four (and their dog) on it, it is illegal. According to Vietnamese law (and common sense), it is illegal to have more than two people sitting on a bike. Plus, you also need a licence to be able to drive or ride a bike on the road, just like in every other country in the world.

## 3. You Technically Can't Hook Up with a Local

This might sound like something right out of an old school "How to Be a Proper Asian" guidebook – which may or may not exist – but it's actually against the law to engage in a non-marital sexual relationship and cohabitation with a Vietnamese citizen if you are a foreigner. Of course, this might come across as a major paradox if you consider the dodgy happenings right out of Bui Vien. The good news is: the authorities are not that bothered by it these days.

If you decide to take your relationship to the next level by getting married or having kids, make sure you get permission from the Vietnamese authorities. Any children born in Vietnam to unmarried parents cannot have the father's name on the birth certificate.

#### **4. You Actually Need a Work Permit...to Work**



Contrary to popular belief, it's actually technically illegal to work in Vietnam on a tourist visa. You'll need a full-fledged work permit if you're a foreign employee, and the maximum validity of one is two years. The work permit is usually handled by the company that hires you. To aid your application, you'll need a degree, a letter of referral from a respected company, proven experience in your field and a valid health check.

#### **5. You Need Money for a License to Start a Business**

Of course that goes without saying for all businesses, but we're not just talking about start-up capital here. According to Vietnamese law, you will need at least US\$30,000 in the bank before you can get a license to start your own business.



Now this will be a major issue for start-ups and online retailers who don't need so much money to begin with, but that's just the way it is here. Of course, there are some who start their business before registering and then pay once they have that amount sorted out, but this is playing with fire. All it takes is a jealous business rival and you're in trouble.

When planning your business, it's highly recommended to make sure you are in contact with a lawyer well-versed with Vietnamese law who can advise you on what to do and, if possible, speak to a CEO in the same field about his/her experience. For more helpful information, check out this site.

#### **6. You Can Buy Property but Not Land**

Ever dreamt of buying a nice plot of land to build a house, or a three-storey mansion so you can sit on your verandah sipping wine and reflecting on life? You can't do it here.



According to Vietnamese law, you can buy a house but not the land. So you can still live that dream to buy a house, or a mansion, but the land wouldn't belong to you and you will have to lease it. Land leases in Vietnam last a maximum of 50 years, after which you can renew the lease without the rent being increased. So yes, you can own the property as long as you lease the land but you can't own the land.

#### **7. It's Illegal to Overwork Yourself**

According to Vietnam's Labour Code introduced in 2013, you are officially not allowed to work for one employer for more than 48 hours a week. This amounts to a maximum of 8 hours a day, or if you don't work everyday, a maximum of 10 hours a day without being paid overtime.

If you are reading this now at 8:00 p.m. on a weekday on your office desktop, there's a high chance you're breaking the law. In other words, you should go home now.

## 8. Yes, the Legal Drinking Age Is 18



This entry was made to clear any confusion about the legal drinking age in Vietnam. Yes, it is 18.

## 9. Know Your Probationary Period

Speaking of work, if you have just taken up a new job, your probationary period cannot exceed 30 days of employment with a position that requires professional or vocational qualifications and 60 days of employment with a position that requires a college-level qualification or above and just six days for all other cases.

You will be paid a minimum of 85 percent of that position's official wage, so if you're reading this and realise you're being shortchanged at your current job, you know what to do!

## 10. You're Not Allowed to Gamble



Gambling, except in government licensed casinos, is illegal in Vietnam. Anyone found to be in violation of this law is subject to steep fines and/or a severe prison sentence. Access to licensed casinos is restricted to holders of foreign passports.

Alternatively, you could use that money for other not-so-illegal things.

## 11. Don't Bring Your Pornography Over

It is illegal to import pornographic materials into Vietnam as pornography itself, including the production, distribution and possession, are all illegal in this country. Enforcement of this law really depends on your luck and the punishment varies between fines and detention. To be on the safe side, it's better not to be walking around lugging DVDs of the dubious variety. The rationale behind this law is that pornography harms traditional Vietnamese values.

## 12. You're Not Allowed to Export Antiques

Fancy that vase that you saw in Da Nang that has been around for about 200 years? Bad news: you can't bring it back home. Well, not unless you get a permit from the Ministry of Culture. It is illegal to export antiques from Vietnam without a permit, so your best course of action is to speak to the ministry to get further advice on what you can do if you really like that vase and can already picture it in your living room back home.

### **13. Don't Do Drugs, Not Even in Vietnam**

There seems to be a rather relaxed and nonchalant attitude about drug usage in Vietnam. After all, it's not uncommon to catch a whiff of marijuana smoke wafting in the neighbourhood. But don't be fooled – penalties for drug offences in Vietnam are severe!



Under the Vietnamese penal code, a person caught in possession of even a small amount of heroin can be sentenced to death. There are actually foreigners in prison now serving life sentences or facing the death penalty for drug trafficking, and Vietnamese authorities have tightened their stand recently against drug-related offences.

### **14. Prostitution Is Illegal**

This might surprise a number of you, but prostitution is actually illegal in Vietnam! It's very common to see ladies of the night canvassing for customers, though – usually male tourists walking alone – and sometimes you'll get the occasional shady-looking middle-aged man on a bike asking you if you want a massage. Yes, all those are illegal and chargeable offences.

On a more serious note, the Government is trying to crack down on sex-trafficking, especially when it involves the underaged. Although it will take time to eradicate this due to the numerous syndicates around, it is still a work in progress.

On a side note, I've discovered a simple trick to brush away those pesky bikers who keep harassing me for a massage – just yell "I'm gay" and watch them scoot off into the night immediately. You're welcome.



## **15. Maternity Leave Entitlements**

If you become pregnant, you are entitled to up to six months of maternity leave, with two of these months marked as compulsory. You will get 100 percent of your salary paid during that time and if you are carrying more than one baby, you are entitled to take an extra month of leave per child.



Imagine having quadruplets – you’re pretty much not going to the office for almost a year.

## **16. No Drugs, No Weapons, No... Used Car Parts**

There exists a list of prohibited items that you should avoid bringing into the country. Some are straightforward like drugs and pornography, like I mentioned earlier, but there are also some other additions to that list, and some are strange.

For example, no weapons, ammunition and explosive materials; no military equipment; no reactionary and “depraved” cultural products which could include T-shirts with a beer brand’s logo on it; no fireworks; no second-hand consumer goods (yes, apparently); no second-hand electrical and electronic household appliances; no goods that can cause environmental damage; no second-hand spare parts; no waste and disposable materials; no money amounting to more than US\$5,000 without declaration; and, my personal favourite: no children’s toys that can detrimentally influence a child’s personality, education, social order, safety or disturb the peace.

However, you are allowed to bring no more than 400 cigarettes, no more than 100 cigars, no more than 500 grammes of tobacco, no more than 1.5 litres of liquor at 22 percent of volume and above (spirits) and no more than 2 litres of liquor below 22 percent volume (beers and wine). So it's not all that bad, I guess.

### **17. Be Careful What You Shoot**

For those of you into photography, or just like taking pictures in general, do take note that photography of, or near, military installations is generally prohibited. You might get your camera confiscated and be subjected to some serious questioning. Also, why would you be taking pictures of military installations in the first place?



Another big no-no is taking pictures during demonstrations. If you're taking a picture of a non-state sanctioned event, you're unwittingly putting yourself into a situation of being part of the demonstration which can get you in serious trouble, especially if you're a foreigner; we're looking at potential detention or deportation. So just stay away from demonstrations, let alone take pictures of one.

### **18. Things to Not Bring on Your Way Out**

Now that you know what not to bring in, here's what you can't bring out of Vietnam: weapons, ammunition, explosive materials, military techniques equipment and effects; antiques; drugs of all kinds; toxic chemicals; wood, logs, timber, preliminary processed wood of all kinds; rotten materials (why would you even?); wild, or precious, and rare animals and plants; and money amounting to more than US\$5,000 without declaring it.

## 19. Legal Age for Marriage Is...

Twenty for men and eighteen for women. Of course this information was added just in case...



## 20. Don't Linger Too Close to the Border

Earlier I mentioned that you're not allowed to hang around near military installations. This law also applies to an area that is close to the border. If you're planning to visit a village, commune or ward that is close to one, you may need to get permission from the provincial police department. Also always ensure that you have an ID with a photograph of you. This is not a suggestion, it's an actual law.

So there you have it – 20 Vietnamese laws that every foreigner in this country should know. Always remember to err on the side of caution when dealing with any of these issues. There have been cases where foreigners got detained and their passports confiscated, and prisons in Vietnam aren't exactly the best environment for one's physical or mental well-being. So stay safe and stay out of unnecessary trouble.