

## Rights of investors in Vietnam?

*Investors in Vietnam are entitled to receive basic rights as decreed by the government, including:*  
*Autonomy in investment/business:*

- Right to select investment sectors, forms of investment, methods of raising capital, location, scale, co-investors and operation duration of such investment project in accordance with current regulations and local planning schemes;
- Right to register one or more business sectors; to establish an enterprise; and to have authority over the registered investment/business activities.
- For conditional investment sectors, investors shall have autonomy in investment/business activities once they satisfy the conditions regulated by laws.

### 1. Rights to access and use investment resources:

- Investors have the right to equally access and use credit capital, support funds, land, and natural resources;
- Right to equally rent or purchase domestic and foreign-manufactured equipment or machines needed for **investment projects**.
- Right to recruit domestic employees; recruit foreign employees as managers, technical labour, or experts on demand in accordance with the law.
- Salary of employees must be at least the minimum wage as stipulated by labour laws.



### 2. Rights to import/export, to market/advertise, and to process/re-process goods relating to investment activities:

- Right to import directly (or through an authorised agent/distributor) equipment, machines, supplies, materials, and goods needed for investment activities; to export directly (or through an authorised agent/distributor) and to consume products.
- Right to market/advertise products and services.
- Right to undertake product processing/reprocessing activities; to place orders for domestic product processing/reprocessing; or to place orders for overseas product processing in accordance with laws.

### 3. Right to assign, adjust capital or investment projects:

Investors have the right to assign, adjust capital or investment projects. However, they are required to meet certain conditions in cases regulated by law.

### 4. Right to mortgage land use rights and assets attached to land:

Investors are allowed to mortgage land use rights and its attached assets to credit institutions authorised to operate in Vietnam in order to take out loans in accordance with laws.

5. Right to purchase foreign currency:

Investors are entitled to purchase foreign currency from authorised credit institutions for current transactions, capital transactions and other transactions in accordance with laws on foreign exchange management.

6. Other rights:

- Right to receive investment incentives as stipulated by law.
- Right to access and use public services based on the principle of non-discrimination.
- Right to have access to legal instruments and policies relating to investment, to the national economy and each economic sector's data, and to other relevant eco-social information relating to investment activities; right to give feedback on laws and policies relating to investment.
- Right to lodge complaints, to accuse or to file a lawsuit against individuals or organisations breaching the laws relating to investment.

Source: <http://www.intellasia.net/>